

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, DECEMBER 19, 2022 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER**

PERMISSIBLE PRELIMINARIES:

FIRST GAVEL

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS:

- None

COUNCIL MINUTES:

- November 21, 2022

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Programming & Recreation Committee – November 9, 2022
- Executive & Finance Committee – November 30, 2022 & December 1, 2022
- Sustainability & Parks Committee – December 7, 2022

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

ACTION	LEGISLATION	PROPOSED
1.	<p>An ordinance, pursuant to Euclid Codified Ordinance 905.02, to assign an honorary street and erect a sign at the intersection of Tracy Avenue and East 222nd Street and for it to be named Kenny Yuko Way in honor of our Ohio State Senator Kenny Yuko. (Sponsored by Mayor Holzheimer Gail and All Members of Council)</p> <p>Comment: This would allow an honorary street sign and for it to be named Kenny Yuko Way in honor of our retiring Senator.</p>	<p>Ord. (154-22)</p>
2.	<p>A resolution appointing Tara Hannum as Councilperson for Ward 5 to fill the vacancy created by the resignation of Ward 5 Councilperson Christine McIntosh effective January 1, 2023 and she shall serve for the balance of the unexpired term ending on December 31, 2023. (Sponsored by All Members of Council)</p> <p>Comment: This would appoint Tara Hannum as the new Councilperson for Ward 5.</p>	<p>Res. (146-22)</p>
3.	<p>A resolution approving the Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Projects Under Ohio Revised Code Chapter 1710 and approving the necessity of acquiring, installing, equipping, and improving certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District (26250 Euclid Avenue Project). (Sponsored by Mayor Holzheimer Gail)</p> <p>Comment: This would approve the Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Projects for 26250 Euclid Avenue Project.</p>	<p>Res. (147-22)</p>
4.	<p>An emergency ordinance determining to proceed with the acquisition, installation, equipping, and improvement of certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District (26250 Euclid Avenue Project), and declaring an emergency. (Sponsored by Mayor Holzheimer Gail)</p>	<p>Ord. (148-22)</p>

Comment: This would approve the Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Projects for 26250 Euclid Avenue Project.

5. An emergency ordinance levying special assessments for the purpose of acquiring, installing, equipping, and improving certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District, authorizing an Energy Project Cooperative Agreement and a Special Assessment Agreement in connection with the same, and declaring an emergency (26250 Euclid Avenue Project). (Sponsored by Mayor Holzheimer Gail) Ord. (149-22)

Comment: This would authorize an Energy Project Cooperative Agreement and a Special Assessment Agreement for improvements 26250 Euclid Avenue Project.

6. An emergency ordinance amending Ordinance 32-2022 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2022. (Sponsored by Council President Mancuso by request of the Director of Finance) Ord. (151-22)

Comment: This would finalize the budget for year ending 2022.

7. An emergency ordinance which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2023. (Sponsored by Council President Mancuso by request of the Director of Finance) Ord. (150-22)

Comment: This would approve the temporary City budget for 2023.

8. A resolution approving and accepting the Sustainability/Clean Energy Recommendations Report as reviewed by City Council's Sustainability and Parks Committee as an official addendum to the City's 2018 Master Plan. (Sponsored by Mayor Holzheimer Gail and Councilperson McIntosh) Res. (152-22)

Comment: This would accept the Sustainability/Clean Energy Recommendations Report as an official addendum to the City's 2018 Master Plan.

9. An ordinance renewing the 12 month moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permits and the issuance of such approvals for small box discount stores in the City of Euclid until December 31, 2023. (Sponsored by Councilperson Jarosz) Ord. (156-22)

Comment: This would renew the 12 month moratorium on city approvals for small box discount stores.

CEREMONIAL RESOLUTIONS

A resolution of respect, congratulations and a sincere thank you for **Christine McIntosh**, Ward 5 Councilperson. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (153-22)

A resolution of congratulations and a sincere appreciation for **Senator Kenny Yuko**, Ohio State Senator representing Ohio's 25th District for all that he has done for the City of Euclid, and the residents of his House and Senate Districts during his public service tenure. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (155-22)

**COMMITTEE OF THE WHOLE – PUBLIC PORTION
COUNCIL MEMBERS' COMMENT
ADJOURNMENT**



585 EAST 222ND STREET, EUCLID, OHIO 44123-2099

www.cityofeuclid.com

Board of Control

The Board of Control of the City of Euclid met on Monday November 28, 2022 in the Council Chambers to consider business to come before the Board. Chairwoman Holzheimer-Gail called the meeting to order at 4:00 p.m.

ROLL CALL:

Kirsten Holzheimer-Gail Chairwoman	(P)
Kelley Sweeney, Law Director	(P)
Sheila Chiofolo, Assistant Finance Director	(P)
Mac Stephens, Recreation Director	(E)
Patrick Grogan-Myers, Planning & Develop Director	(P)
Dan Knecht, Service Director	(P)
Wallace Tanner, Council Representative	(E)

Motion to excuse Councilman Tanner and Director Stephens moved by Director Sweeney and seconded by Director Knecht. Motion passed unanimously.

ALSO PRESENT:

ADD TO AGENDA:

MINUTES OF November 21, 2022: Moved by Director Sweeney and seconded by Director Grogan-Myers to approve the minutes of November 21, 2022. Motion passed unanimously.

BID OPENING:

TABULATIONS/RECOMMENDATIONS/AWARDS PENDING:

RECOMMENDATION:

FUTURE BID OPENINGS:

REQUISITIONS:

Fisher & Phillips LLP
Amount: \$6,257.85
Legal Services for Workers Compensation Cases

Moved by Assistant Director Chiofolo and seconded by Director Sweeney in the amount of \$6,257.85. Motion passed unanimously.

GPD Group
Amount: \$21,855.33
Euclid Sewer Study – Invoice #53

Moved by Assistant Director Chiofolo and seconded by Director Knecht in the amount of \$21,855.33. Motion passed unanimously.

November 28, 2022

Shultz Fluid Handling Equipment
Amount: \$11,635.56
Surface Waste Drain Pit Pump Impellers

Moved by Assistant Director Chiofalo and seconded by Director Knecht in the amount of \$11,635.56. Motion passed unanimously.

Pelton Environmental Products
Amount: \$5,777.22
Replacement Parts for the Sulzer Sludge Transfer Pumps

Moved by Assistant Director Chiofalo and seconded by Director Knecht in the amount of \$5,777.22. Motion passed unanimously.

GOVDEALS.COM:

<u>Item:</u>	2007 Ford Ranger	<u>Item:</u>	2009 Ford E-350 Van
<u>Price:</u>	\$250.00	<u>Price:</u>	\$250.00
<u>Duration:</u>	14 Days	<u>Duration:</u>	14 Days

Moved to approve GovDeals moved by Chairwoman Holzheimer-Gail and seconded by Director Grogan-Myers. Motion passed unanimously.

CHAIRMAN'S REPORT:
ADJOURNMENT:

Motion to adjourn moved by Director Knecht and seconded by Director Sweeney. Motion passed unanimously. This meeting adjourned at 4:03pm.

Chairman

Secretary

BOARD OF CONTROL

10-11-2022

For consideration:

To be sold on Gov. Deals

2007 Ford Ranger

Vehicle: #569

From: Building Department

Vin: 1FTYR14U67PA08745

Mileage: 99,795

Cost: \$12,998.00

Description:

Age

Rust issues

Needs substantial work

Availability of parts

Has served its usefulness to the Building Department

Will start bid at \$250.00

Bid increment will be determined by Gov. Deals

Will leave on auction for fourteen days

All monies to be paid to the General Fund

APPROVED BY
BOARD OF
CONTROL

DATE: 11.21.22
RE: Josh

BOARD OF CONTROL 11-11-2022

For Consideration:

To be sold on Gov. Deals

2009 Ford E-350 Van

Vehicle: # 509

From: Housing Department

Vin: 1FBSS31LX9DA68409

Mileage: 128,863

Cost: \$36,847.17

Description:

Age

Availability of parts

Rust issues

Needs substantial work

Has served its usefulness to the Housing Department

Will start bid at \$250.00

Bid increment will be determined by Gov. Deals

Will leave on auction for fourteen days

All monies to paid to the General Fund

APPROVED BY
BOARD OF
CONTROL

DATE: 11-21-22

RE: Janak



585 EAST 222ND STREET, EUCLID, OHIO 44123-2099

www.cityofeuclid.com

Board of Control

The Board of Control of the City of Euclid met on Monday December 5, 2022 in the Council Chambers to consider business to come before the Board. Acting Chairwoman Sweeney called the meeting to order at 4:00 p.m.

ROLL CALL:

Kirsten Holzheimer-Gail, Chairwoman	(E)
Kelley Sweeney, Acting Chairwoman	(P)
James Smith, Finance Director	(P)
Mac Stephens, Recreation Director	(E)
Patrick Grogan-Myers, Planning & Develop Director	(P)
Dan Knecht, Service Director	(P)
Christine McIntosh, Council Representative	(P)

Motion to excuse Chairwoman Holzheimer-Gail and Director Stephens moved by Director Smith and seconded by Director Knecht. Motion passed unanimously.

ALSO PRESENT:

ADD TO AGENDA:

MINUTES OF November 28, 2022: Moved by Councilwoman McIntosh and seconded by Director Grogan-Myers to approve the minutes of November 28, 2022. Motion passed unanimously.

BID OPENING:

TABLATIONS/RECOMMENDATIONS/AWARDS PENDING:

RECOMMENDATION:

FUTURE BID OPENINGS:

REQUISITIONS:

Pelton Environmental Products
Exceeds Amount: \$2,400.00
Sulzer Sludge Transfer Pump #1 Repair

Moved by Director Smith and seconded by Director Knecht in the amount of \$2,400.00. Motion passed unanimously.

National Pump & Process
Amount: \$24,930.00
NPW Pump to supply Lakeshore & NPW pump to supply Lakeland

Moved by Director Smith and seconded by Director Knecht in the amount of \$24,930.00. Motion passed unanimously.

National Pump & Process
Amount: \$9,702.00
NPW Booster Pump, spare for Headworks Building

Moved by Director Smith and seconded by Director Knecht in the amount of \$9,702.00. Motion passed unanimously.

December 5, 2022

Pelton Environmental Products
Amount: \$5,777.22
Repair Parts for the Sludge Transfer Pumps

Moved by Director Smith and seconded by Director Knecht in the amount of \$5,777.22. Motion passed unanimously.

Unique Paving Materials
Amount: \$12,495.65
Cold Patch

Moved by Director Smith and seconded by Director Knecht in the amount of \$12,495.65. Motion passed unanimously.

Imani Church of Christ
Amount: \$22,500.00
Support youth program in the neighborhood surrounding the Bluestone Basketball Court

Moved by Director Smith and seconded by Director Grogan-Myers in the amount of \$22,500.00. Motion passed unanimously.

GOVDEALS.COM:
CHAIRMAN'S REPORT:
ADJOURNMENT:

Motion to adjourn moved by Councilwoman McIntosh and seconded by Director Smith. Motion passed unanimously. This meeting adjourned at 4:04pm.

Chairman

Secretary

Committee Chair Summary

Committee name: Programming & Recreation Committee **Chairperson:** Angela Steele **Date of meeting:** 11/09/2022

Meeting Agenda Items:

1. Update of Fall and Winter Recreation
2. Update on the Recreation/Health Facility
3. Update of the swimming pools
4. Update on the C E Orr Ice Arena – Renovations of restrooms
5. Update of Briardale Golf Course performance

Committee Members Present: Kristian Jaroz, Christine McIntosh, Maria Jukic, Marcus Epps

Guests/Presenters: Councilman John M. Wojtila, Stephens, & Nick Bedner, Vice President of Operations for Indigo Sports, which is a division of Troon Golf Management, and Staff of Briardale Golf Course – Josh Fyrant, Superintendent, Ownen Reynolds, General Manager.

Issues Discussed: Nick gave an overview of performance. Showing they are currently profiting, due to the pandemic the participation has increase. The golf course does offer junior golf making it affordable for young golfers, and they continue to make golf affordable for everyone. Also discussed the homes surrounding the golf course on how the golf balls has injured some of the property. Making sure the netting is up and that golfers are aware if their golf ball damage the property of the resident they are responsible and will need to make their repairs. The signs are up throughout the golf course advising the rules. They discussed the need for new equipment, infrastructure and new furniture and paint. The golf course will need a new roof and parking lot will need re-pavement. Also discussed renovations needed for the C E Orr Ice Arena and discussed how the arena is used mostly by hocky groups outside of Euclid. Stated how the arena is being utilized but most people don't know of the activities the ice arena provides, free skating lessons. Fall & Winter Recreation will be offering a Candy Cane Hunt at Memorial Park, Friday at 12/16/22 at 6:00 p.m. Discussed the walking program that was being offered, and they also discussed the recreation department is offering basketball. Concerning the Recreational/Health Facility this will be reviewed between December 19 - January 16th 2023. Update on swimming pools which was discuss in length how the schools have certain scheduled times for open swim for the public, but it does not meet everyone needs. Has talked about inviting the schools to discuss the concerns of having the schools free up more swim time for residents. Also talked about having the Urban swim Cleveland collaborate with us to provide lifeguards and to make swimming available for kids.

Actions Taken:

- Move issue back to Council with Recommendation to approve. N/A
- Move back to Council with No Recommendation. N/A
- Keep in Committee for further discussion/information. N/A
- No Action taken. N/A
- Handouts provided. N/A

Committee Chairperson Signature

Euclid City Council Approval Date

Committee Chair Summary

Committee name: Executive and Finance Committee **Chairperson:** C. Mancuso **Date:** 11/30/2022

Meeting Agenda Items: Ward 5 Candidate Interviews and Discussion

Administration Staff Present: Law Director Sweeney

Committee Members Present: All Committee members present.

Guests/Presenters: None

Issues Discussed: The Committee interviewed seven (7) candidates applying for the Ward 5 appointment starting 1/1/2023.

Actions Taken: Following the interviews, there was a Motion to Recess into Executive Session pursuant to ORC 121.22(G) (1) and ECO125.05(a). Council may meet in executive session, closed to the public, to review and consider personnel matters, collective bargaining issues, sale or purchase of real estate, pending or imminent litigation or Court actions, and such other matters required or permitted to be kept confidential by Federal or State law, which executive sessions shall be held only pursuant to regulation adopted by ordinance.

The Committee recessed into executive session. Upon return from the recess, Council chairperson stated "We are back on the record." A motion was made to bring back four (4) candidates for a second interview. The motion was seconded. There was no further discussion noted. The Council clerk called the roll of committee members. There was a unanimous yes vote.

Committee Chair asked the law Director to contact the four candidates that were selected to return for a second interview.

With no further agenda items to be addressed, there was a motion to adjourn. It was seconded. Voice vote was yes. Meeting was adjourned.

Handouts: All committee members had the candidate's application and resume, if the resume was included.

Charlene Mancuso _____

Committee Chairperson Signature

12/19/2022

Euclid City Council Approval Date

Please provide a brief summary of activities occurring at the meeting and any actions taken. The completed summary should also be emailed to the Council Clerk no later than 48 hours after the Committee meeting so it can become part of the Legislative Fact sheet, if appropriate before the next Council meeting. Please be prepared as the Committee Chair, to speak to your summary at the next City Council meeting during the "Reports & Committee Documentation" process of the meeting. The Committee summaries will become part of the Council meeting record by being received and accepted at the meeting.

Committee Chair Summary

Committee name: Executive and Finance Committee **Chairperson:** C. Mancuso **Date:** 12/1/2022

Meeting Agenda Items: Ward 5 Candidate Second Interviews and Discussion

Administration Staff Present: Law Director Sweeney

Committee Members Present: All Committee members present with excused absences for Councilperson Epps and Councilperson Steele.

Guests/Presenters: None

Issues Discussed: The Committee interviewed the four (4) remaining candidates applying for the Ward 5 appointment beginning 1/1/2023.

Actions Taken: Following the interviews, there was a Motion to Recess into Executive Session pursuant to ORC 121.22(G) (1) and ECO125.05(a). Council may meet in executive session, closed to the public, to review and consider personnel matters, collective bargaining issues, sale or purchase of real estate, pending or imminent litigation or Court actions, and such other matters required or permitted to be kept confidential by Federal or State law, which executive sessions shall be held only pursuant to regulation adopted by ordinance.

The Committee recessed into executive session. Upon return from the recess, Committee chairperson stated "We are back on the record." A motion was made to recommend the appointment of Tara Hannum as the Ward 5 Councilperson beginning January 1, 2023. The motion was seconded. There was no further discussion noted. The Council clerk called the role of committee members. There was a unanimous yes vote.

Committee Chair asked the law Director to create the legislation that would allow the Council to vote on the Ward 5 appointment at the December 19, 2022 City Council Meeting.

With no further agenda items to be addressed, there was a motion to adjourn. It was seconded. Voice vote was yes. Meeting was adjourned.

Handouts: All committee members had the candidate's application and resume, if the resume was included.

Charlene Mancuso

Committee Chairperson Signature

12/19/2022

Euclid City Council Approval Date

Please provide a brief summary of activities occurring at the meeting and any actions taken. The completed summary should also be emailed to the Council Clerk no later than 48 hours after the Committee meeting so it can become part of the Legislative Fact sheet, if appropriate before the next Council meeting. Please be prepared as the Committee Chair, to speak to your summary at the next City Council meeting during the "Reports & Committee Documentation" process of the meeting. The Committee summaries will become part of the Council meeting record by being received and accepted at the meeting.

Committee Chair Summary

Committee name: Sustainability & Parks

Chairperson: McIntosh

Date: 12/07/2022

Meeting Agenda Items: #1-Parks Improvements Update and #2-NXTGen Recommendations and Municipal Priorities

Administration Staff Present: Mayor KHG, P&D Director PGM, Economic Development Manager Callie Cripps

Committee Members Present: Tanner, Jukic, Steele, McIntosh

Issues Discussed: Item #1 - Committee members received an update from the Administration regarding plans for municipal playground improvements in 2023. One year ago, a conditions and prioritization assessment was presented in Council's Recreation Committee. Memorial Park, Hero Park, and Willow Park were completed in 2021; Tungsten Park is currently being replaced as part of the 2022 plans, but is delayed but will be complete in 2023. Heritage Park is planned for 2023 and County Supplemental Grant funds are being sought. Progress to date: 2021 - \$600K spent using cell phone tower funds, permanent Improvement fund and CDBG funds; 2022 - \$260K spent using CDBG and ARPA funds; 2023 - \$175K expected using CDBG and Community Development Supplemental Grant funds. Members asked questions about cost estimates and contractors; none have been solidified to date. Item #2 - Committee Chair and Administration staff presented background that led to the development of a Sustainability Plan, including the City's 2020 Power a Clean Future Ohio (PCFO) commitment to lower carbon emissions by 30% by year 2030. Discussion included goals and key takeaways from the plan, a summary of projects implemented to date such as energy audits and upgrades, solar panel installation on City Hall, adding renewable energy options in brokered aggregation agreements, LED street light conversion (pending First Energy scheduling), EV charger installations (2 at City Hall muni lot and 2 planned for Sims Park), County microgrid agreement, and supporting property owners who are interested in commercial PACE financed projects. In 2021, Chairperson McIntosh had multiple planning sessions with PCFO partner Nutter Consulting while Economic Development Manager Callie Cripps was introduced to Russ Bates of NXTGen Clean Energy Solutions at a regional event. These parallel paths lead to the City recognizing the need for a sustainability action plan in order to better position itself for completing projects and securing funding. The City entered into an agreement with NXTGen in Spring 2022 and Russ and his team have spent approx 6 months assessing conditions and opportunities, and developing a framework for implementation. Goals of the plan include filling gaps in the City's knowledge on green and sustainable opportunities; developing a strategic action plan focused on recommendations to accomplish the 30% by 2030 goal; outlining potential partnerships with community stakeholders to build and strengthen a coalition; and identifying funding opportunities available to assist the City in executing the recommendations. After a lengthy and productive discussion, with many thoughtful questions from members, the committee moved to adopt the Sustainability Plan as an addendum to the City's 2018 Master Plan. This legislation will be introduced on the 12/19 City Council agenda. The plan was distributed to City Council on 12/2/22 and has been posted on the city's website since 12/9.

Actions Taken: Move issue back to Council with Recommendation to approve. X

Move back to Council with No Recommendation.

Keep in Committee for further discussion/information.

No Action taken.

Handouts provided? Yes - NXTGen Sustainability/Clean Energy Recommendations Report and 12/7/2022 Sustainability & Parks Committee Presentation

Committee Chairperson Signature

12/09/2022

Euclid City Council Approval Date

City of Euclid
Legislation Fact Sheet

Ordinance Re: ORDINANCE 905.03, Kenny Yuko Way (154-22)

Background/Justification

This section intended to provide background and justification for the above ordinance and specify any related adopted plans.

Ohio State Senator Kenny Yuko is retiring on 12/31/22 after many years of public service representing the City of Euclid and surrounding communities. City Council supports this resolution to add an Honorary Street sign recognizing the former soon-to-be retired Senator.

All of the application materials have been submitted except for receiving signatures from 75% of homeowners. That segment of street is predominately rental units. Law Director Sweeney contacted the rental owners, but only received a response from 3 owners—all in support. An additional signature was received from a property owner when members of the Euclid Public Library went door-to-door soliciting signatures. Euclid City Council can waive this signature requirement in this particular situation.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

The cost of the honorary signage will be paid for through the City Council budget as it is being proposed by the Mayor.

Request of Council

Passage

Emergency Passage

_____ of Three Readings

Send To Council Committee

Comment: Enter text here.

Comment: Enter text here.

Conclusion/Next Steps

This section will indicate what needs done once Council takes action.

Upon passage, the Service Dept. will install sign.

For further information or to answer additional questions, please contact:

	Phone	Email
Mayor Holzheimer Gail	(216) 289-2751	khgail@cityofeuclid.com

Attachments



SENATOR KENNY YUKO

OHIO SENATE  25TH DISTRICT



Representing Ohio's 25th Senate District that includes parts of both Cuyahoga and Lake Counties, State Senator Kenny Yuko has devoted his career to strengthening Northeast Ohio and improving the lives of those who call it home.

Senator Yuko grew up in Euclid and graduated from Brush High School in the South Euclid/Lyndhurst School District in 1968. He then attended both Cuyahoga Community College and Kent State University before entering the workforce.

Yuko began his career as a clothing buyer for Polsky's Department Store, but he soon found his true passion with union organizing. He served with the Laborers' Local #860 for 30 years, including 25 years as union organizer. He retired from that service in 2004. During his long career, he received multiple awards for his efforts, including the "2000 Organizing Award" from his International Union.

With this experience under his belt, Yuko ran for State Representative in 2004 with the goals of protecting working families, promoting health care access, and improving Ohio's economic climate. He won convincingly and was subsequently re-elected for three more terms. During his tenure in the House, he served as both Chairman and Ranking Member of the Commerce and Labor Committee, and was also a member on the Committees on Health and Aging and Veterans Affairs.

Because of his outstanding dedication to the causes he cares about, Yuko has received numerous awards and recognitions, including: AFL-CIO Lifetime Achievement Award, Kym Sellers Foundation Triumphant Award, National MS Society Advocacy Hall of Fame, Ohio Counseling Association Public Policy & Legislation Award, Home Medical Equipment Services Industry State Legislator of the Year Award, Linking Employment Abilities & Potential (LEAP) Legislative Advocacy Award, National Association of Mental Illness (NAMI) Legislator of Year Award, Ohio Ambulance & Medical Transportation Association Legislator of the Year Award, The Rosemary Home Angel of the Year, Mayor Georgine Welo Community Service Award, and various other awards and citations for his years of service to the community.

Yuko resides in Richmond Heights with his wife Pam. He has two children, Angela and the late Rocky, and three grandchildren.

Ordinance No.

By –Mayor Holzheimer Gail and Euclid City Council

An ordinance, pursuant to Euclid Codified Ordinance 905.02, to assign an honorary street and erect a sign at the intersection of Tracy Avenue and East 222nd Street and for it to be named Kenny Yuko Way in honor of our Ohio State Senator Kenny Yuko.

WHEREAS, on December 21, 2020, Euclid City Council amended ECO 905.03 "Honorary Street Names" which allowed for the provision of honorary street signs instead of officially changing a street name per Ohio Revised Code 723.04; and

WHEREAS, on December 1, 2022, an application and supporting materials were received by Mayor Holzheimer Gail to erect an honorary street sign at the intersection of Tracy Avenue and East 222nd Street and for it to be named Kenny Yuko Way in honor of our Ohio State Senator Kenny Yuko; and

WHEREAS, the application includes a sketch of the proposed sign and rendering of the sign; photographs of the area in which the sign is to be erected; a biography of Senator Yuko; supporting letters from organizations or individuals which provide evidence of local support for the honorary street name; and Euclid City Council waives the signature requirement in this special circumstance; and

WHEREAS, Euclid City Council supports the honorary street and erection of a sign per renderings submitted for our retiring Ohio State Senator Kenny Yuko at the intersection of Tracy Avenue and East 222nd Street and for it to be named Kenny Yuko Way.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: that this Council approves, pursuant to Euclid Codified Ordinance 905.02, the assignment and erection of a sign at the intersection of Tracy Avenue and East 222nd Street and for it to be named Kenny Yuko Way in honor of our Ohio State Senator Kenny Yuko.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

City of Euclid
Legislation Fact Sheet

Ordinance Re: WARD 5 APPOINTMENT (146-22)

Background/Justification

This section intended to provide background and justification for the above ordinance and specify any related adopted plans.

The position of Councilperson for Ward 5 of the City of Euclid is vacant as of December 31, 2022 due to the resignation of Ward 5 Councilperson Christine McIntosh. The Council of the City of Euclid accepted applications from interested residents of Ward 5 to fill the vacant position. After an interview process, the Council of the City of Euclid has determined that Tara Hannum is the best candidate to fill the Ward 5 seat by virtue of her electoral status, residence and qualifications. This appointment commences January 1, 2023 and Ms. Hannum shall serve for the balance of the unexpired term ending on December 31, 2023.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

None.

Request of Council

Passage

Emergency Passage

_____ of Three Readings

Send To Council Committee

Comment: Enter text here.

Comment: Enter text here.

Conclusion/Next Steps

This section will indicate what needs done once Council takes action.

Ms. Hannum will be sworn in as the new Ward 5 councilperson

For further information or to answer additional questions, please contact:

	Phone	Email
Council President Charlene Mancuso		cmancuso@cityofeuclid.com

Attachments

Resolution No.

By - All Members of Council

A resolution appointing Tara Hannum as Councilperson for Ward 5 to fill the vacancy created by the resignation of Ward 5 Councilperson Christine McIntosh effective January 1, 2023 and she shall serve for the balance of the unexpired term ending on December 31, 2023.

WHEREAS, the position of Councilperson for Ward 5 of the City of Euclid is vacant as of December 31, 2022 due to the resignation of Ward 5 Councilperson Christine McIntosh; and

WHEREAS, the Council of the City of Euclid accepted applications from interested residents of Ward 5 to fill the vacant position; and

WHEREAS, after an interview process, the Council of the City of Euclid has determined that Tara Hannum is the best candidate to fill the Ward 5 seat by virtue of her electoral status, residence and qualifications; and

WHEREAS, this appointment commences January 1, 2023; and

WHEREAS, pursuant to the Charter of the City of Euclid, Article II, Section 1, the appointee to the position as Councilperson for Ward 5 shall serve for the balance of the unexpired term ending on December 31, 2023.

NOW, THEREFORE, be it resolved by the Council of the City of Euclid, State of Ohio:

Section 1: That the Council of the City of Euclid hereby appoints Tara Hannum as Councilperson for Ward 5 to fill the vacancy created by the resignation of Ward 5 Councilperson Christine McIntosh effective January 1, 2023 and she shall serve for the balance of the unexpired term ending on December 31, 2023.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including 121.22 of Ohio Revised Code.

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

City of Euclid Legislation Fact Sheet

Ordinance Re: AED and PACE Resolution of Necessity (147-22)

Background/Justification

This section intended to provide the background and justification for the above ordinance.

This is the first of three pieces of legislation supporting the petition to add territory to the Northeast Ohio Advanced Energy District (AED) and for Special Energy Improvement Projects. This resolution approves the Petition and the Program Plan and declares necessary, and of vital and essential public purpose of the City, to improve the Property, which is located along 26250 Euclid Avenue within the City, by providing for the acquisition, installation, equipping, and improvement of the Project by the Owner, as set forth in the Petition, and providing for the payment of the costs of the Project.

It is declared an emergency in order to proceed in a timely fashion and as it is necessary for the resolution to pass before the ordinance to proceed can be passed by City Council.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

The City of Euclid shall deliver a certified copy of this resolution to the County Fiscal Officer within 15 days after its passage so that the assessments can be placed on the individual property owners' tax duplicate and collected as taxes are collected.

Request of Council

Passage X

Emergency Passage

First of Three Readings

Send To Council Committee

Comment: _____

Sponsor of Legislation

Mayor Holzheimer Gail

Conclusion/Next Steps

This section will indicate what needs done once Council takes action

Upon passage of the resolution, an ordinance to proceed shall be heard by the Euclid City Council.

For further information or to answer additional questions, please contact:

Name

Phone

Email

Callie Cripps

(216) 289-8141

ccripps@cityofeuclid.com

Resolution No.

By: Mayor Holzheimer Gail

A resolution approving the Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Projects Under Ohio Revised Code Chapter 1710 and approving the necessity of acquiring, installing, equipping, and improving certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District (26250 Euclid Avenue Project)

WHEREAS, Ohio Revised Code Section 1710.02(F) provides that a political subdivision which has approved a petition for special assessments for public improvements in an energy special improvement district and a plan pursuant to Ohio Revised Code Sections 1710.02(F) and 1710.06 shall levy the requested special assessments pursuant to Ohio Revised Code Chapter 727; and

WHEREAS, Euclid Office Campus LLC, as the owner of certain real property located within the City of Euclid, Ohio (the "City") (the "Owner"), has identified certain real property located at 26250 Euclid Avenue, Euclid, Ohio (the "Project Site"), as an appropriate property for a special energy improvement project pursuant to Ohio Revised Code Chapter 1710; and

WHEREAS, the Northeast Ohio Advanced Energy District (the "District") was created under Ohio Revised Code Chapters 1702 and 1710 as an energy special improvement district and is governed by the Northeast Ohio Advanced Energy Special Improvement District Commercial-Industrial Program Project Plan and the Northeast Ohio Advanced Energy Special Improvement District Commercial-Industrial Program Services Plan (together, and as amended and supplemented from time to time, the "Program Plan") was adopted as a plan for public improvements and public services under Ohio Revised Code Section 1710.02(F), which plan allows for additional properties within the City of Bedford, Ohio, City of Bedford Heights, Ohio, City of Berea, Ohio, City of Brecksville, Ohio, City of Brook Park, Ohio, City of Brooklyn, Ohio, City of Cleveland, Ohio, City of Cleveland Heights, Ohio, City of East Cleveland, Ohio, City of Euclid, Ohio, City of Fairview, Ohio, City of Garfield Heights, Ohio, City of Independence, City of Lakewood, Ohio, City of Maple Heights, Ohio, City of Middleburg Heights, Ohio, Village of Moreland Hills, Ohio, City of Parma, Ohio, City of Parma Heights, Ohio, City of Shaker Heights, Ohio, City of Solon, Ohio, City of South Euclid, Ohio, City of University Heights, Ohio and within any municipal corporation or township which is adjacent to any other municipal corporation or township in which a portion of the District's territory is located to be added to the territory of the District; and

WHEREAS, the Owner has determined to submit to the Mayor and the Council of the City (the "Council"), a *Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Project* (the "Petition") in accordance with Ohio Revised Code Section 1710.02, each of which are now on file with the Clerk of this Council; and

WHEREAS, the Petition, which is on file with the Clerk of Council, has been signed by the Owner, as the owner of one hundred percent (100%) of the real property affected by the Petition (as further described in Exhibit A to the Petition, the "Property"), and proposes the necessity of the Project and financing the Project through the cooperation of the District; and

WHEREAS, the Petition requests that the Project Site be added to the District and that the City levy special assessments on the Project Site to pay the costs of a special energy improvement project to be provided on the Project Site, all as described more particularly in the Petition (the "Project"); and

WHEREAS, the Petition is for the purpose of developing and implementing special energy improvement projects in furtherance of the purposes set forth in Section 20 of Article VIII of the Ohio Constitution, including, without limitation, the Project, and further, the Petition identifies the amount and length of the special assessments to be imposed with respect to the Project; and

WHEREAS, by the Petition, the Owner requests that the Project be paid for by special assessments assessed upon the Property (the "Special Assessments") in an amount sufficient to pay the costs of the Project, which is estimated to be \$3,469,528.68, including the costs identified in Section 5 of this Resolution, and requests that the Project be undertaken cooperatively by the City, the District, and such other parties as the City may deem necessary or appropriate; and

WHEREAS, in furtherance of the future addition of any real property in any municipal corporation or township contiguous to the municipal corporations or townships in which a portion of the territory of the District is located, it is necessary, and this Council has determined, to approve the

addition of such real property to the territory of the District, all in accordance with Ohio Revised Code Chapter 1710; and

WHEREAS, this Council, pursuant to Ohio Revised Code Section 1710.02(G)(4), has determined that the energy special improvement project to be constructed and implemented on the Project Site is not required to be owned exclusively by the City for its purposes, for uses determined by this Council, as the legislative authority of the City as those that will promote the welfare of the people of the City; to improve the quality of life and the general and economic well-being of the people of the City; to better ensure the public health, safety, and welfare; to protect water and other natural resources; to provide for the conservation and preservation of natural and open areas and farmlands, including by making urban areas more desirable or suitable for development and revitalization; to control, prevent, minimize, clean up, or mediate certain contamination of or pollution from lands in the state and water contamination or pollution; or to provide for safe and natural areas and resources; and,

WHEREAS, this Council, as mandated by Ohio Revised Code Chapter 1710, must approve or disapprove the Petition within 60 days of the submission of the Petition; and

WHEREAS, this Council has determined to approve the Petition.

NOW, THEREFORE, be it resolved by the Council of the City of Euclid, State of Ohio:

Section 1: That each capitalized term not otherwise defined in this Resolution or by reference to another document shall have the meaning assigned to it in the Petition.

Section 2: That this Council hereby approves the Petition and the Program Plan and declares necessary, and a vital and essential public purpose of the City, to improve the Property, which is located along 26250 Euclid Avenue within the City, by providing for the acquisition, installation, equipping, and improvement of the Project by the Owner, as set forth in the Petition, and providing for the payment of the costs of the Project, including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; trustee fees and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued or incurred to provide a loan or to secure an advance of funds to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued or incurred, including any credit enhancement fees, trustee fees, program administration fees, financing servicing fees, and District administrative fees and expenses; an amount to reflect interest on unpaid Special Assessments which shall be treated as part of the cost of the Project for which the Special Assessments are made at an interest rate which shall be determined by the District as its conduit financing entity to be substantially equivalent to the fair market rate that would have been borne by notes or bonds if notes or bonds had been issued by the District or another issuer of notes or bonds to pay the costs of the Project; together with all other necessary expenditures, all as more fully described in the Petition, and profiles, specifications, and estimates of cost of the Project, all of which are on file with the Finance Director of the City and open to the inspection of all persons interested.

Section 3: That this Council determines that the Project's elements are so situated in relation to each other that in order to complete the Project's elements in the most practical and economical manner, they should be acquired, installed, equipped, and improved at the same time, with the same kind of materials, and in the same manner; and that the Project's elements shall be treated as a single improvement, pursuant to Ohio Revised Code Section 727.09, and the Project's elements shall be treated as a joint improvement to be undertaken cooperatively by the City and the District pursuant to Ohio Revised Code Section 9.482 and Ohio Revised Code Chapter 1710.

Section 4: That the plans and specifications and total cost of the Project now on file in the office of the Clerk of Council are approved, subject to changes as permitted by Ohio Revised Code Chapter 727. The Project shall be made in accordance with the plans, specifications, profiles, and estimate of costs for the Project.

Section 5: That this Council determines and declares that the Project is an essential and vital public, governmental purpose of the City as a Special Energy Improvement Project, as defined in Ohio Revised Code Section 1710.01(I); and that in order to fulfill that essential and vital public purpose of the City, it is necessary and proper to provide, in cooperation with the District, for the acquisition, installation, equipment, and improvement of the Project in the manner contemplated by the Petition. This Council determines and declares that the Project is conducive to the public peace, health, safety and welfare of the City and the inhabitants of the City.

Section 6: That pursuant to Ohio Revised Code Section 1710.02(G)(4), this Council determines that the Project is not required to be owned exclusively by the City for its purposes, for uses determined by this Council, as the legislative authority of the City, as those that will promote the welfare

of the people of such participating political subdivision; to improve the quality of life and the general and economic well-being of the people of the City; to better ensure the public health, safety, and welfare; to protect water and other natural resources; to provide for the conservation and preservation of natural and open areas and farmlands, including by making urban areas more desirable or suitable for development and revitalization; to control, prevent, minimize, clean up, or mediate certain contamination of or pollution from lands in the state and water contamination or pollution; or to provide for safe and natural areas and resources. This Council accordingly authorizes the Board of Directors of the District (the "Board") to act as its agent to sell, transfer, lease, or convey the Project. The consideration the Board must obtain from any sale, transfer, lease, or conveyance of the special energy improvement project on the Project Site is any consideration greater than or equal to One Dollar and Zero Cents (\$1.00).

Section 7: That pursuant to and subject to the provisions of a valid Petition signed by the owners of one hundred percent (100%) of the Property, the entire cost of the Project shall be paid by the Special Assessments levied against the Property, which is the benefited property. The provisions of the Petition and the Program Plan are ratified, adopted, approved and incorporated into this Resolution as if set forth in full in this Resolution. The portion of the costs of the Project allocable to the City will be zero percent (0%). The City does not intend to issue securities in anticipation of the levy or the collection of the Special Assessments.

Section 8: That the method of levying the Special Assessments shall be in proportion to the benefits received, allocated among the parcels constituting the Property as set forth in the Petition and the Program Plan.

Section 9: That the lots or parcels of land to be assessed for the Project shall be the Property, described in Exhibit A to the Petition, all of which lots and lands are determined to be specially benefited by the Project.

Section 10: That the Special Assessments shall be levied and paid in [58] semi-annual installments pursuant to the list of estimated Special Assessments set forth in the Petition (which list is incorporated herein by reference), and the Owner has waived its option to pay the Special Assessment in cash within 30 days after the first publication of the notice of the assessing resolution or ordinance.

The aggregate amount of Special Assessments estimated to be necessary to pay the costs of the Project is \$3,469,528.68. Each semi-annual Special Assessment payment represents payment of a portion of the principal of and interest on obligations issued or incurred to pay the costs of the Project and of administrative expenses. The interest portion of the Special Assessments, together with amounts used to pay administrative expenses, shall be treated as part of the cost of the Project for which the Special Assessments are made at an interest rate which shall be determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds had notes or bonds been issued by the City or another issuer of notes or bonds to pay the costs of the Project. In addition to the Special Assessments, the County Fiscal Officer of Cuyahoga County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount will be added to the Special Assessments by the County Fiscal Officer of Cuyahoga County, Ohio.

Section 11: That the Finance Director or the Finance Director's designee is authorized and directed to prepare and file in the office of the Clerk of Council the estimated Special Assessments for the cost of the Project in accordance with the method of assessment set forth in the Petition and this Resolution, showing the amount of the assessment against each lot or parcel of land to be assessed.

Section 12: That the Owner has waived the requirement that notice of the adoption of this Resolution and the filing of the estimated Special Assessments upon the Owner of the Property to be assessed as provided in Ohio Revised Code Section 727.13 be delivered promptly following adoption of this Resolution.

Section 13: That the Finance Director or the Finance Director's designee is authorized, pursuant to Ohio Revised Code Section 727.12, to cause the Special Assessments to be levied and collected at the earliest possible time including, if applicable, prior to the completion of the Project.

Section 14: That the Special Assessments will be used by the City to pay the costs of the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the City to the District or to another party the City deems appropriate, and the Special Assessments are appropriated for such purposes.

Section 15: That this Council accepts and approves the waiver of all further notices, hearings, claims for damages, rights to appeal and other rights of property owners under the law, including but not limited to those specified in the Ohio Constitution, Ohio Revised Code Chapter 727, Ohio Revised Code Chapter 1710, and the Charter of the City and consents to the immediate imposition of the Special Assessments upon the Property. This waiver encompasses, but is not limited to, waivers by the Owner of the following rights:

- (i) The right to notice of the adoption of the Resolution of Necessity under Ohio Revised Code Sections 727.13 and 727.14;
- (ii) The right to limit the amount of the Special Assessments under Ohio Revised Code Sections 727.03 and 727.06;
- (iii) The right to file an objection to the Special Assessments under Ohio Revised Code Section 727.15;
- (iv) The right to the establishment of, and any proceedings by and any notice from an Assessment Equalization Board under Ohio Revised Code Sections 727.16 and 727.17;
- (v) The right to file any claim for damages under Ohio Revised Code Sections 727.18 through 727.22 and Ohio Revised Code Section 727.43;
- (vi) The right to notice that bids or quotations for the Project may exceed estimates by 15%;
- (vii) The right to seek a deferral of payments of Special Assessments under Ohio Revised Code Section 727.251;
- (viii) The right to notice of the passage of the assessing resolution or ordinance under Ohio Revised Code Section 727.26; and
- (ix) Any and all procedural defects, errors, or omissions in the Special Assessment process.

Section 16: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 17: That this his resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed: _____

Approved:

Mayor

City of Euclid Legislation Fact Sheet

Ordinance Re: AED and PACE Ordinance to Proceed (148-22)

Background/Justification

This section intended to provide the background and justification for the above ordinance.

This is the second of three pieces of legislation supporting the addition of territory to the Northeast Ohio Advanced Energy District (AED) and Property Assessed Clean Energy (PACE) Project. This is an ordinance determining to proceed with the acquisition, installation, equipping, and improvement of certain public improvements in the City, in cooperation with the NEOAED, for property located at 26250 Euclid Avenue.

It is declared an emergency in order to proceed in a timely fashion and as it is necessary for the ordinance to pass before the ordinance for assessments can be passed by City Council.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

The City of Euclid shall deliver a certified copy of this ordinance to the County Fiscal Officer within 15 days after its passage so that the assessments can be placed on the individual property owners' tax duplicate and collected as taxes are collected.

Request of Council

Passage

Emergency Passage

First of Three Readings

Send To Council Committee

Comment: _____

Sponsor of Legislation

Mayor Holzheimer Gail

Conclusion/Next Steps

This section will indicate what needs done once Council takes action

Upon passage of the ordinance to proceed, an ordinance of assessments shall be heard by the Euclid City Council.

For further information or to answer additional questions, please contact:

Name	Phone	Email
Callie Cripps	(216) 289-8141	ccripps@cityofeuclid.com

Ordinance No.

By: Mayor Holzheimer Gail

An emergency ordinance determining to proceed with the acquisition, installation, equipping, and improvement of certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District (26250 Euclid Avenue Project), and declaring an emergency.

WHEREAS, the Council ("Council") of the City of Euclid, Ohio (the "City") duly adopted Resolution No. _____ on _____ (the "Resolution of Necessity"), (i) declaring the necessity of acquiring, installing, equipping, and improving special energy improvement projects, including, without limitation, solar photovoltaic systems and related improvements (the "Project," as more fully described in the Petition referenced in this Ordinance) located on real property owned by Euclid Office Campus LLC (the "Owner") at 26250 Euclid Avenue within the City (the "Property", as more fully described in Exhibit A to the Petition); (ii) providing for the acquisition, installation, equipping, and improvement of the Project by the Owner, as set forth in the *Owner's Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Project* (the "Petition"), including by levying and collecting special assessments to be assessed upon the Property (the "Special Assessments") in an amount sufficient to pay the costs of the Project, which was estimated to be \$3,469,528.68 in the Petition, including other related costs of financing the Project, which may include, without limitation, the payment of principal of and interest on nonprofit corporate obligations issued to pay the costs of the Project and other interest, financing, credit enhancement, and issuance expenses and ongoing trustee fees and Northeast Ohio Advanced Energy Improvement District ("District") administrative fees and expenses; and (iii) determining that the Project will be treated as a special energy improvement project to be undertaken cooperatively by the City and the District; and

WHEREAS, the claims for damages alleged to result from, and objections to, the Project have been waived by one hundred percent (100%) of the Owners, and no claims for damages alleged to result from, or objections to, the Project have been filed within the times prescribed by Ohio Revised Code Sections 727.15 and 727.18.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

Section 2: That this Council declares that its intention is to proceed or to cooperate with the District to proceed with the acquisition, installation, equipment, and improvement of the Project described in the Petition and the Resolution of Necessity. The Project shall be made in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles, and estimates of cost previously approved and now on file with the Finance Director and the Clerk of this Council.

Section 3: That the Special Assessments to pay costs of the Project, which are estimated to be \$3,469,528.68 including any and all architectural, engineering, legal, insurance, consulting, energy auditing, planning, acquisition, installation, construction, surveying, testing, and inspection costs; the amount of any damages resulting from the Project and the interest on such damages; the costs incurred in connection with the preparation, levy and collection of the special assessments; the cost of purchasing and otherwise acquiring any real estate or interests in real estate; expenses of legal services; costs of labor and material; trustee fees and other financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued or incurred to provide a loan or to secure an advance of funds to the Owner or otherwise to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued or incurred, including any credit enhancement fees, trustee fees, program administration fees, financing servicing fees, and District administrative fees and

expenses; an amount to reflect interest on unpaid Special Assessments which shall be treated as part of the cost of the Project for which the Special Assessments are made at an interest rate which shall be determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds if notes or bonds had been issued by the District or another issuer of notes or bonds to pay the costs of the Project; together with all other necessary expenditures, shall be assessed against the Property in the manner and in the number of semi-annual installments provided in the Petition and the Resolution of Necessity. Each semi-annual Special Assessment payment represents the payment of a portion of any principal repayment and interest and administrative fees payable with respect to the Project. The Special Assessments shall be assessed against the Property commencing in tax year 2023 for collection in 2024 and shall continue through tax year 2051 for collection in 2052; provided, however, if the proceedings relating to the Special Assessments are completed at such time that the County Fiscal Officer of Cuyahoga County, Ohio determines that collections shall not commence in 2024, then the collection schedule may be deferred by one year. In addition to the Special Assessments, the County Fiscal Officer of Cuyahoga County, Ohio may impose a special assessment collection fee with respect to each semi-annual payment, which amount, if imposed, will be added to the Special Assessments by the County Fiscal Officer of Cuyahoga County, Ohio.

Section 4: That the estimated Special Assessments for costs of the Project prepared and filed in the office of the Clerk of this Council and in the office of the Finance Director, in accordance with the Resolution of Necessity, are adopted.

Section 5: That in compliance with Ohio Revised Code Section 319.61, the Clerk of Council is directed to deliver a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio within 15 days after the date of its passage.

Section 6: That all contracts for the construction of the Project will be let in accordance with the Petition and the Program Plan, and the costs of the Project shall be financed as provided in the Resolution of Necessity.

Section 7: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the citizens of the City; and for the further reason that it is urgently necessary to allow the Owner and the District to take advantage of financing for the Project available to them for a limited time; therefore, provided that it receives the affirmative vote of two-thirds of the members elected to Council, this ordinance shall be in full force and take effect immediately upon its adoption by Council and approval by the Mayor; otherwise it shall be in full force and take effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed: _____

Approved:

Mayor

RECEIPT OF COUNTY FISCAL OFFICER FOR
LEGISLATION DETERMINING TO
PROCEED WITH ACQUISITION, INSTALLATION,
EQUIPPING, AND IMPROVEMENT OF CERTAIN PUBLIC
IMPROVEMENTS IN THE CITY OF EUCLID, OHIO
IN COOPERATION WITH THE NORTHEAST OHIO
ADVANCED ENERGY DISTRICT

I, Michael W. Chambers, CPA, the duly elected, qualified, and acting Fiscal Officer in and for Cuyahoga County, Ohio hereby certify that a certified copy of Ordinance No. _____ duly passed by the Council of the City of Euclid, Ohio on _____, determining to proceed with the acquisition, installation, equipping, and improvement of certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District, was filed in this office on _____.

WITNESS my hand and official seal at Cleveland, Ohio on _____.

[SEAL]

Fiscal Officer
Cuyahoga County, Ohio

City of Euclid Legislation Fact Sheet

Ordinance Re: AED and PACE Assessment Ordinance (149-22)

Background/Justification

This section intended to provide the background and justification for the above ordinance.

This is third of three pieces of legislation supporting the addition of territory to the Northeast Ohio Advanced Energy District and Property Assessed Clean Energy (PACE) Project. This ordinance levies special assessments on property owners who submitted petitions for the purpose of acquiring, installing, equipping, and improving certain public improvements in the City in cooperation with the Northeast Ohio Advanced Energy District, authorizing an Energy Project Cooperative Agreement and a Special Assessment Agreement in connection with the same.

It is declared an emergency in order to proceed in a timely fashion to address the project timeline for improvements set forth by the Project and to authorize the City to enter into an Energy Project Cooperative Agreement with the District, the Owner, and the PACE Equity LLC (the "Investor") to provide for, among other things, the making and the disbursement of the Project Advance and the transfer of the Special Assessments by the City to the Investor to pay principal and interest and other costs relating to the Project Advance.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

The City of Euclid shall deliver a certified copy of this ordinance to the County Fiscal Officer within 15 days after its passage so that the assessments can be placed on the individual property owners' tax duplicate and collected as taxes are collected.

Request of Council

- Passage
- Emergency Passage
- First of Three Readings
- Send To Council Committee Comment: _____

Sponsor of Legislation

Mayor Holzheimer Gail

Conclusion/Next Steps

This section will indicate what needs done once Council takes action

Upon passage of the ordinance for assessments, the City is authorized to enter into both an Energy Project Cooperative Agreement with AED, Property Owner and Lender and a Special Assessment Agreement with Cuyahoga County as well as authority to add the property to the list of Special Assessments to be levied for a term of 25 years.

For further information or to answer additional questions, please contact:

Name	Phone	Email
Callie Cripps	(216) 289-8141	ccripps@cityofeuclid.com

Ordinance No.

By: Mayor Holzheimer Gail

An emergency ordinance levying special assessments for the purpose of acquiring, installing, equipping, and improving certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District, authorizing an Energy Project Cooperative Agreement and a Special Assessment Agreement in connection with the same, and declaring an emergency (26250 Euclid Avenue Project)

WHEREAS, Euclid Office Campus LLC (the "Owner") has submitted its *Petition to Add Territory to the Northeast Ohio Advanced Energy District and for Special Energy Improvement Project* (the "Petition") in order to provide for the completion of a special energy improvement project on real property owned by the Owner in the City of Euclid, Ohio (the "City"); and

WHEREAS, this Council (the "Council") duly passed Resolution No. _____ on _____ (the "Resolution of Necessity"), which approved the Petition and added the Owner's property subject to the Petition to the Northeast Ohio Advanced Energy District (the "District") and declared the necessity of acquiring, installing, equipping, and improving special energy improvement projects, including, without limitation, solar photovoltaic systems and related improvements (the "Project"), as described in the Resolution of Necessity and as set forth in the Petition requesting those improvements; and

WHEREAS, this Council duly adopted Ordinance No. _____ on _____, and determined to proceed with the Project and adopted the estimated Special Assessments (as defined in the Resolution of Necessity) filed with the Clerk of this Council and the Finance Director pursuant to the Resolution of Necessity; and

WHEREAS, the City intends to enter into an Energy Project Cooperative Agreement (the "Energy Project Cooperative Agreement") with the District, the Owner, and the PACE Equity LLC (the "Investor") to provide for, among other things, (i) the making of the Project Advance (as defined in the Energy Project Cooperative Agreement) to pay costs of the Project, (ii) the disbursement of the Project Advance for the acquisition, installation, equipment, and improvement of the Project and the transfer of the Special Assessments by the City to the Investor to pay principal and interest and other costs relating to the Project Advance; and

WHEREAS, to provide for the security for the Project Advance and for the administration of payments on the Project Advance and related matters, the City intends to enter into the Special Assessment Agreement with the County Treasurer of Cuyahoga County, Ohio, the District, the Owner, and the Investor; and

WHEREAS, the actual costs of the Project have been ascertained and have been certified to the City in the Petition for the Project.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Resolution of Necessity.

Section 2: That the list of Special Assessments to be levied and assessed on the Property (as further described on Exhibit A) in an amount sufficient to pay the costs of the Project, which is \$3,469,528.68, including other related financing costs incurred in connection with the issuance, sale, and servicing of securities, nonprofit corporate obligations, or other obligations issued to pay costs of the Project in anticipation of the receipt of the Special Assessments, capitalized interest on, and financing reserve funds for, such securities, nonprofit corporate obligations, or other obligations so issued, including any credit enhancement fees, trustee fees, and District administrative fees and expenses, which costs were set forth in the Petition and previously reported to this Council and are now on file in the offices of the Clerk of Council and the Finance Director, is adopted and confirmed, and that the Special Assessments are levied and assessed on the Property. The interest portion of the Special

Assessments, which shall accrue at the annual rate of 6.30%, together with amounts used to pay administrative expenses, has been determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds been issued by the District.

The Special Assessments are assessed against the Property commencing in tax year 2023 for collection in 2024 and shall continue through tax year 2051 for collection in 2052; provided, however, if the proceedings relating to the Special Assessments are completed at such time that the County Fiscal Officer of Cuyahoga County, Ohio determines that collections shall not commence in 2024, then the collection schedule may be deferred by one year. The semi-annual installment of the Special Assessments shall be collected in each calendar year equal to a maximum semi-annual amount of Special Assessments as shown in Exhibit A, attached hereto and incorporated into this Ordinance.

All Special Assessments shall be certified by the Finance Director to the County Fiscal Officer pursuant to the Petition and Ohio Revised Code Chapter 727.33 to be placed on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

The Special Assessments shall be allocated among the parcels constituting the Property as set forth in the Petition and the List of Special Assessments attached hereto as Exhibit A and incorporated herein.

Section 3: That this Council finds and determines that the Special Assessments are in proportion to the special benefits received by the Property as set forth in the Petition and are not in excess of any applicable statutory limitation.

Section 4: That the Owner has waived its right to pay the Special Assessments in cash, and all Special Assessments and installments of the Special Assessments shall be certified by the Finance Director to the County Fiscal Officer of Cuyahoga County, Ohio as provided by the Petition and Ohio Revised Code Section 727.33 to be placed by him or her on the tax list and duplicate and collected with and in the same manner as real property taxes are collected and as set forth in the Petition.

Section 5: That the Special Assessments will be used by the City to pay the cost of the Project in cooperation with the District in any manner, including assigning the Special Assessments actually received by the City to the District or to another party the City deems appropriate, and the Special Assessments are appropriated for such purposes.

Section 6: That the Finance Director shall keep the Special Assessments on file in the Office of the Finance Director.

Section 7: That this Council hereby approves the Energy Project Cooperative Agreement, a copy of which is on file in the office of the Clerk of this Council. The Mayor or the Mayor's designee shall sign and deliver, in the name and on behalf of the City, the Energy Project Cooperative Agreement, in substantially the form as is now on file with the Clerk of this Council. The Energy Project Cooperative Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved the Mayor or the Mayor's designee, on behalf of the City, all of which shall be conclusively evidenced by the signing of the Energy Project Cooperative Agreement or amendments to the Energy Project Cooperative Agreement.

Section 8: That this Council hereby approves the Special Assessment Agreement a copy of which is on file in the office of the Clerk of this Council. The Mayor or the Mayor's designee shall sign and deliver, in the name and on behalf of the City, the Special Assessment Agreement, in substantially the form as is now on file with the Clerk of this Council. The Special Assessment Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Mayor or the Mayor's designee, on behalf of the City, all of which shall be conclusively evidenced by the signing of the Special Assessment Agreement or amendments to the Special Assessment Agreement.

Section 9: That the City is hereby authorized to enter into such other agreements that are not inconsistent with the Resolution of Necessity and this Ordinance and that are approved by the Mayor or the Mayor's designee, on behalf of the City, all of which shall be

conclusively evidenced by the signing of such agreements or any amendments to such agreements.

Section 10: That in compliance with Ohio Revised Code Section 319.61, the Clerk of the this Council is directed to deliver a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio within 20 days after its passage.

Section 11: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 12: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the citizens of the City; and for the further reason that it is urgently necessary to allow the Owner and the District to take advantage of financing for the Project available to them for a limited time; therefore, provided that it receives the affirmative vote of two-thirds of the members elected to Council, this ordinance shall be in full force and take effect immediately upon its adoption by Council and approval by the Mayor; otherwise it shall be in full force and take effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed: _____

Approved:

Mayor

EXHIBIT A

**LIST OF SPECIAL ASSESSMENTS AND
SCHEDULE OF SPECIAL ASSESSMENTS**

LIST OF SPECIAL ASSESSMENTS

<u>Name</u>	<u>Assessed Properties Description</u>	<u>Portion of Benefit and Special Assessment</u>	<u>Amount of Special Assessments</u>
Euclid Office Campus LLC	648-52-003	100%	\$3,469,528.68

**SCHEDULE OF SPECIAL ASSESSMENTS
FOR CUYAHOGA COUNTY PARCEL NOS.:**

648-52-003¹

The following schedule of Special Assessment charges shall be certified for collection in 58 semi-annual installments to be collected with first-half and second-half real property taxes in calendar years 2024 through 2052:

Special Assessment Payment Date ²	Special Assessment Installment Amount ³
1/31/2024	\$59,819.46
7/31/2024	59,819.46
1/31/2025	59,819.46
7/31/2025	59,819.46
1/31/2026	59,819.46
7/31/2026	59,819.46
1/31/2027	59,819.46
7/31/2027	59,819.46
1/31/2028	59,819.46
7/31/2028	59,819.46
1/31/2029	59,819.46
7/31/2029	59,819.46
1/31/2030	59,819.46
7/31/2030	59,819.46
1/31/2031	59,819.46
7/31/2031	59,819.46
1/31/2032	59,819.46
7/31/2032	59,819.46
1/31/2033	59,819.46
7/31/2033	59,819.46
1/31/2034	59,819.46
7/31/2034	59,819.46
1/31/2035	59,819.46
7/31/2035	59,819.46
1/31/2036	59,819.46
7/31/2036	59,819.46
1/31/2037	59,819.46
7/31/2037	59,819.46
1/31/2038	59,819.46
7/31/2038	59,819.46
1/31/2039	\$59,819.46
7/31/2039	59,819.46
1/31/2040	59,819.46
7/31/2040	59,819.46
1/31/2041	59,819.46
7/31/2041	59,819.46
1/31/2042	59,819.46
7/31/2042	59,819.46
1/31/2043	59,819.46
7/31/2043	59,819.46
1/31/2044	59,819.46
7/31/2044	59,819.46
1/31/2045	59,819.46
7/31/2045	59,819.46
1/31/2046	59,819.46
7/31/2046	59,819.46
1/31/2047	59,819.46
7/31/2047	59,819.46

¹ As identified in the records of the County Fiscal Officer of Cuyahoga County, Ohio as of December 1, 2022.

² Pursuant to Ohio Revised Code Chapter 323, the Special Assessment Payment Dates identified above are subject to adjustment under certain conditions.

³ Pursuant to Ohio Revised Code Section 727.36, the Cuyahoga County Fiscal Officer may charge and collect a fee in addition to the amounts listed in the above schedule.

Special Assessment Payment Date ²	Special Assessment Installment Amount ³
1/31/2048	59,819.46
7/31/2048	59,819.46
1/31/2049	59,819.46
7/31/2049	59,819.46
1/31/2050	59,819.46
7/31/2050	59,819.46
1/31/2051	59,819.46
7/31/2051	59,819.46
1/31/2052	59,819.46
7/31/2052	59,819.46

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION LEVYING SPECIAL ASSESSMENTS
FOR THE PURPOSE OF ACQUIRING, INSTALLING, EQUIPPING,
AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS
IN THE CITY OF EUCLID, OHIO IN COOPERATION WITH
THE NORTHEAST OHIO ADVANCED ENERGY DISTRICT

I, Michael W. Chambers, CPA, the duly elected, qualified, and acting Fiscal Officer in and for Cuyahoga County, Ohio hereby certify that a certified copy of Ordinance _____, duly adopted by the Council of the City of Euclid, Ohio on _____ levying special assessments for the purpose of acquiring, installing, equipping, and improving certain public improvements in the City of Euclid, Ohio in cooperation with the Northeast Ohio Advanced Energy District, including the List of Special Assessments and Schedule of Special Assessments, which Special Assessment charges shall be certified for collection in 58 semi-annual installments to be collected with first-half and second-half real property taxes in calendar years 2024 through 2052, was filed in this office on _____.

WITNESS my hand and official seal at Cleveland, Ohio on _____.

[SEAL]

Fiscal Officer
Cuyahoga County, Ohio

BY: Council President Charlene Mancuso (per request of the Finance Director)

AN EMERGENCY ORDINANCE AMENDING ORDINANCE 32-2022 WHICH MAKES THE ANNUAL APPROPRIATION FOR ALL EXPENDITURES FOR THE CITY OF EUCLID FOR THE PERIOD ENDING DECEMBER 31, 2022.

WHEREAS, IN ORDER TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, IT IS NECESSARY THAT THE FOLLOWING SUMS OF MONEY, OR AS MUCH THEREOF AS MAY BE AUTHORIZED BY LAW, AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY, BE APPROPRIATED FOR THE CORPORATE PURPOSES AND OBJECTS OF SAID CITY AS HEREINAFTER SPECIFIED.

WHEREAS, THE SUBJECT MATTER OF THIS ORDINANCE CONSTITUTES AN EMERGENCY IN THAT THE SAME PROVIDES FOR THE PRESERVATION OF THE PUBLIC PEACE, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF EUCLID, AND FOR THE DAILY OPERATION OF A MUNICIPAL DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUCLID, THE STATE OF OHIO.

SECTION 1 : THAT TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, OVER A PERIOD ENDING DECEMBER 31, 2022. THE FOLLOWING SUMS BE AND THEY ARE HEREBY SET ASIDE AND APPROPRIATED AS HEREINAFTER SET FORTH.

SECTION 2 : THAT THE EXPENDITURES OF EACH FUND FOR THE CITY OF EUCLID CAN NOT EXCEED THE APPROPRIATION AS AMENDED, FOR THAT FUND.

SECTION 3 : THAT THERE BE AND THERE IS HEREBY APPROPRIATED FROM THE FOLLOWING FUNDS, THE DETAIL OF WHICH IS SHOWN BELOW:

101 GENERAL FUND		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
<u>Legislative Departments</u>				
101-111	COUNCIL	184,685	8,829	193,514
<u>Judicial Departments</u>				
101-121	COURT	1,569,814	441,600	2,011,414
<u>Executive Departments</u>				
101-131	MAYOR	476,753	20,400	497,153
101-132	HUMAN RESOURCES	10,000	20,500	30,500
101-133	CIVIL SERVICE	19,554	40,200	59,754
101-134	BOARDS & COMMISSIONS	-	-	-
<u>Law Department</u>				
101-141	LAW DEPARTMENT	866,065	235,950	1,102,015
<u>Finance Department</u>				
101-151	FINANCE	423,378	107,600	530,978
101-152	TAX	232,243	1,165,800	1,398,043
101-153	VITALS	-	298,152	298,152
101-154	INFORMATION TECH	256,865	467,923	724,788
<u>Police Department</u>				
101-211	POLICE	13,960,641	1,389,899	15,350,540
101-212	POLICE ADMIN	833,828	251,836	1,085,664
101-213	CORRECTIONS	-	450,000	450,000
<u>Fire Department</u>				
101-221	FIRE (FIGHTING, PREVENTION, INSPECTIONS)	11,296,758	244,100	11,540,858
101-222	FIRE ADMIN	90,323	21,450	111,773
<u>Protective Inspection Department</u>				
101-311	BUILDING / HOUSING	905,608	236,070	1,141,678
101-331	PLANNING AND ZONING	196,379	10,550	206,929
<u>CS & ED Department</u>				
101-411	PLANNING AND DEVELOPMENT	365,286	420,104	785,390
<u>Service Department</u>				
101-511	PUBLIC WORKS	172,209	1,651,800	1,824,009
101-521	PUBLIC BUILDINGS	679,124	266,750	946,174
101-531	HIGHWAYS AND STREETS	-	-	-
101-541	MOTOR MAINTENANCE	750,400	885,950	1,636,350
101-551	PARKS	1,098,497	114,210	1,212,707
101-561	ENGINEERING	-	71,150	71,150
101-571	SANITATION	-	2,876,300	2,876,300
<u>Recreation</u>				
101-611	RECREATION	-	-	-
101-621	SENIOR CENTER	310,635	49,700	360,335
<u>General Services</u>				
101-711	GENERAL SERVICES	10,000	2,399,350	2,409,350
<u>TRANSFERS</u>				
101-912	TO ANIMAL SHELTER -	FUND 214	100,000	100,000
	TO SHORE CORP. -	FUND 290	219,000	219,000
	TO SELF-INSUR. LIABILITY -	FUND 630	280,000	280,000
	TOTAL TRANSFERS OUT	-	689,000	689,000
101-913	ADVANCES TO GOLF COURSE	FUND 560	-	-
TOTAL GENERAL FUND				49,454,518
<u>SPECIAL REVENUE FUNDS</u>		<u>PERSONAL SERVICES</u>	<u>OTHER EXPENDITURES</u>	<u>TOTAL</u>

210	STATE HIGHWAY		149,000	149,000	
211	INDIGENT DRIVER ALCOHOL PROGRAM		140,000	140,000	
212	COURT COMPUTERIZATION		250,000	250,000	
213	COURT SPECIAL PROJECTS		250,000	250,000	
214	ANIMAL SHELTER	108,560	17,830	126,390	
216	NUISANCE ABATEMENT	183,171	199,000	382,171	
217	INDIGENT DRIVER INTERLOCK & ALCOHOL		30,000	30,000	
220	STREET MAINTENANCE & CONSTRUCTION	1,107,075	3,705,625	4,812,700	
230	COMMUNITY TV		1,809	1,809	
240	RECREATION OPERATING	458,813	401,051	859,864	
250	COMMUNITY DEVELOPMENT BLOCK GRANT	349,950	1,210,450	1,560,400	
252	NEIGHBORHOOD STABILIZATION GRANT		102,802	102,802	
253	HOME PROGRAM		123,500	123,500	
255	OTHER GRANTS		5,000,000	5,000,000	
258	CARES ACT		277	277	
259	ARP ACT		19,409,948	19,409,948	
261	COP GRANT	242,023	-	242,023	
262	SAFER GRANT	656,306	-	656,306	
280	LAW ENFORCEMENT TRUST		200,000	200,000	
290	SHORE CORPORATION	280,201	160,800	441,001	
291	UNCLAIMED MONIES		1,000	1,000	
TOTAL SPECIAL REVENUE FUNDS				34,739,191	
CAPITAL PROJECTS FUNDS			PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
310	GENERAL PERMANENT IMPROVEMENT			914,385	914,385
320	RECREATION CAPITAL			900,000	900,000
330	SIDEWALK REPAIR AND REPLACEMENT			-	-
380	SIMS PARK			4,307	4,307
391	BENNINGTON HAMLET TIF			110,000	110,000
393	CMP PROPERTIES TIF			100,000	100,000
394	HARBOR TOWN TIF			650,000	650,000
395	DOWNTOWN DISTRICT TIF			165,000	165,000
396	O'REILLY PUBLIC IMPROVEMENT TIF			60,000	60,000
397	SID WATERFRONT DISTRICT			250	250
398	DOLLAR GENERAL TIF			10	10
TOTAL CAPITAL PROJECTS FUNDS					2,903,952
DEBT SERVICE FUNDS			PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
410	BOND RETIREMENT			4,732,165	4,732,165
TOTAL DEBT SERVICE FUNDS					4,732,165
ENTERPRISE FUNDS			PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
510	WASTE WATER TREATMENT	4,175,246		30,655,065	34,830,311
511	EQUIPMENT REPLACEMENT			621,000	621,000
512	CREEKS AND SEWERS	1,199,166		189,000	1,388,166
515	PETERSON TRUNK LINE			5,910,635	5,910,635
516	WATERLINE IMPROVEMENT			3,610,481	3,610,481
560	BRIARDALE GOLF COURSE			230,000	230,000
TOTAL ENTERPRISE FUNDS					46,590,593
INTERNAL SERVICE FUNDS			SERVICES	EXPENDITURES	TOTAL
630	SELF INSURANCE			321,000	321,000
TOTAL INTERNAL SERVICE FUND					321,000
TRUST & AGENCY FUNDS			SERVICES	EXPENDITURES	TOTAL
730	RETIREES-INSURANCE PYMTS			500	500
740	BUILDING DEPOSITS			100,000	100,000
750	STREET OPENINGS			10,000	10,000
760	REVOLVING			60,000	60,000
TOTAL TRUST & AGENCY FUND					170,500
TOTAL ALL FUNDS					\$ 138,911,919

SECTION 4: THAT THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO DRAW HIS WARRANTS FROM ANY OF THE FOREGOING APPROPRIATIONS UPON RECEIVING PROPER CERTIFICATES AND VOUCHERS THEREFORE APPROVED BY THE BOARD OF OFFICERS AUTHORIZED BY LAW TO APPROVE THE SAME, OR AN ORDINANCE OR RESOLUTION OF COUNCIL TO MAKE THE EXPENDITURES PROVIDED THAT THE CONTINGENCIES CAN ONLY BE EXTENDED UPON APPROVAL OF TWO-THIRDS VOTE OF COUNCIL FOR ITEMS OF EXPENSE CONSTITUTING A LEGAL OBLIGATION AGAINST THE CITY OF EUCLID AND FOR OTHER THAN THOSE COVERED BY THE OTHER SPECIFIC APPROPRIATIONS MADE HEREBIN.

SECTION 5: THAT ALL APPROPRIATIONS EQUAL TO OUTSTANDING ENCUMBRANCES SHALL AT YEAR END CARRY FORWARD TO THE NEXT SUCCEEDING YEAR, SHALL NOT LAPSE AND THEREFORE, ENCUMBRANCES NEED NOT BE REAPPROPRIATED.

SECTION 6: THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS COUNCIL CONCERNING AND RELATING TO THE ADOPTION OF THIS ORDINANCE WERE ADOPTED IN AN OPEN MEETING OF THIS COUNCIL, AND THAT ALL DELIBERATIONS OF THIS COUNCIL AND OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

SECTION 7: THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE INHABITANTS OF THE CITY OF EUCLID, AND PROVIDED IT RECEIVES THE TWO-THIRDS VOTE OF ALL MEMBERS OF COUNCIL ELECTED THERETO, SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL; OTHERWISE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

ATTEST:

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

BY: Council President Charlene Mancuso (per request of the Finance Director)

AN EMERGENCY ORDINANCE WHICH MAKES THE ANNUAL APPROPRIATION FOR ALL EXPENDITURES FOR THE CITY OF EUCLID FOR THE PERIOD ENDING DECEMBER 31, 2023.

WHEREAS, IN ORDER TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, IT IS NECESSARY THAT THE FOLLOWING SUMS OF MONEY, OR AS MUCH THEREOF AS MAY BE AUTHORIZED BY LAW, AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY, BE APPROPRIATED FOR THE CORPORATE PURPOSES AND OBJECTS OF SAID CITY AS HEREINAFTER SPECIFIED.

WHEREAS, THE SUBJECT MATTER OF THIS ORDINANCE CONSTITUTES AN EMERGENCY IN THAT THE SAME PROVIDES FOR THE PRESERVATION OF THE PUBLIC PEACE, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF EUCLID, AND FOR THE DAILY OPERATION OF A MUNICIPAL DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUCLID, THE STATE OF OHIO.

SECTION 1 : THAT TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, OVER A PERIOD ENDING DECEMBER 31, 2023. THE FOLLOWING SUMS BE AND THEY ARE HEREBY SET ASIDE AND APPROPRIATED AS HEREINAFTER SET FORTH.

SECTION 2 : THAT THE EXPENDITURES OF EACH FUND FOR THE CITY OF EUCLID CAN NOT EXCEED THE APPROPRIATION AS AMENDED, FOR THAT FUND.

SECTION 3 : THAT THERE BE AND THERE IS HEREBY APPROPRIATED FROM THE FOLLOWING FUNDS, THE DETAIL OF WHICH IS SHOWN BELOW:

101 GENERAL FUND		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
	<u>Legislative Departments</u>			
101-111	COUNCIL	64,640	3,090	67,730
	<u>Judicial Departments</u>			
101-121	COURT	549,435	154,560	703,995
	<u>Executive Departments</u>			
101-131	MAYOR	166,864	7,140	174,004
101-132	HUMAN RESOURCES	3,500	7,175	10,675
101-133	CIVIL SERVICE	6,844	14,070	20,914
	<u>Law Department</u>			
101-141	LAW DEPARTMENT	303,123	82,583	385,705
	<u>Finance Department</u>			
101-151	FINANCE	148,182	37,660	185,842
101-152	TAX	81,285	338,030	419,315
101-153	VITALS	-	104,353	104,353
101-154	INFORMATION TECH	89,903	93,773	183,676
	<u>Police Department</u>			
101-211	POLICE	4,886,224	486,465	5,372,689
101-212	POLICE ADMIN	291,840	88,143	379,982
101-213	CORRECTIONS	-	157,500	157,500
	<u>Fire Department</u>			
101-221	FIRE (FIGHTING, PREVENTION, INSPECTIONS)	3,953,865	73,885	4,027,750
101-222	FIRE ADMIN	31,613	7,508	39,121
	<u>Protective Inspection Department</u>			
101-311	BUILDING / HOUSING	316,963	82,625	399,587
101-331	PLANNING AND ZONING	68,733	3,693	72,425
	<u>CS & ED Department</u>			
101-411	PLANNING AND DEVELOPMENT	127,850	120,786	248,637
	<u>Service Department</u>			
101-511	PUBLIC WORKS	60,273	245,980	306,253
101-521	PUBLIC BUILDINGS	235,208	95,953	331,161
101-541	MOTOR MAINTENANCE	262,640	205,083	467,723
101-551	PARKS	384,474	39,974	424,447
101-561	ENGINEERING	-	24,903	24,903
101-571	SANITATION	-	1,006,705	1,006,705
	<u>Recreation</u>			
101-611	RECREATION			-
101-621	SENIOR CENTER	108,722	17,395	126,117
	<u>General Services</u>			
101-711	GENERAL SERVICES	3,500	768,198	771,698
101-912	<u>TRANSFERS</u>			
	TO ANIMAL SHELTER - FUND 214	-	35,000	35,000
	TO SHORE CORP. - FUND 290	-	67,900	67,900
	TO SELF-INSUR. LIABILITY - FUND 630	-	98,000	98,000
	TOTAL TRANSFERS OUT			200,900
101-913	<u>ADVANCES</u>			
	TO GOLF COURSE FUND 560			-
	TOTAL GENERAL FUND			16,613,806

SPECIAL REVENUE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
210	STATE HIGHWAY	-	52,150	52,150
211	INDIGENT DRIVER ALCOHOL PROGRAM	-	49,000	49,000
212	COURT COMPUTERIZATION	-	87,500	87,500
213	COURT SPECIAL PROJECTS	-	87,500	87,500
214	ANIMAL SHELTER	37,996	6,241	44,237
216	NUISANCE ABATEMENT	64,110	69,650	133,760
217	INDIGENT DRIVER INTERLOCK & ALCOHOL	-	10,500	10,500
220	STREET MAINTENANCE & CONSTRUCTION	387,476	1,296,969	1,684,445
230	COMMUNITY TV	-	633	633
240	RECREATION OPERATING	158,835	142,118	300,952
250	COMMUNITY DEVELOPMENT BLOCK GRANT	122,483	341,758	464,240
253	HOME PROGRAM	-	35,000	35,000
255	OTHER GRANTS	-	1,750,000	1,750,000
258	CARES ACT	-	97	97
259	ARP ACT	-	6,793,482	6,793,482
261	COP GRANT	84,708	-	84,708
262	SAFER GRANT	229,707	-	229,707
280	LAW ENFORCEMENT TRUST	-	70,000	70,000
290	SHORE CORPORATION	98,070	47,530	145,600
291	UNCLAIMED MONIES	-	-	-
TOTAL SPECIAL REVENUE FUNDS				12,023,511
CAPITAL PROJECTS FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
310	GENERAL PERMANENT IMPROVEMENT	-	320,035	320,035
320	RECREATION CAPITAL	-	315,000	315,000
391	BENNINGTON HAMLET TIF	-	38,500	38,500
393	CMP PROPERTIES TIF	-	35,000	35,000
394	HARBOR TOWN TIF	-	227,500	227,500
395	DOWNTOWN DISTRICT TIF	-	57,750	57,750
396	O'REILLY PUBLIC IMPROVEMENT TIF	-	21,000	21,000
TOTAL CAPITAL PROJECTS FUNDS				1,014,785
DEBT SERVICE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
410	BOND RETIREMENT	-	1,656,258	1,656,258
TOTAL DEBT SERVICE FUNDS				1,656,258
ENTERPRISE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
510	WASTE WATER TREATMENT	1,440,336	8,016,773	9,457,109
511	EQUIPMENT REPLACEMENT	-	217,350	217,350
512	CREEKS AND SEWERS	402,908	66,150	469,058
515	PETERSON TRUNK LINE	-	2,068,722	2,068,722
516	WATERLINE IMPROVEMENT	-	1,263,668	1,263,668
560	BRIARDALE GOLF COURSE	-	-	-
TOTAL ENTERPRISE FUNDS				13,475,908
INTERNAL SERVICE FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
630	SELF INSURANCE	-	112,350	112,350
TOTAL INTERNAL SERVICE FUND				112,350
TRUST & AGENCY FUNDS		PERSONAL SERVICES	OTHER EXPENDITURES	TOTAL
730	RETIREES-INSURANCE PYMTS	-	175	175
740	BUILDING DEPOSITS	-	35,000	35,000
750	STREET OPENINGS	-	3,500	3,500
760	REVOLVING	-	-	-
TOTAL TRUST & AGENCY FUND				38,675
TOTAL ALL FUNDS				\$ 44,935,293

SECTION 4 : THAT THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO DRAW HIS WARRANTS FROM ANY OF THE FOREGOING APPROPRIATIONS UPON RECEIVING PROPER CERTIFICATES AND VOUCHERS THEREFORE APPROVED BY THE BOARD OF OFFICERS AUTHORIZED BY LAW TO APPROVE THE SAME, OR AN ORDINANCE OR RESOLUTION OF COUNCIL TO MAKE THE EXPENDITURES PROVIDED THAT THE CONTINGENCIES CAN ONLY BE EXTENDED UPON APPROVAL OF TWO-THIRDS VOTE OF COUNCIL FOR ITEMS OF EXPENSE CONSTITUTING A LEGAL OBLIGATION AGAINST THE CITY OF EUCLID AND FOR OTHER THAN THOSE COVERED BY THE OTHER SPECIFIC APPROPRIATIONS MADE HEREIN.

SECTION 5 : THAT ALL APPROPRIATIONS EQUAL TO OUTSTANDING ENCUMBRANCES SHALL AT YEAR END CARRY FORWARD TO THE NEXT SUCCEEDING YEAR, SHALL NOT LAPSE AND THEREFORE, ENCUMBRANCES NEED NOT BE REAPPROPRIATED.

SECTION 6 : THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS COUNCIL CONCERNING AND RELATING TO THE ADOPTION OF THIS ORDINANCE WERE ADOPTED IN AN OPEN MEETING OF THIS COUNCIL, AND THAT ALL DELIBERATIONS OF THIS COUNCIL AND OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

SECTION 7: THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE INHABITANTS OF THE CITY OF EUCLID, AND PROVIDED IT RECEIVES THE TWO-THIRDS VOTE OF ALL MEMBERS OF COUNCIL ELECTED THERETO, SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, OTHERWISE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

ATTEST:

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

PASSED :

APPROVED :

MAYOR

Final Amendments to Appropriation Ordinance 2022

Action	Fund	\$	Description
1. Increase to General Fund	101-152	200,000.00	3% Retainer held by RITA. As of 10/31/2022 we have collected \$2,079,727 more than anticipated for 2022.
2. Decrease Other Expenditures/increase Personal Service	101-521	7,400.00	Overtime/PERS
TOTAL GENERAL FUND		<u><u>200,000.00</u></u>	
3. Decrease Other Expenditures/increase Personal Service	240	5,000.00	Seasonal Wages/OT/PERS
4. Increase to HOME Fund	253	500.00	This increase is for the EDCOR down payment assistance program. These funds are passed through the City to EDCOR.
5. Increase Waste Water	510	60,000.00	Retirement Payouts/OT
6. Increase to Creeks and Sewers Fund	512	48,000.00	Retirement Payouts
7. Increase to Revolving Fund (Agency Fund)	760	60,000.00	Reimbursements for seizures

City of Euclid Legislation Fact Sheet

Resolution Re: Adoption of Sustainability/Clean Energy
Recommendations Report to Master Plan (152-22)

Background/Justification

This section intended to provide the background and justification for the above ordinance.

Through Resolution 127-2020, the City of Euclid became a Power a Clean Future Ohio (PCFO) community and adopted the goal of reducing our greenhouse gas (GHG) emissions by 30% by 2030 below 2010 levels. In taking the next step to meeting that goal, the City of Euclid engaged NXTGEN Clean Energy Solutions to conduct research and assess current conditions, gather business community feedback, and prepare a plan to accomplish the City's goal, fill gaps in the City's knowledge about green and sustainable opportunities, outline potential partnerships with community stakeholders to build a coalition, and identify funding opportunities available to assist the City in executing the report's recommendations.

The Plan was reviewed by the Sustainability and Parks Committee on December 7, 2022, and a positive recommendation for adoption as an official addendum to the 2018 Master Plan was made.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

This legislation has no immediate financial impacts.

Request of Council

Passage

Emergency Passage

First of Three Readings

Send To Council Committee

Comment: Enter text here.

Comment: Enter text here.

Sponsor of Legislation

Mayor Holzheimer Gail and Councilperson
McIntosh

Conclusion/Next Steps

This section will indicate what needs done once Council takes action.

Collaborate with PCFO and NXTGEN Clean Energy Solutions to develop specific project implementation schedule with dates, project priorities and potential funding sources. Additionally, discussions are ongoing to launch a marketing campaign to residents and businesses sharing sustainable project opportunities.

For further information or to answer additional questions, please contact:

Name	Phone	Email
Callie Cripps	216-289-8141	ccripps@cityofeuclid.com

Attachments

Resolution No.

By: Mayor Holzheimer Gail and Councilperson McIntosh

A resolution approving and accepting the Sustainability/Clean Energy Recommendations Report as reviewed by City Council's Sustainability and Parks Committee as an official addendum to the City's 2018 Master Plan.

WHEREAS, Resolution 127-2020, passed on October 19, 2020, authorizing the City of Euclid to become a Power a Clean Future Ohio (PCFO) community, adopted the goal of reducing our greenhouse gas (GHG) emissions by 30% by 2030 below 2010 levels; and

WHEREAS, the City of Euclid engaged NXTGEN Clean Energy Solutions to conduct research and assess current conditions, gather business community feedback, and prepare a plan to accomplish the City's goal, fill gaps in the City's knowledge about green and sustainable opportunities, outline potential partnerships with community stakeholders to build a coalition, and identify funding opportunities available to assist the City in executing the report's recommendations; and

WHEREAS, the Sustainability/Clean Energy Recommendations Report provides a blueprint for the City of Euclid, residents, and businesses to consider when conducting regular repairs and maintenance on their property or investing in new improvements, such as solar panels and electric vehicles to replace internal combustion engine vehicles; and

WHEREAS, the Sustainability and Parks Committee met on December 7, 2022 and referred to City Council a positive recommendation to adopt the Sustainability/Clean Energy Recommendations Report; and

WHEREAS, with approval by City Council the Sustainability/Clean Energy Recommendations Report will officially become an addendum to the City's 2018 Master Plan; and

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Euclid City Council approves and accepts the Sustainability/Clean Energy Recommendations Report as reviewed by City Council's Sustainability and Parks Committee as an official addendum to the City's 2018 Master Plan.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

City of Euclid Legislation Fact Sheet

Ordinance Re: Small Box Retailer Moratorium (156-22)

Background/Justification

This section intended to provide the background and justification for the above ordinance.

Until city council receives recommendations and guidance from the administration, we propose an extension of the 12mos moratorium. There is growing evidence that these stores have an adverse effect on communities; the properties are poorly maintained, stores are subject to crime including armed robberies, and they may stifle the development of fresh foods grocers in areas considered food insecure. These effects strain municipal staff and resources as additional manpower is needed to cite for violations and respond to calls for service.

As stated within the legislation, Council desires to foster businesses that improve access to a healthy diet by selling fresh and affordable food and produce and to protect neighborhoods' economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent owners. We feel a study of the current planning and zoning ordinances is needed in order to determine the appropriate location and regulation of small box discount stores within the context of the City's Master Plan. Until such regulations are reviewed, we wish to declare a moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permits and the issuance of such approvals for small box discount stores. We believe that a temporary moratorium will not deny property owners economically stable use of their property and will afford City Officials and this Council the time necessary to put in place reasonable zoning and business recalculation to preserve the public health, safety, and welfare.

Financial Impact

This section will specify the fund and amount for the ordinance as well as indicate if the budget covers the expenses. Describe any additional financial impacts below.

Enter text here.

Request of Council

Passage X

Emergency Passage Comment: Enter text here.

First of Three Readings

Send To Council Committee Comment: Enter text here.

Sponsor of Legislation

Mancuso, Jarosz

Conclusion/Next Steps *This section will indicate what needs done once Council takes action.*

Study the current planning and zoning ordinances in order to determine the appropriate location and regulation of small box discount stores within the context of the City's Master Plan.

For further information or to answer additional questions, please contact:

Name	Phone	Email
Kris Jarosz	440-749-4542	kjarosz@cityofeuclid.com

Attachments

Ordinance No.

By – Councilpersons Mancuso and Jarosz

An ordinance renewing the 12 month moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permits and the issuance of such approvals for small box discount stores in the City of Euclid until December 31, 2023.

WHEREAS, "small box discount stores" means a retail, variety, or discount store up to 15,000 square feet that sells at retail, directly to the consumer, a limited assortment of physical goods, products, or merchandise, personal grooming and health products, household goods, and other consumer products, including food or beverages for off-premise consumption, that generally cost less than ten dollars or cost 20-40% lower than the same type of good, product, or merchandise sold at grocery or drug stores, and that does not dedicate at least 15% of shelf space to fresh food and produce; and

WHEREAS, "small box discount stores" as defined above do not include stores that dedicate less than 5% of shelf space to food sales, sell gasoline or diesel fuel, or contain a prescription pharmacy; and

WHEREAS, there is a proliferation of small box discount stores in the City of Euclid; and small box discount stores continue to announce plans to expand in urban areas where they cater to low and middle income customers looking for discounted goods and where there are often no neighborhood grocery stores; and

WHEREAS, small box discount stores' strategy of saturating communities with multiple stores makes it impossible for local grocery stores to remain viable if they are already in a neighborhood, or for new local grocers to open a store and prosper; and

WHEREAS, although small box discount stores may fill a need in places that lack basic retail services, the growing evidence is that small box discount stores are not only a byproduct of economic distress – they are a cause of it; and

WHEREAS, there is usually 0-15% of shelf space devoted to fresh produce in small box discount stores and most have only a limited selection of flash frozen fruits and vegetables; and

WHEREAS, small box discount stores sell packaged foods in single-serving quantities that have lower price points, but are in actuality more expensive per ounce, which also contributes to increased waste and litter throughout the City; and

WHEREAS, small box discount stores employ fewer people at lower wages than grocery stores, often face class-action lawsuits for violating fair labor standards and lean heavily on taxpayers to subsidize their employees' healthcare; and

WHEREAS, profits from small box discount stores go back to their corporate office, while local business' profits go back to the community in which they serve; and

WHEREAS, there are concerns about safety and security surrounding small box discount stores because of the often high incidences of crime and theft in and around them, often due to their lack of security; and

WHEREAS, this City Council desires to foster businesses that improve access to a healthy diet by selling fresh and affordable food and produce and to protect neighborhoods' economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent owners; and

WHEREAS, this City Council wishes to study the current planning and zoning ordinances in order to determine the appropriate location and regulation of small box discount stores within the context of the City's Master Plan; and

WHEREAS, until such regulations are reviewed, Council desires to declare a moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permits and the issuance of such approvals for small box discount stores; and

WHEREAS, in Ordinance 81-2021 passed June 21, 2021, Euclid City Council enacted its first moratorium on the matter. Since then, three co-sponsors of the legislation passed away or resigned and time has not been dedicated to the research of this topic; and

WHEREAS, this Council believes that extending the moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permits for small box discount stores will not deny property owners economically stable use of their property and will afford City Officials and this Council the time necessary to put in place reasonable zoning and business recalculation to preserve the public health, safety, and welfare.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: Euclid City Council hereby renews the 12 month moratorium on the acceptance and processing of applications for zoning, occupancy, and/or building permits and the issuance of such approvals for small box discount stores until December 31, 2023.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

RESOLUTION OF CONGRATULATIONS

A resolution of respect, congratulations and a sincere thank you for **Christine McIntosh**, Ward 5 Councilperson.

WHEREAS, Councilperson McIntosh served Ward 5 and the City of Euclid as their council representative from January 1, 2018 – December 31, 2022; and

WHEREAS, Councilperson McIntosh served on the Executive and Finance Committee, the Business Development, City Planning & Housing Committee, the Public Service Committee, the Community Programming & Recreation Committee and the Administrative Committee; and

WHEREAS, Councilperson McIntosh chaired the Sustainability and Parks Committee that passed legislation to engage the City of Euclid in becoming a "Power a Clean Future Ohio" partner and developed a Sustainability Recommendation Report. Councilperson McIntosh educated us on the need to reduce carbon emissions; partnered with NOACA to bring Electric Vehicle charging stations to our community; advocated for bike/pedestrian, walkability improvements throughout the city; and sponsored legislation that resulted in several grants to further increase our tree canopy and land conservation efforts; and

WHEREAS, Councilperson McIntosh was a dedicated member of the Euclid Shade Tree/Municipal Beautification Commission; a founding member and active volunteer of the Keep Euclid Beautiful team; and a member of the 'Friends of Euclid Creek.' She championed legislation that now allows leashed dogs in our parks and public places; and

WHEREAS, Councilperson McIntosh consistently held Ward meetings with her residents to keep them informed of activities and issues occurring not only in Ward 5, but in the community as a whole. She actively participated in planning efforts such as City of Euclid Master Plan Steering Committee, the Lakefront Steering Committee, and shared her passion for a sustainable 'Top of The Tank' project; and

WHEREAS, Councilperson McIntosh brought her ideas on the importance of health and wellness to our Safety Forces. She also started a Sunshine Yoga program for residents. Councilwoman McIntosh partnered with Euclid Schools and Kiwanis to promote youth involvement. She was a member of the Cuyahoga Arts Council 's Legislative Committee and supported renovations and programming at the Shore Cultural Centre; and

WHEREAS, Councilperson McIntosh fulfilled her Council responsibilities, consistently participated in her volunteer groups, all while holding a full-time work position and attending class pursuing her degree; and

WHEREAS, we are all proud and humbled by Councilperson McIntosh who came to this council as a fairly new Euclid resident who wanted to get involved in her new community. Her energy and commitment to our community is visible every day. We wish you continued success and we know you will bring your talents to Euclid everyday as you move forward.

NOW, THEREFORE, be it resolved by the Council of the City of Euclid, State of Ohio:

Section 1: That this Council and Administration do hereby congratulate and thank Christine McIntosh for her service to Euclid as Ward 5 City Councilperson.

Section 2: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to Christine McIntosh.

Section 3: That this resolution shall take immediate effect.

Resolution No.

By – Mayor Holzheimer Gail, Councilpersons Mancuso, Epps, Jarosz, Jukic, Steele, Tanner, Tolton, Wojtla

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

RESOLUTION OF CONGRATULATIONS

A resolution of congratulations and a sincere appreciation for **Senator Kenny Yuko**, Ohio State Senator representing Ohio's 25th District for all that he has done for the City of Euclid, and the residents of his House and Senate Districts during his public service tenure.

WHEREAS, **Senator Yuko** grew up in Euclid and graduated from Brush High School in the South Euclid/Lyndhurst School District in 1968. He then attended both Cuyahoga Community College and Kent State University before entering the workforce. He adores his wife, Pam; two children, Angela and the late Rocky; and three granddaughters; and

WHEREAS, **Senator Yuko** began his career as a clothing buyer for Polsky's Department Store, but he soon found his true passion with union organizing. He served with the Laborers' Local #860 for 30 years, including 25 years as union organizer. He retired from that service in 2004. During his long career, he received multiple awards for his efforts, including the "2000 Organizing Award" from his International Union; and

WHEREAS, **Senator Yuko** ran for Ohio State Representative in 2004 with the goals of protecting working families, promoting health care access, and improving Ohio's economic climate. He won convincingly and was subsequently re-elected for three more terms. **Senator Yuko** served the 7th District from January 3, 2005 to December 31, 2012; and

WHEREAS, **Senator Yuko** then served as State Senator for Ohio's 25th District from January 6, 2015 until his retirement on December 31, 2022, and served as Minority Leader of the Ohio Senate since April 26, 2017. **Senator Yuko** received numerous awards and recognitions for his years of service to the community, some of which include: AFL-CIO Lifetime Achievement Award; Linking Employment Abilities & Potential (LEAP) Legislative Advocacy Award, National Association of Mental Illness (NAMI) Legislator of Year Award; The Rosemary Home Angel of the Year; and so many more recognizing **Senator Yuko's** work to strengthen northeast Ohio and improving the lives of all Ohioans; and

WHEREAS, **Senator Yuko** has been a tremendous supporter of all things Euclid during his time in the legislature obtaining funding for city assets such as the Henn Mansion, Shore Cultural Centre window replacement project, and 2 state capital allocations for the transformational Euclid Waterfront Improvements Project; and

WHEREAS, **Senator Yuko** is always present in the community supporting local causes, activities, and individual achievements. He is a strong advocate for economic development and job creation, particularly in supporting Job Ready site improvements, business expansion, and unique projects such as Lincoln Electric's wind turbine project. **Senator Yuko** never forgets the laborers, workers, first responders and health care employees always showing support for these groups in legislation presented to the Senate.

NOW, THEREFORE, be it resolved by the Council of the City of Euclid, State of Ohio:

Section 1: That this Council and Administration do hereby congratulate **Senator Kenny Yuko**, Ohio State Senator representing Ohio's 25th District, on his retirement and express our sincere appreciation for all that he has done for the City of Euclid, and the residents of his House and Senate Districts during his public service tenure and hereby declare this 19th day of December, 2022 as **Kenny Yuko Day!**

Section 2: That the Clerk of this Council is hereby authorized and directed to certify a copy of this resolution to **Senator Kenny Yuko**.

Section 3: That this resolution shall take immediate effect.

Resolution No.

By – Mayor Holzheimer Gail, Councilpersons Mancuso, Epps, Jarosz, Jukic, Steele, Tanner, Tolton, Wojtila

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor