

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, APRIL 15, 2024 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:

- Bronkos Beverage – 510 E 200 St., Euclid, 44119 – Ward 4

COUNCIL MINUTES:

- April 1, 2024

ADMINISTRATION REPORTS & COMMUNICATIONS:

- Board of Control – March 25, 2024 and April 1, 2024

COMMITTEE DOCUMENTATION:

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

ACTION	LEGISLATION	PROPOSED
1.	<p>A resolution appointing the Clerk of Council, as designee of the Euclid City Council for the purposes of training requirements in Ohio Revised Code Sections 109.43 and 149.43. (Sponsored by All Members of Council)</p> <p>Comment: This would appoint the Clerk of Council as City Council’s designee for Public Records training.</p>	<p>Res. (036-24)</p>
2.	<p>An emergency ordinance establishing a President Pro Tem for the January 1, 2024 through December 31, 2025 term of the Council of the City of Euclid. (Sponsored by Council President Mancuso)</p> <p>Comment: This would designate a member of City Council as President Pro Tem to serve as the presiding officer of meetings in the absence of the President of Council.</p>	<p>Ord. (037-24)</p>
3.	<p>An ordinance amending Sections 121.07 “Order of Business”, 121.18 “Committee of the Whole”, 121.20 “Council Members’ Comments”, 121.21 “Legislative Debate”, 121.22 “Order”, 121.27 “Change of Vote”, and 121.29 (a)(1) “Reporting of Gifts, Salaries, Wages or Commissions” of Chapter 121 “Council” of the Administration Code of the Codified Ordinances of the City of Euclid to combine the Committee of the Whole for legislative matters and the public comment for the good of the City and to clarify certain other matters therein. (Sponsored by Council President Mancuso and Councilpersons Dybiec, Jarosz, Tanner, Tolton and Wojtila)</p> <p>Comment: This would change the Order of Business for City Council meetings, the time for comments by the public, the administration and council members at Council meetings, and to</p>	<p>Ord. (038-24)</p>

clarify other matters related to Council's operations per Chapter 121 of the Euclid Codified Ordinances.

4. An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a five-year Lease Agreement with the Memorial Park Community Garden (MPCG) for a term ending April 30, 2029. (Sponsored by Councilperson Hannum) Ord. (040-24)

Comment: This will allow the City to enter into a lease agreement for a community garden at Memorial Park.

5. A resolution recognizing Friday, April 26, 2024 as Arbor Day in the City of Euclid, and encouraging all residents throughout our community to appreciate the beauty, value, benefit and significance of trees to our city. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (039-24)

Comment: This would recognize April 26, 2024 as Arbor Day.

6. An emergency ordinance authorizing the Mayor or her designee to enter into an agreement with Euclid Development Corporation (585 East 222nd Street, Euclid, OH 44123) in an amount not to exceed \$156,000.00 for additional funds for a home repair grant program. (Sponsored by Mayor Holzheimer Gail and Councilperson Tolton) Ord. (041-24)

Comment: This will allow the City to enter into an agreement with Euclid Development Corporation to supply additional funding for the Neighborhood Opportunity Grant Program.

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

Resolution No.

By – All Members of Council

A resolution appointing the Clerk of Council, as designee of the Euclid City Council for the purposes of training requirements in Ohio Revised Code Sections 109.43 and 149.43.

WHEREAS, Ohio Revised Code Sections 109.43 and 149.43 require all state and local elected officials, or their designee, to attend at least three hours of training on Ohio Public Records Laws during each term of office; and

WHEREAS, the training received must be certified by the Ohio Attorney General and proof that training has been completed must include documentation that either the Attorney General’s Office or another entity certified by the Attorney General provided the training to the elected official or their designee; and

WHEREAS, Euclid City Council encourages all of its members to personally attend the Ohio Public Records Laws training in order to enhance the official’s knowledge of the duty to provide access to public records under the Ohio Public Records Act; and

WHEREAS, however, Euclid City Council wants to appoint a designee in the event that an individual council member is unable to attend training.

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

Section 1: That the Clerk of Council, is appointed as designee of the Euclid City Council for the purposes of training requirements in Ohio Revised Code Sections 109.43 and 149.43.

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 resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Council President Mancuso

An emergency ordinance establishing a President Pro Tem for the January 1, 2024 through December 31, 2025 term of the Council of the City of Euclid.

WHEREAS, Article II, Section 2 of the Charter of the City of Euclid allows Council to elect a President Pro Tem to serve in the absence of the President of Council; and

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, State of Ohio:

Section 1: That Kristian D. Jarosz is hereby elected as President Pro Tem for the 2024 – 2025 term.

Section 2: That all previous ordinances on this subject are repealed.

Section 3: 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 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens 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

Ordinance No.

By – Council President Mancuso and Councilpersons Dybiec, Jarosz, Tanner, Tolton and Wojtila

An ordinance amending Sections 121.07 “Order of Business”, 121.18 “Committee of the Whole”, 121.20 “Council Members’ Comments”, 121.21 “Legislative Debate”, 121.22 “Order”, 121.27 “Change of Vote”, and 121.29 (a)(1) “Reporting of Gifts, Salaries, Wages or Commissions” of Chapter 121 “Council” of the Administration Code of the Codified Ordinances of the City of Euclid to combine the Committee of the Whole for legislative matters and the public comment for the good of the City and to clarify certain other matters therein.

WHEREAS, many members of the public attend our council meetings to discuss or comment on pieces of legislation on the agenda and matters concerning the good of the City; and

WHEREAS, currently in Council’s order of business, there are two Committees of the Whole—one for legislative matters and one for public comment for the good of the City; and

WHEREAS, if someone has an issue for the good of the City, that Committee of the Whole is not until the end of the council meeting and members of the public must sit through the entire meeting before being able to speak; and

WHEREAS, it is the intention of Euclid City Council to consolidate the two Committees of the Whole and allow the public to speak on both agenda items and matters for the good of the City during the first Committee of the Whole; and

WHEREAS, there are other matters related to Chapter 121 “Council” that need to be corrected or clarified.

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

Section 1: That Sections 121.07 “Order of Business”, 121.18 “Committee of the Whole”, 121.20 “Council Members’ Comments”, 121.21 “Legislative Debate”, 121.22 “Order”, 121.27 “Change of Vote”, and 121.29 (a)(1) “Reporting of Gifts, Salaries, Wages or Commissions” 121 “Council” of the Administration Code of the Codified Ordinances of the City of Euclid are hereby amended to read as follows:

121.07 ORDER OF BUSINESS

The order of business at meetings of Council shall be as follows:

- (a) Pledge of Allegiance to the flag.
- (b) Roll call of members by the Clerk.
- (c) Disposal of the journal of the preceding minutes.
- (d) Reports and communications from Mayor and administration.
- (e) Communications, petitions, memorials and certifications.
- (f) Reports and summary documentation of all committees.
- (g) Committee of the Whole ~~for legislative matters only~~.
- (h) Legislation.
- ~~(i) Committee of the Whole.~~
- ~~(j) Council members’ Comments.~~
- ~~(k) Miscellaneous business.~~
- ~~(l) Adjournment.~~

The President of Council shall at any time by majority of vote of all members elected thereto permit a member to introduce any business out of the regular order.

121.18 COMMITTEE OF THE WHOLE

Council shall go into the Committee of the Whole at regular meetings pursuant to the order of business for the purpose of encouraging public participation in addressing Council and the administration. Advocacy by members of the public for a political candidate is prohibited, but advocacy by members of the public for or against a political issue is permitted. The public shall speak to legislation on the agenda and to the good of the City, but no person shall speak for more than **fivefour** minutes ~~on either matter~~. Persons speaking shall remain polite and courteous, at all times respecting the office being addressed and the decorum of the meeting. Vulgar or foul language and public remarks tending to embarrass or humiliate or which are personal in nature, are at all times out of order. **Questions asked about legislation on the agenda will be addressed when the legislation is discussed.** All **other** questions shall be answered immediately after they have been asked, and the person speaking has completed his or her remarks. Time limits established herein may be extended by majority vote of the members of Council after request is made by a person prior to the commencement of an address to the body.

121.20 COUNCIL MEMBERS' COMMENTS

Council members' comments would directly follow the **second committee of the whole** ~~Legislation~~. No Council Member shall speak for more than **fivefour** minutes during the Council members' comments unless the President or a majority of Council agree to waive the rule. The request to waive the time limit should be made before a particular member begins his or her presentation.

The President **of Council** will be primarily responsible for the enforcement of these rules as well as the control of the meetings in general.

121.21 LEGISLATIVE DEBATE

No Council member, Mayor or member of the Administration shall be permitted to speak for a longer time than **fivefour** minutes on any legislation, except that permission to extend may be granted by a majority of the members elected to Council prior to the time the speaker begins to address Council.

121.22 ORDER

If any member, in speaking or otherwise, transgresses the rules of Council, the President of Council shall call the offending member to order. The member so called to order shall immediately yield the floor unless permitted by the **Presidents of Council** to explain. Any member may by raising to the point of order, call the attention of the President **of Council** to such transgression. The point of order shall be decided by the President **of Council** without debate. Every such decision of the President **of Council** shall be subject to appeal to Council by two members.

121.27 CHANGE OF VOTE

Before the announcement of the vote on any measure the Clerk **of Council** shall read the vote so taken upon the demand of any member, at which time any Council member on account of error or for any other reason may change his or her vote. But no Council member shall be permitted to change his or her vote as recorded after the roll call has been verified and the result declared.

121.29 REPORTING OF GIFTS, SALARIES, WAGES OR COMMISSIONS

(a)(2) The source of each gift of over seventy-five dollars (\$75.00) received by the person in his or her own name or by any other person for his or her use or benefit during the preceding calendar year from any person, firm or corporation which is interested directly or indirectly in any manner whatsoever in business dealings with the City. Gifts received by will or by virtue of State law, or received from the immediate family, or received by way of distribution from any **intervivos** or testamentary trust established by a spouse or by an ancestor need not be reported. The "**intermediateimmediate** family" shall be limited to a spouse, child, parent (including foster parent), stepmother, stepfather, mother-in-law, father-in-law, grandmother, grandfather, grandmother-in-law, grandfather-in-law, grandchild, stepchild, foster child, sister, brother, sister-in-law and brother-in-law.

Section 2: That Sections 121.07 "Order of Business", 121.18 "Committee of the Whole", 121.20 "Council Members' Comments", 121.21 "Legislative Debate", 121.22 "Order", 121.27 "Change of Vote", and 121.29 (a)(1) "Reporting of Gifts, Salaries, Wages or Commissions" of Chapter 121 "Council" of the Administration Code of the Codified Ordinances of the City of Euclid are hereby amended.

Section 3: 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 4: 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

Ordinance No.

By – Councilperson Hannum

An emergency ordinance authorizing the Mayor of the City of Euclid to enter into a five-year Lease Agreement with the Memorial Park Community Garden (MPCG) for a term ending April 30, 2029.

WHEREAS, the MPCG is currently in a five-year lease with the City of Euclid that expires on April 30, 2024; and

WHEREAS, the MPCG is inside the fenced area that used to be sand volleyball courts; and

WHEREAS, this location provides secured and structured space for the MPCG; and

WHEREAS, the current Lease Agreement, which was approved by Ordinance Number 129-2018 , has a termination clause that allows the City to terminate the lease with 90 days' notice in the event the space is required for other municipal purposes and that term will be included in the new Lease Agreement; and

WHEREAS, the proposed lease provides for a rental payment of \$5.00 for the five-year term; and

WHEREAS, Euclid City Council desires to enter into a new five-year Lease Agreement with the MPCG for a term ending April 30, 2029.

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

Section 1: That the Mayor of the City of Euclid is hereby authorized to enter into a five-year Lease Agreement with the Memorial Park Community Garden (MPCG) for a term ending April 30, 2029.

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 is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens 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

Resolution No.

By – Mayor Holzheimer Gail and All Members of Council

A resolution recognizing Friday, April 26, 2024 as Arbor Day in the City of Euclid, and encouraging all residents throughout our community to appreciate the beauty, value, benefit and significance of trees to our city.

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees as Morton proclaimed, "Each generation takes the earth as trustees"; and

WHEREAS, Arbor Day was first observed with the planting of more than a million trees in Nebraska and Arbor Day is now observed throughout the nation and the world and this year celebrates its 152nd Anniversary; and

WHEREAS, for the last 33 years, the City of Euclid has been named a Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management; and

WHEREAS, trees are crucial to our existence and contribute greatly to our enjoyment of the outdoors. Trees reduce the erosion of our precious topsoil, reduce heating and cooling costs, produce oxygen and provide habitat for wildlife; and

WHEREAS, the City of Euclid by its Council and Administration wish to express their appreciation of the various trees planted throughout our community and encourage the citizens of Euclid to plant, maintain and care for trees now and in the future, so that our children and our children's children will have the opportunity to know and appreciate the significance of trees.

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

Section 1: That Friday, April 26, 2024 shall be recognized and will be celebrated as Arbor Day throughout the City of Euclid, Ohio.

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

Ordinance No.

By: Mayor Holzheimer Gail and Councilperson Tolton

An emergency ordinance authorizing the Mayor or her designee to enter into an agreement with Euclid Development Corporation (585 East 222nd Street, Euclid, OH 44123) in an amount not to exceed \$156,000.00 for additional funds for a home repair grant program.

WHEREAS, the City of Euclid created the Heritage Park Home Repair Pilot Grant Program in 2022, allocating \$270,000.00 for exterior home repairs and beautification projects in the Heritage Park neighborhood. Through the pilot grant program, City Staff learned best practices in implementing future grant programs in the City to best serve the residents of the City of Euclid; and

WHEREAS, in 2023 the City wished to expand a home repair grant program citywide, offering residents the opportunity to improve their property and invest in the City’s housing stock and allocated \$234,000.00 for the program; and

WHEREAS, the City partnered with the Euclid Development Corporation (EDCOR), which has more than 40 years’ experience managing loan and down payment assistance programs, including soliciting and evaluating applications, contract management, payment to contractors, and monitoring compliance with Building and Housing Division permitting requirements; and

WHEREAS, EDCOR created the Neighborhood Opportunity Grant Program and due to the efforts of EDCOR and the demand from residents the initial grant funds have all been allocated; and

WHEREAS, the City of Euclid is seeking an additional \$156,000.00 for the Neighborhood Opportunity Grant Program to best serve the residents of the City of Euclid.

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

Section 1: That the Mayor or her designee is hereby authorized to enter into an agreement with Euclid Development Corporation (585 East 222nd Street, Euclid, OH 44123) for additional funds to administer the Neighborhood Opportunity Grant Program.

Section 2: That all agreement(s) shall be in a form approved by the Director of Law.

Section 3: That funds to pay for this expenditure are not to exceed \$156,000.00 to be derived from the City’s ARPA funds.

Section 4: 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 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens 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