

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, JUNE 17, 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:

- None

COUNCIL MINUTES:

- June 3, 2024

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Board of Control – May 28, 2024 and June 3, 2024

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

ACTION	LEGISLATION	PROPOSED
1.	<p>A resolution authorizing the Mayor of the City of Euclid to execute Agreements by and between the City of Euclid and the Fraternal Order of Police, Lodge 18, as exclusive bargaining agent for full time sworn Patrol Officers and all full time sworn Supervisory Officers, exclusive of the Chief of Police and the Executive Captain, to be effective January 1, 2024 through December 31, 2026. (Sponsored by Mayor Holzheimer Gail)</p> <p>Comment: This would authorize the Mayor to sign a three (3) year Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 18.</p>	Res. (060-24)
2.	<p>A resolution authorizing the Mayor of the City of Euclid to execute Agreements by and between the City of Euclid and Teamsters Local 436, as exclusive bargaining agent for the Waste Water Treatment Employees, to be effective January 1, 2024 through December 31, 2026. (Sponsored by Mayor Holzheimer Gail)</p> <p>Comment: This would authorize the Mayor to sign a three (3) year Collective Bargaining Agreement with the Teamsters Local 436, agent for the Waste Water Treatment Employees.</p>	Res. (062-24)
3.	<p>An emergency ordinance authorizing the Mayor to settle claims with Pioneer Technology Group, LLC as predecessor-in-interest to Catalis, LLC, under terms and conditions discussed in Executive Session of the Euclid City Council and as further memorialized in a settlement agreement to be executed between the parties. (Sponsored by Mayor Holzheimer Gail)</p>	Ord. (065-24)

Comment: This would authorize the Mayor to settle claims with Pioneer Technology Group, LLC related to software purchased for the Euclid Municipal Court.

4. An emergency ordinance authorizing the Mayor to enter into a Project Labor Agreement with the Cleveland Building and Construction Trades Council for the Euclid Recreation and Wellness Center project. (Sponsored by Mayor Holzheimer Gail) Ord. (067-24)

Comment: This would approve an agreement between the City and the Cleveland Building and Construction Trades Council related to the Euclid Recreation and Wellness Center.

5. An emergency ordinance authorizing the Mayor of the City of Euclid or her designee to advertise for bids and to enter into a contract for labor and materials necessary for the construction of the Euclid Community Recreation and Wellness Facility project. (Sponsored by Councilpersons Mancuso, Gresham, Hannum, Steele, Tanner, Tolton and Wojtila) Ord. (068-24)

Comment: This would authorize the Mayor to enter into a contract, after accepting bids, for the construction of the Euclid Community Recreation and Wellness Facility.

6. Alternative Tax Budget Information (Sponsored by Council President Mancuso by request of the Finance Director) Ord. (063-24)

Comment: This is an annual piece required by Cuyahoga County.

7. An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with Munich Re Specialty Insurance Company written through the firm of McGowan Insurance, 20595 Lorain Road, Fairview Park, Ohio 44126, insuring municipal buildings, municipal equipment, and inland marine coverage from July 1, 2024 through July 1, 2025 in an amount not to exceed Three Hundred Ninety-Nine Thousand Two Hundred Forty-Three Dollars and Zero Cents (\$399,243.00). (Sponsored by Mayor Holzheimer Gail) Ord. (066-24)

Comment: This would allow the purchase of insurance for municipal buildings, municipal equipment, and municipal property in transport.

8. An ordinance amending Chapter 529, "Nuisance Abatement," of the Codified Ordinances of the City of Euclid – Title Five – General Offenses, to clarify the process for declaring a property a nuisance, and to include additional misdemeanor activity and all felony activity in activities being declared a nuisance. (Sponsored by Mayor Holzheimer Gail and Councilperson Jarosz) Ord. (064-24)

Comment: This would amend the "Nuisance Abatement" Ordinance to expand incidents that are considered nuisances at either a residential or commercial property.

9. A resolution recognizing the month of June as LGBTQIA+ Pride month in the City of Euclid. (Sponsored by Councilperson Gresham) Res. (069-24)

Comment: This would recognize June as LGBTQIA+ Pride month.

Resolution No.

By – Mayor Holzheimer Gail

A resolution authorizing the Mayor of the City of Euclid to execute Agreements by and between the City of Euclid and the Fraternal Order of Police, Lodge 18, as exclusive bargaining agent for full time sworn Patrol Officers and all full time sworn Supervisory Officers, exclusive of the Chief of Police and the Executive Captain, to be effective January 1, 2024 through December 31, 2026.

WHEREAS, pursuant to Ohio Revised Code Chapter 4117, negotiations were held between the City of Euclid and the Fraternal Order of Police, Lodge 18, to determine equitable compensation, benefits, working hours and other employment matters for the members of the Euclid Police Department; and

WHEREAS, other non-economic language changes were made to clarify current contract provisions; and

WHEREAS, the terms and conditions of the Agreement between the City of Euclid to execute an Agreement by and between the City of Euclid and the Fraternal Order of Police, Lodge 18, to be effective January 1, 2024 through December 31, 2026, have been ratified by the members of the collective bargaining unit.

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 be, and she is hereby authorized, empowered and directed to execute an Agreement by and between the City of Euclid and the Fraternal Order of Police, Lodge 18, effective January 1, 2024 through December 31, 2026.

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

Resolution No.

By – Mayor Holzheimer Gail

A resolution authorizing the Mayor of the City of Euclid to execute Agreements by and between the City of Euclid and the Teamsters Local 436, as exclusive bargaining agent for the Waste Water Treatment Department Employees, to be effective January 1, 2024 through December 31, 2026.

WHEREAS, pursuant to Ohio Revised Code Chapter 4117, negotiations were held between the City of Euclid and Teamsters Local 436 to determine equitable compensation, benefits, working hours and other employment matters for the Waste Water Treatment Department Employees; and

WHEREAS, other non-economic language changes will be made to clarify current contract provisions; and

WHEREAS, the terms and conditions of the Agreement between the City of Euclid and Teamsters Local 436, the Waste Water Treatment Department Employees, have been ratified by the members of the collective bargaining unit.

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 be, and she is hereby authorized, empowered and directed to execute an Agreement by and between the City of Euclid and the Teamsters Local 436, as exclusive bargaining agent for the Waste Water Treatment Department Employees, effective January 1, 2024 through December 31, 2026.

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

An emergency ordinance authorizing the Mayor to settle claims with Pioneer Technology Group, LLC as predecessor-in-interest to Catalis, LLC, under terms and conditions discussed in Executive Session of the Euclid City Council and as further memorialized in a settlement agreement to be executed between the parties.

WHEREAS, Pioneer Technology Group, LLC as predecessor-in-interest to Catalis, LLC and the Euclid Municipal Court are parties to an Agreement for a Benchmark Case Management System dated January 5, 2021; and

WHEREAS, a dispute has arisen between the parties regarding performance under the Agreement and the parties wish to resolve the dispute; and

WHEREAS, the parties have had settlement negotiations to avoid the expense of litigation; and

WHEREAS, this proposed settlement was discussed in Executive Session of the Euclid City Council on June 17, 2024; and

WHEREAS, the settlement, if approved, will result in the City of Euclid receiving \$154,793.75, all of the funds paid by the Euclid Municipal Court to Pioneer Technology Group, LLC as predecessor-in-interest to Catalis, LLC; and

WHEREAS, in exchange for the above payment the Euclid Municipal Court will allow Pioneer Technology Group, LLC as predecessor-in-interest to Catalis, LLC, to remove its software from the Euclid Municipal Court's servers; and

WHEREAS, the Director of Law is recommending settlement of this matter; 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 the Mayor is hereby authorized, empowered and directed to settle all claims related to a Benchmark Case Management System the subject of an Agreement, dated January 5, 2021, between Pioneer Technology Group, LLC as predecessor-in-interest to Catalis, LLC and the Euclid Municipal Court, under terms and conditions discussed in Executive Session of the Euclid City Council and as further memorialized in a settlement agreement to be executed between the parties.

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 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 – Mayor Holzheimer Gail

An emergency ordinance authorizing the Mayor to enter into a Project Labor Agreement with the Cleveland Building and Construction Trades Council for the City of Euclid Recreation and Wellness Center project.

WHEREAS, Section 109.025 of the Euclid Codified Ordinances requires Project Labor Agreements (PLA) when the estimate costs of a public improvement exceed \$200,000.00; and

WHEREAS, the City of Euclid is undertaking the construction of the new Recreation and Wellness Center and has previously accepted American Rescue Plan Act (ARPA) funds for the purpose of designing, building, and equipping the project; and

WHEREAS, the estimated cost of the project is in excess of \$200,000.00; and

WHEREAS, the City of Euclid has determined that this construction project must start forthwith and be completed as soon as possible thereafter; and

WHEREAS, the City of Euclid has deemed it prudent to: (1) attempt to ensure the timely and efficient completion of such work, without any delay due to labor disputes or work stoppages, by establishing mechanisms for dispute resolution and by obtaining the contractual commitment of local construction trades and crafts not to engage in any work stoppages of any nature; (2) establish uniform working conditions for all construction trades and crafts that may be employed to work on the project referenced above; (3) ensure an adequate supply of trained and skilled labor; and, (4) to encourage vigorous competitive bidding by qualified contractors; and

WHEREAS, the inclusion of a Project Labor Agreement between the City of Euclid and the Cleveland Building and Construction Trades Council in the contract and bid specifications for the project referenced above will, in the judgment of the City of Euclid, achieve the goals set forth in the paragraph immediately above; and

WHEREAS, any contractor and subcontractor shall be eligible to compete for work on the project referenced above regardless of the labor practices and affiliations of such contractors and subcontractors so long as they abide by, as a condition of their engagement, the requirements of a Project Labor Agreement; and

WHEREAS, a Project Labor Agreement is authorized by law as a result of judicial decisions from the United States Supreme Court, the United States Court of Appeals for the Sixth Circuit, and the Ohio Supreme Court, in cases of *Building and Construction Trades Council of the Metropolitan District v. Associated Builders of Contractors of Massachusetts/Rhode Island, Inc.*, 507 U.S. 218 (1993); *Enertech Electrical, Inc. v. Mahoning County Commissioners, et al.*, 85 F. 3d 257 (6th Cir. 1996); and *Ohio State Bldg. & Const. Trades Council v. Cuyahoga Cty. Bd. Of Commrs.*, 98 Ohio St. 3d 214 (2002).

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 the Mayor is hereby authorized and directed to enter into a Project Labor Agreement with the Cleveland Building and Construction Trades Council and direct that the Project Labor Agreement then be made a part of the bid specifications for the Recreation and Wellness Center project and that compliance and acceptance of the Project Labor Agreement be made a condition for the engagement of any contractor or subcontractor bidding for work on such project, with a copy of said Agreement, in substantially similar form, attached hereto as Exhibit "A".

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

Ordinance No.

By – Councilpersons Mancuso, Gresham, Hannum, Steele, Tanner, Tolton and Wojtila

An emergency ordinance authorizing the Mayor of the City of Euclid or her designee to advertise for bids and to enter into a contract for labor and materials necessary for the construction of the Euclid Community Recreation and Wellness Facility project.

WHEREAS, the Euclid Community Recreation and Wellness Facility will be an approximately 38,000 square foot community and recreation facility that will have three (3) multi-purpose courts, a walking track, a weight room, two (2) multi-purpose community rooms, a fitness room, offices for the Recreation Department, and other amenities that will be located at 600 Babbitt Road, Euclid, Ohio 44123, on a portion of a City-owned parcel (PPN 643-04-001); and

WHEREAS, the Euclid Community Recreation and Wellness Facility will provide many benefits to the community, including but not limited to, promote an active and healthy community, reduce juvenile crime rates, provide an opportunity for the City of Euclid Recreation Department to add and expand adult and youth programming, enhance public safety, and promote a sense of community at the facility and the adjacent Memorial Park; and

WHEREAS, Resolution 54-2022 was passed by Euclid City Council on May 16, 2022 supporting the construction of the Euclid Community Recreation and Wellness Facility and authorizing the Mayor or her designee to proceed with soliciting for proposals for the development of plans to design and build the facility; and

WHEREAS, Euclid City Council approved a contract with Perspectus Architecture on March 20, 2023, Ordinance 22-2023, for their schematic design services; and

WHEREAS, Perspectus Architecture has prepared the specifications and other documents that will be used to bid this project, as authorized by Ordinance 122-2023, which Euclid City Council passed on November 20, 2023; and

WHEREAS, based on the work of Perspectus Architecture the City of Euclid is ready to proceed to bid for the Euclid Community Recreation and Wellness Facility; and

WHEREAS, the Euclid Community Recreation and Wellness Facility project will be funded by the American Rescue Plan Act, Community Development Block Grant Fund, Recreation Capital Fund, and the Bond Retirement Fund; and

WHEREAS, this ordinance is hereby declared an emergency in that it provides for the public health and safety of its residents and in order to solicit bids for this project in a timely fashion; and

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 or her designee is hereby authorized, empowered, and directed to advertise for bids and enter into a contract for labor and materials necessary for the construction of the Euclid Community Recreation and Wellness Facility project in accordance with plans prepared by Perspectus Architecture. Said contract shall be entered into after advertising for not less than two consecutive weeks in a newspaper of general circulation in the City of Euclid and awarded by the Board of Control to the lowest and best bidder. The contract shall be in a form approved by the Director of Law and shall be in conformance with such specifications as developed by the Director of Planning and Development. The contract shall be executed by Mayor of the City of Euclid or her designee. The Board of Control is hereby authorized to waive any minor or technical irregularities that may occur during the bid process.

Section 2: Funds to pay for this expenditure are to be derived the American Rescue Plan Act Fund (Fund 250), the Community Development Block Grant Fund (Fund 250), the Recreation Capital Fund (Fund 320), and the Bond Retirement Fund (Fund 410).

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 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

(063-24)

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit CITY OF EUCLID
For the Fiscal Year Commencing JANUARY 1, 2025
Fiscal Officer Signature _____ Date _____

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Under the law in effect prior to June 3, 2002, the budget commission could only waive the tax budget for a subdivision or other taxing unit that was receiving a share of the county undivided local government fund or the county undivided local government revenue assistance fund under an alternative method or formula pursuant to ORC Sections 5747.53 and 5747.63. Thus, tax budgets could be waived only for counties, municipalities, townships, and park districts. This restriction is now removed.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

Ordinance No.

By – Mayor Holzheimer Gail

An emergency ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with Munich Re Specialty Insurance Company written through the firm of McGowan Insurance, 20595 Lorain Road, Fairview Park, Ohio 44126, insuring municipal buildings, municipal equipment, and inland marine coverage from July 1, 2024 through July 1, 2025 in an amount not to exceed Three Hundred Ninety-Nine Thousand Two Hundred Forty-Three Dollars and Zero Cents (\$399,243.00).

WHEREAS, the City has numerous public buildings, including, two Waste Water Treatment Plants and the collective appraised value of the buildings and properties is over \$337 million dollars; and

WHEREAS, the City has various equipment and property throughout its buildings and premises; and

WHEREAS, the City has not had inland marine coverage in the past which protects materials and equipment while in transit or stored away from the City's properties; and

WHEREAS, a recent valuation was done so the City had proper monetary values on its buildings; and

WHEREAS, the City's current carrier, Zurich Insurance Company, is no longer insuring municipalities and a number of other carriers have also left the municipal market; and

WHEREAS, the City's insurance broker, McGowan Insurance, went to market to obtain quotes for insurance for the City's municipal buildings, municipal equipment and to add inland marine coverage; and

WHEREAS, McGowan Insurance obtained a quote of Three Hundred Ninety-Nine Thousand Two Hundred Forty-Three Dollars and Zero Cents (\$399,243.00) from Munich Re Specialty Insurance Company; and

WHEREAS, now the city seeks to ensure its municipal buildings, municipal equipment and to include inland marine coverage with Munich Re Specialty Insurance Company; and

WHEREAS, the subject matter of this ordinance constitutes an emergency in that the City will bind coverage for the above effective July 1, 2024.

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

Section 1: That the Director of Finance of the City of Euclid is authorized to enter into a contract with Munich Re Specialty Insurance Company written through the firm of McGowan Insurance, 20595 Lorain Road, Fairview Park, OH 44126, insuring municipal buildings, municipal equipment and to include inland marine coverage from July 1, 2024 through July 1, 2025 in an amount not to exceed Three Hundred Ninety-Nine Thousand Two Hundred Forty-Three Dollars and Zero Cents (\$399,243.00).

Section 2: Funds to pay for this expenditure are to be derived from the General Fund.

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 – Mayor Holzheimer Gail and Councilperson Jarosz

An ordinance amending Chapter 529, "Nuisance Abatement," of the Codified Ordinances of the City of Euclid – Title Five – General Offenses, to clarify the process for declaring a property a nuisance, and to include additional misdemeanor activity and all felony activity in activities being declared a nuisance.

WHEREAS, criminal activities occurring on properties in the City of Euclid have negative effects on residents, neighborhoods, commercial investment, and public safety; and

WHEREAS, addressing complaints related to such nuisances and investigating the same consumes significant City resources; and

WHEREAS, felony activity should be included in nuisance activity; and

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

Section 1: That Section 529.07 of the Nuisance Abatement Chapter of the Codified Ordinances of the City of Euclid be, and the same are hereby amended to read as follows:

CHAPTER 529 NUISANCE ABATEMENT.

529.07 CRIMINAL ACTIVITY AS A NUISANCE; COST OF ABATEMENT.

(a) The following activities occurring in the City of Euclid on any residential or commercial property, or within 1,000 feet of the property line of said residential or commercial property, and engaged in by an owner, or the owner's agent, or the owner's lessee, occupant, or invitee or person or entity in charge of any commercial or residential property (including individual apartment and condominium units), are hereby declared to be a public nuisance:

- (1) Alcohol violations under Section 503.02, 503.03, 503.07, 503.08, 503.09, 503.11, 503.12, or 503.13 of the Codified Ordinances or under Chapter 4301 of the Ohio Revised Code;
- (2) Animal violations under Section 505.06, 505.07, 505.08, 505.09, 505.10, 505.11, 505.13, 505.17 or 505.37 of the Codified Ordinances;
- (3) Any drug violation under Chapter 513 of the Codified Ordinances;
- (4) Any gambling violation under Chapter 517 of the Codified Ordinances;
- (5) Any violation of offenses relating to persons under Chapter 537 of the Codified Ordinances except domestic violence, 537.17;
- (6) Any violation of offenses relating to property under section 541.02, 541.05, 541.06, 541.07, 541.08, 541.09, 541.10, 541.11, 541.12, 541.125, 541.23, 541.26, 541.29, 541.32, or 541.37 of the Codified Ordinances;
- (7) Any peace disturbance violation under Chapter 545 of the Codified Ordinances;
- (8) Any safety violation under Chapter 559 of the Codified Ordinances;
- (9) Any violation of a sex offense under Chapter 563 of the Codified Ordinances;
- (10) Any weapons or explosives violation under Chapter 571 of the Codified;
- (11) Any obstruction of official business violation under section 501.14 of the Codified Ordinances of the City of Euclid;
- (12) Any violations of section 909.01, 909.02, 909.03, 909.07, 909.10, 909.11, 909.16, or 909.20 of the Codified Ordinances;
- (13) Any activity or violation indicated to be a public nuisance anywhere in the Codified Ordinances;
- (14) Any false alarm call violation under sections 945.05 of the Codified Ordinances.
- (15) Any offense that is a felony under the Ohio Revised Code, except domestic violence;
- (13) Any of the nuisances listed in section 529.07(a)(1), 529.07(a)(5), 529.07(a)(6), or 529.07(a)(9) when conducted by a resident or occupant of a premises against a person who Resides within 1000 feet of the resident or occupant or against the property of such person.
- (16) Parking violations under Section 351.03(s), 351.05, 351.12, and 351.13 of the Codified Ordinances;
- (17) Littering violations under Section 1129.01(c), (d), (e), or (f) of the Codified Ordinances of the City of Euclid.

(b) For purposes of subsection (a), the occurrence of a nuisance activity means either a citation has been issued, or an arrest has been made, or a conviction has been obtained, or a City Department, including, but not limited to, Police, Fire, Animal Control, or Building, has verified and documented the activity in lieu of arrest or citation.

(c) The Housing Manager, certified Building Official or the Law Director or their designee, upon finding that two or more nuisance activities, or one felony drug activity, declared in this section have occurred within any 18-month period, may cause a written notice and order to be served on the owner or the owner's lessee occupant, or invitee or person or entity in charge of any commercial or residential property of the property, declaring that such property is a nuisance property. The notice and order shall set forth the nature of the nuisances, the estimated costs to abate any future nuisances, and state that the owner or the owner's lessee occupant, or invitee or person or entity in charge of any commercial or residential property may avoid being charged the costs of abatement by taking steps to prevent any further nuisance activity as set forth in this section. The notice shall further state that if a third or subsequent nuisance activity as declared in this section occurs within 18 months of the dates of the first two nuisance activities, or one felony drug activity, the City may abate the nuisance by responding to the activities using administrative and law enforcement actions, and the costs of such abatement shall be assessed on the nuisance property. Notice shall be served as set forth in Sections [529.05](#) of the Codified Ordinances..

~~(d) If within 18 months after the first of the two nuisances referred to in division (b) of this section has occurred, a third nuisance activity as declared in this section occurs, the City may abate the nuisance by responding to the activity using administrative and law enforcement actions, and the costs of such abatement shall be assessed on the nuisance property in the same manner as in Section 529.03 of the Codified Ordinances. The City shall provide notice to the owner of the nuisance property of the City's intent to assess the costs of abatement against the owner's property at least 30 days before such costs are certified to the County for assessment against the property, and such notice shall contain a description of the nuisance activity that is the basis for the notice of intent to assess the property, and the cost to abate. Notice shall be served as set forth in Section 529.05 of the Codified Ordinances.~~

(d) The owner of a nuisance property who receives a notice from the Housing Manager, or certified Building Official or the Law Director or their designee of the City's intent to assess the costs of abatement pursuant to division (c) of this section may appeal such notice within ten days as provided in Section 1753.09 of the Codified Ordinances of the City of Euclid.

(e) After declaration, costs of abatement, undertaken by any departments of the City of Euclid, shall be an escalating defined cost assessed upon each violation of this section. The escalating defined costs are: two hundred fifty dollars (\$250.00) upon the first violation after declaration of nuisance under this chapter; five hundred dollars (\$500.00) on the second violation after nuisance declaration; seven hundred fifty dollars (\$750.00) on the third violation after nuisance declaration; and one thousand dollars (\$1,000.00) on the fourth or subsequent violation after nuisance declaration.

(f) The Housing Manager and the Director of Law shall have full authority to abate such nuisances specified in division (a) hereinabove in accordance with law, and all administrative and law enforcement costs incurred by the City in abating any such nuisance may be certified to the County Auditor in accordance with law to be assessed as a lien on the real estate from which the nuisance originated; provided however, that such costs shall not be certified unless the following conditions have been met:

(1) Any appeal timely made under the Building and Housing Code has been finalized according to the proper procedures; and

(2) Upon receipt of notice of the occurrence of nuisance activities on the premises as set forth in division (b) of this section, the owner of the property establishes that he or she promptly took all actions necessary to abate the nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9).

(g) Whenever the Housing Manager has certified a lien on a property stemming from a violation of this chapter, no certificate of occupancy shall be issued for the property as a rental unit.

Section 2: That Section 529.07 of the Nuisance Abatement Chapter 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

Passed:

Effective:

President of Council

Approved:

Mayor

Resolution No.

By – Councilperson Gresham

A resolution recognizing the month of June as LGBTQIA+ Pride month in the City of Euclid.

WHEREAS, the City of Euclid recognizes the importance of equality and acceptance for all its residents and strives to be a community where all individuals are respected and celebrated; and

WHEREAS, the month of June is nationally recognized as LGBTQIA+ Pride Month, commemorating the Stonewall Riots of June 1969, which initiated the gay rights movement; and

WHEREAS, LGBTQIA+ Pride Month provides an opportunity to acknowledge the achievements and contributions of LGBTQIA+ individuals and communities throughout history and to reaffirm our commitment to equality and inclusion for all; and

WHEREAS, Euclid is committed to promoting a safe, inclusive, and welcoming environment for residents and visitors regardless of their sexual orientation or gender identity; and

WHEREAS, celebrating Pride Month helps increase awareness, reduce discrimination, and promote a culture of respect and acceptance. It serves as a reminder of the ongoing efforts needed to achieve full equality and to combat discrimination and prejudice against the LGBTQIA+ community; and

WHEREAS, The City of Euclid acknowledges the important work of LGBTQIA+ organizations and advocates who tirelessly work to advance the rights and well-being of LGBTQIA+ individuals; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Euclid, Ohio.

Section 1: The City of Euclid recognizes the month of June as LGBTQIA+ Pride month in the City of Euclid.

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