

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President David Miller called the meeting to order and the Pledge of Allegiance was recited.

Roll Call

Present: Fiorelli, Gelfand, Goodman, Gray, Icovc, Romeo, Miller (7)

Absent: None

Staff: Benjamin, Blackley, Kowalczyk, Lograsso, Nietert, Anderson, Love, Huston

Opening Meeting of Council:

President Miller called the Open Meeting of Council to order and invited the audience to address Council:

- Linda Pagan, 684 Parkside spoke regarding the library and stated that she is not in support of the Library's move and that Council's silence on the issue means that they support it. Ms. Pagan stated that the library has not been transparent throughout the process and that there are inconsistencies. Ms. Pagan noted that she had met with James Boyle from Cuyahoga County Executive's office and had they met earlier maybe he could have taken more action and that the library is moving away from centers of the population it serves.
- Deb Marko, 1097 Hillrock Drive, reported that she and her neighbors continually experience power outages on a regular basis of at least once a month and that First Energy rarely offers any explanation as to why the outages continue to happen.

Report of Council Committees:

Committee of the Whole

Council President David Miller reported that Finance Director James Smith was out ill and that the meeting to discuss monthly finances will be rescheduled.

Recreation Committee

Recreation Chairman Gelfand reported that the recreation committee met and made some changes to Ordinance 41-12 regarding summer pool fees and that the committee recommended passage at the next meeting of City Council. Mr. Gelfand also reported that ongoing recreation improvements and initiatives will be part of a master planning process this year and submitted a letter to Mayor Welo regarding the initiatives. Mr. Gelfand reported that there will be a Recreation Committee meeting on February 11 at 6:30 pm to discuss Pesticide legislation.

Legislation Requested by the Planning Commission

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| 1. ORDINANCE 17-12 | AMENDING SECTION 710.08 "DEFINITIONS" OF CHAPTER 710 "INTERPRETATION, RULES OF CONSTRUCTION, AND DEFINITIONS" OF TITLE ONE OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. |
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The legislation was referred to the Zoning and Planning Committee of Council.

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| 2. ORDINANCE 18-12 | AMENDING SECTION 721.03 "ACCESSORY USES" OF CHAPTER 721 "PERMITTED USES IN RESIDENTIAL DISTRICTS" OF TITLE TWO OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. |
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The legislation was referred to the Zoning and Planning Committee of Council.

Mayor's Report:

- **Engineer Blackley:** reported that letters are being sent out to residents on streets where upcoming road projects will begin this summer on Sheridan, Merrymound, Wallingford and Professor.
- **Building Commissioner Kowalczyk:** reported that the Aerocontrolex expansion is coming along and will bring 40 new jobs to South Euclid in the Spring and reported on the GetGo project at Mayfield and Belvoir. Mr. Kowalczyk requested support for Resolution 02-13 regarding the sale of the last two Green Neighborhood homes.
- **Economic Development Director Love** reported on the opening of Panera Bread at Cedar Center last weekend and reported on the Purple Heart Homes project being coordinated by Ed Gallagher and upcoming fundraisers.

- **Service Director Anderson** reported on the savings related to the switch to automated recycling of over \$125,000.
- **Fire Chief Huston:** Reported on the request for federal reimbursement for the weather storm on October 29-30, 2012.

**MOTION TO APPOINT PARKING HEARING EXAMINER(S) FOR THE CITY OF SOUTH EUCLID
PARKING VIOLATIONS BUREAU**

Motion to appoint Hearing Examiner Position.

Following discussion, It was moved by Goodman, seconded by Gray, that the agenda be amended to move Resolution 04-13 to immediately follow the motions to appoint the Hearing Examiner.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icové, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Motion to Amend the Agenda has passed.

Motions for Nomination of Hearing Examiners.

Motion #1: Councilman Fiorelli made a motion to appoint Ms. Andrea Nelson Moore.

Motion #2: Councilwoman Goodman made a motion to appoint Mr. Karrie Howard

Motion #3: Councilman Icové made a motion to appoint Ms. Keesha Hughes

Following discussion regarding how the Hearing Examiner position and process would be coordinated, Councilman Icové made a motion to elect a primary and secondary Hearing Examiner. Seconded by Councilwoman Gray.

Roll Call:

Ayes: Fiorelli, Goodman, Gray, Icové, Romeo, Miller.

Nays: Gelfand

Abstain: None.

Absent: None.

The Legislation has Passed

Roll Call for Motion #1: Ms. Andrea Nelson Moore for Hearing Officer:

Roll Call:

Ayes: Fiorelli, Gelfand, Icové, Miller.

Nays: Goodman, Gray, Romeo.

Abstain: None.

Absent: None.

Four Ayes and Three Nays for Ms. Nelson Moore.

Roll Call for Motion #2: Mr. Karrie Howard for Hearing Officer

Roll Call:

Ayes: Gelfand, Goodman, Gray, Icové, Romeo, Miller.

Nays: Fiorelli.

Abstain: None.

Absent: None.

Six Ayes and One Nay for Mr. Howard

Roll Call for Motion #3: Ms. Hughes for Hearing Officer

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icové, Miller.

Nays: Romeo.

Abstain: None.

Absent: None.

Six Ayes and One Nay for Ms. Hughes.

SECOND ROLL CALL VOTE AS A RESULT ON A TIE FOR MR. HOWARD AND MS. HUGHES FOR HEARING OFFICER.

Roll Call for Mr. Karrie Howard

Roll Call:

Ayes: Gelfand, Goodman, Gray, Icové, Romeo, Miller.

Nays: Fiorelli.

Abstain: None.

Absent: None.
Six Ayes and One Nay for Mr. Howard

Roll Call for Ms. Keesha Hughes

Roll Call:

Ayes: Fiorelli, Gelfand, Ilove, Miller.

Nays: Goodman, Gray, Romeo.

Abstain: None.

Absent: None.

Four Ayes and Three Nays for Ms. Hughes

Mr. Karrie Howard has been won the motion to be appointed Hearing Examiner.

Legislation Requested by City Council

Introduced by Miller

Resolution 04-13

RESOLUTION

APPOINTING PARKING HEARING EXAMINER(S) FOR THE PARKING VIOLATIONS BUREAU OF THE CITY OF SOUTH EUCLID, OHIO AS ESTABLISHED BY CHAPTER 147 "PARKINGGENERALLY" OF TITLE FIVE "ADMINISTRATIVE" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Following discussion, It was moved by Goodman, seconded by Fiorelli, that Resolution 04-13 be amended to add Ms. Keesha Hughes as secondary Hearing Examiner.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Ilove, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Motion to Amend Resolution 04-13 has been approved.

It was moved by Goodman, seconded by Fiorelli, that Resolution 04-13 be passed as Amended.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Ilove, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Legislation has Passed Unanimously.

Legislation Requested by the Administration

Introduced by Ilove

Resolution 86-12

RESOLUTION

IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO, THE COUNCIL OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW. **SECOND READING.**

Following discussion, It was moved by Ilove, seconded by Fiorelli, that Resolution 86-12 be passed.

Councilman Ilove gave an overview of the confirmation process, which was also posted online. Mr. Ilove stated that he had spoken to Mr. Lograsso about his concerns to promote better communication, fiscal responsibility and transparency. Mr. Ilove stated that it was discussed that the Law Director would meet with Council every few months to discuss litigation and that Mr. Lograsso consented to discuss the use of outside legal counsel and consents to look at a fixed salary instead of hourly.

Councilwoman Gray stated that she had a conversation with Mr. Lograsso and that it would not be news that she has some concerns. Ms. Gray said that she has been on Council for seven years and for the most part it has been a good run with the exception of the last couple of years and it has not been the best of communication with questions unanswered, and not in a timely fashion, and stated a memo regarding a law suit as an example. Ms. Gray stated that her constituency voted for her to be their voice and the Law Director and Finance Director have very unique roles and have a responsibility that bridges administration and council. Ms. Gray stated that she and Lograsso had a great relationship but something started to go wrong and that if Lograsso is confirmed she hopes the issues discussed will be adhered to but that she will not vote to confirm Mr. Lograsso.

Council President Miller stated that all along he supported that the issue of Law Director confirmation should have been handled as part of the Charter Review process. Mr. Miller stated that he believes that communication with Mr. Lograsso and Council has been open and transparent and that communication broke down everywhere, on all sides, and to blame it on one person is not honest, fair or right and that he hopes this is the last chapter of this issue. Mr. Miller said Mr. Lograsso has done an outstanding job and that it's time to move forward.

Councilman Fiorelli stated that we need to learn from this experience and that communication goes two ways.

Councilperson Gelfand agreed with Mr. Miller that this was an issue that should have been looked at in the Charter and that he does support a confirmation process, but that it should not be every two years, but four years. Mr. Gelfand stated that he has had nothing but straight forwardness with Mr. Lograsso who has answered his questions and accepted challenges and that Mr. Lograsso is above the egos and pettiness and has worked with him every step of the way.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Icovc, Romeo, Miller.

Nays: Gray.

Abstain: None.

Absent: None.

The Legislation has Passed.

Introduced by Miller

Resolution 01-13

RESOLUTION

SETTING THE DATES FOR THE CITY OF SOUTH EUCLID'S REGULARLY SCHEDULED COUNCIL MEETINGS IN 2013. FIRST READING.

Following discussion, It was moved by Miller, seconded by Goodman, that Resolution 01-13 be passed.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icovc, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Legislation has Passed Unanimously.

Introduced by Miller

Resolution 02-13

RESOLUTION

AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO ADVERTISE FOR THE SALE OF REAL PROPERTY AND TO ENTER INTO CONTRACT TO SELL SUCH PROPERTY. FIRST READING.

Following discussion, It was moved by Romeo, seconded by Goodman, that Resolution 02-13 be passed.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icovc, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Legislation has Passed Unanimously.

Introduced by Miller

Resolution 03-13

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COMMUNITY PARTNERSHIP ON AGING (FORMERLY KNOWN AS THE TRI-CITY CONSORTIUM ON AGING) COUNCIL OF GOVERNMENTS. FIRST READING.

Following discussion, It was moved by Miller, seconded by Romeo, that Resolution 03-13 be passed.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icovc, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Legislation has Passed Unanimously.

Introduced by Miller

Ordinance 01-13

ORDINANCE

AMENDING DIVISION (b) AND SUB-DIVISION (b1) OF SECTION 937.01 "REGULATIONS; FEE SCHEDULE" OF CHAPTER 937 "COMMUNITY CENTER" OF PART NINE "STREETS AND PUBLIC SERVICES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

The Legislation was placed on First Reading and referred to the Legislative Committee for discussion and review.

Law Director's Report

None

Letters & Communications

- Councilperson Icové reported that he received a flyer promoting a free public forum regarding Senate Bill 337 that will be held at Notre Dame College and is sponsored by State Senator Shirley Smith. Judge Byers will be a part of the forum. Mr. Icové congratulated Councilwoman Gray on being named Head Usher at her Church.
- Councilperson Fiorelli reported on the monthly recycling numbers and reported on a Fundraiser for St. John's Lutheran Church, which will be held on January 26 from 5-7 pm.
- Councilperson Gray reported that the Safety Committee will hold a Public Forum for residents regarding Youth in Peril in our community on January 16 from 7-9 pm. Ms. Gray stated that the panel will include Juvenile Court Judge Michael Ryan, South Euclid Judge Byers, Chad Welker from the South Euclid-Lyndhurst Schools, Attorney and Professor Carmen Naso, Chief Nietert and Director Benjamin.

Adjourn to Executive Session to discuss the purchase of real property

Following discussion, It was moved by Romeo, seconded by Goodman, that Council adjourn to Executive Session to discuss the sale of real property.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icové, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

Council Adjourned to Executive Session at 9:33 pm.

Adjourn

With no further business to discuss, Gelfand made a motion to adjourn the Meeting. Seconded by Romeo.

Roll Call:

Ayes: Fiorelli, Gelfand, Goodman, Gray, Icové, Romeo, Miller.

Nays: None.

Abstain: None.

Absent: None.

The Meeting Adjourned at 9:49 pm.

Council President

Attest:

Clerk of Council