

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, Smith, Lograsso, Nietert, Welo, Martin, Anderson, Love, Huston

Approval of Minutes: September 24, 2012 (recovered), October 9, 2012 (recovered), October 22, 2013 (recovered).

Following discussion, It was moved by Romeo, seconded by Miller, that the Minutes of previous Council Meetings be approved.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

The Minutes have been approved.

Opening Meeting of Council:

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

- Karrie Howard, 1768 Maywood Road, introduced himself as the new Parking Violations Hearing Examiner for the City and expressed his gratitude and excitement for the position.
- Ann Eland, 4598 McCall Road, reported on the Strategic Planning that is underway by the South Euclid-Lyndhurst School District and encouraged everyone to take part in the process and school activities. Ms. Eland stated that the soup at China Gate is the same and congratulated the City for the new Cedar Center and that it is so nice to see it hopping again.
- Pat Fortner, 1823 Oakmont Road, commented on the move of the South Euclid-Lyndhurst Library by Cuyahoga County Library Board and stated that this is not the first time the landmark Telling Mansion has been at risk. Ms. Fortner said that it is time for residents to step up and demand that the Library find a caretaker for the library and that they should take responsibility instead of just dumping the building. Ms. Fortner stated that perhaps the library could keep the building as a reading room and used by Notre Dame College, senior activities, boys and girls clubs, etc.
- Cassandra Jones, 4665 Liberty Road, reported that she is a member of the South Euclid-Lyndhurst School Board. Ms. Jones reported on the new quarterly newsletter now being distributed by residents and reported on the strategic plan process. Ms. Jones reported that the School Superintendents have been going to Columbus to discuss concerns regarding how the State Budget will affect school funding. Ms. Jones gave updates on upcoming school events including a Founder's Day event on February 21 and Band Concert on February 26.
- Larry Wiley, 4534 Telhurst Road spoke about the importance of the preservation of the Telling Mansion and stated that the library move is a done deal at this point and wants a 100% guarantee that it will be preserved.
- Alfreda Wynne, 585 Quilliams Road, also a member of the South Euclid-Lyndhurst School Board reported on the Alpha Kappa Alpha Sorority Pink and Red Fundraiser in support of the American Heart Association and stated that the event will become an annual event held the first Saturday in February of each year.
- Fran Mentch, 3060 Chelsea Drive in Cleveland Heights, stated that the Cuyahoga County Public Library gets 25% of its income from taxes paid by Cuyahoga County residents and that 50 years ago the building was bought out of foreclosure and turned into the public library and that the Library should remain at the Telling Mansion. Ms. Mentch stated that the move is not a done deal and that she has public documents between the Library Executive Director Sari Feldman and public officials proving that this was a backroom deal.
- Karen Berger, 4761 Edenwood Road, stated that it's important that the library remains at the Telling Mansion and that the taxpayers should have some say.
- Kathy Schaefer, 1172 South Belvoir stated that Mayor Welo was not accurate in a newspaper article when she said that most South Euclid residents want a new library and submitted petitions to support her point and said that she would be voting for opponents.
- Christopher Weeks, 1414 Ellison Road, stated that he does not agree with the move of the Library from the Telling Mansion and that the most green-building process would be for the library to stay where it is. Mr. Weeks said it would be extremely sad if Council and Mayor let this happen and that the move should go to a vote.

- Linda Pagan, 684 Parkside, stated that the Cuyahoga County Library board has operated with a lack of integrity and dishonesty and that the plan was developed in 2010 and that the library is not following its mission and values.

Legislation for Removal from Council Docket

Introduced by Miller

Resolution 37-12

RESOLUTION

WITHDRAWING AN OBJECTION REGISTERED WITH THE OHIO DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL CONCERNING THE RENEWAL OF THE LIQUOR PERMIT BELONGING TO TINO'S LOUNGE IN THE CITY OF SOUTH EUCLID. FOR REMOVAL.

Following discussion, It was moved by Gray, seconded by Romeo, that Resolution 37-12 be removed from Council's Docket.

Roll Call:

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

Nays: Miller

Abstain: None.

Absent: None.

The Legislation has been removed.

Report of Council Committees:

Committee of the Whole

President Miller reported that the Committee of the Whole met to discuss the monthly finances and stated that the City was fortunate to end the year with \$3.4 million, which sounds great, but it is not what should be expected at the end of the year. Mr. Miller stated that the City is receiving less money from the state and will be impacted. Mr. Miller reported that the Committee also reviewed Ord. 01-13 regarding the Community Center Fees for residents of other neighboring communities. It was decided to raise the fees from 10% to 20% of resident fees.

Safety Committee

Introduced by Miller

Ordinance 26-12

ORDINANCE

CREATING NEW SECTION 337.32 "DISTURBING THE PEACE; EXCESSIVE SOUND VOLUME" OF CHAPTER 337 "SAFETY AND EQUIPMENT" OF TITLE FIVE "VEHICLES" OF PART THREE "TRAFFIC CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID. SECOND READING.

Councilwoman Gray reported that while the Safety Committee had previously recommended approval, Judge Byers advised of changes regarding the issue of waiverable offenses and read the email from Judge Byers. Law Director Lograsso stated that it is up to the Judge to decide what is waiverable and what is on her fee schedule and there was not a need to amend the legislation. Councilwoman Goodman stated that in light of the new information the legislation should not be acted on tonight and asked for an explanation from Judge Byers of why if all the other Judges in surrounding communities approach the same issue one way, why it needs to be changed. The legislation was placed in Safety Committee for continued discussion.

Introduced by Miller

Ordinance 27-12

ORDINANCE

AMENDING SECTION 531.09 "ABATEMENT OF CRIMINAL ACTIVITY NUISANCES" OF CHAPTER 531 "NUISANCES" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. SECOND READING.

Following discussion, It was moved by Gray, seconded by Fiorelli, that Ordinance 27-12 be passed.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

The Legislation has Passed Unanimously.

Recreation Committee

Councilperson Gelfand reported on a meeting to discuss a proposed pesticide ordinance and another Meeting has been scheduled for Monday, March 11 at 6 pm.

Mayor's Report:

- **Engineer Blackley:** reported that Dominion East Ohio has begun work on Anderson Road and is making good progress and a meeting with Chad Welker from the School District regarding a Safe Routes to Schools grant which is a valuable project for residents and school children.
- **Housing Manager Martin:** reported that the City has received a grant from the County from Round 3 of the National Stabilization Program. The \$200,000 will allow for the construction of a new Idea House on Argonne Road.
- **Service Director Anderson:** reported that the City has used 2,200 more tons of road salt this year over last year.
- **Economic Development Coordinator Love:** reported that Red Hot Cabana at the former Burger King on Green Road will open on Valentine's Day and that the December 2012 unemployment percentage was 5.2% which is below Cuyahoga County and State percentages.
- **Police Chief Nietert:** Reported on Resolution 07-13 regarding the Safe Routes to School Grant as discussed by Engineer Blackley
- **Mayor Welo:** gave her condolences to Councilman Gelfand and his family on the passing of Mr. Gelfand's mother and stated that her prayers are with Mr. Gelfand and his family. Mayor Welo reported that she has been in Columbus with the Ohio First Suburbs cities to discuss how the continuing cuts to our cities and schools by Governor Kasich and the State Legislature will hurt our communities. Ms. Welo stated that Governor Kasich will be sitting on a \$1.8 billion rainy day fund and reported on inconsistencies including that the state got rid of the Estate Tax but now wants to tax individual on funerals and that with all of the cuts, we will suffer greatly. Mayor Welo reported that she served on a Council of Small Enterprises (COSE) panel with the Mayor of Lakewood and Avon Lake and had a great discussion with small business owners about the economy and how state cuts affect them. Mayor Welo reported on the tasting session at Red Hot Cabana restaurant and that the food she had was phenomenal and that she attended the Cutter's Creek Pot Luck and a basketball program which was organized by Council President Miller and parents who have put together a program with over 200 kids.

Legislation Requested by the Administration

Introduced by Miller

Resolution 07-13

RESOLUTION

AUTHORIZING THE CUYAHOGA COUNTY BOARD OF HEALTH TO SUBMIT AN APPLICATION FOR THE SAFE ROUTES TO SCHOOL PROGRAM ON BEHALF OF THE CITY OF SOUTH EUCLID, A LOCAL PUBLIC AGENCY. FIRST READING.

Following discussion, It was moved by Miller, seconded by Goodman, that Resolution 07-13 be approved.

Roll Call:**Ayes:** Fiorelli, Gelfand, Goodman, Gray, Icove, Romeo, Miller.**Nays:** None.**Abstain:** None.**Absent:** None.

The Legislation has Passed Unanimously.

Introduced by Miller

Resolution 08-13

RESOLUTION

STRONGLY OPPOSING THE PASSAGE OF HB5 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE; AND DECLARING AN EMERGENCY. FIRST READING.

Following discussion, It was moved by Miller, seconded by Romeo, that Resolution 08-13 be approved.

Roll Call:**Ayes:** Fiorelli, Gelfand, Goodman, Gray, Icove, Romeo, Miller.**Nays:** None.**Abstain:** None.**Absent:** None.

The Legislation has Passed Unanimously.

Law Director's Report

Reported on a question that resident Yakov Lieber asked at a previous Council Meeting regarding how many liquor permits were in the City of South Euclid. Mr. Lograsso reported that the State of Ohio currently has issued 32 permits and that 29 permits are still available. Mr. Lograsso explained that there are a variety of permits allowing for a combination of liquor sales from just beer to beer and wine, and spirits.

Letters & Communications

- Council President Miller reported on the scheduling of Budget Hearings and suggested scheduling the meetings on February 27 and 28. Ms. Gray asked if the meetings could be held in March because she would be at a conference. Mayor Welo stated that she will be out of town the first week of March. Council scheduled the meetings on March 4 and 5 from 5 pm to 9 pm. Mr. Miller also cleared up misinformation regarding the Parking Ticket Hearing Examiner that was in a letter to the editor in the Sun Newspaper. The letter claimed that the City is paying the officer \$52,000 a year, and that in reality, the Hearing Officer position has been budgeted for only \$2,000 and the position is only an hourly as-needed position.
- Councilwoman Goodman gave an update on the Lay Facilities Committee for the Cleveland Heights University Schools. Ms. Goodman represents the South Euclid students who attend the district. Ms. Goodman reported that the Committee would be presenting alternatives, which includes Gearity School remaining open.
- Councilman Gelfand reported on an event he attended at Park Synagogue held by the Greater Cleveland Congregations and that he wrote letters to our State Senator and Representative regarding the 600,000 uninsured Ohioans. Mr. Gelfand read a response that he received from Senator Budish. Mr. Gelfand thanked Councilwoman Goodman for her work representing South Euclid on the Cleveland Heights University Heights schools issue and reported that his daughter attends Gearity School.
- Councilman Romeo reported on the upcoming Playground of Possibilities Fundraiser on March 9 at the La Vera Party Center and that tickets are \$35. Mr. Romeo reported on the continuing cuts to local government funding by the State of Ohio and stated that the burden is being placed on the cities and residents and the residents are not benefiting. Mr. Romeo said that it's becoming very difficult and it's going to get worse before it gets better.
- Councilman Fiorelli reported on the 2012 versus 2011 savings from the switch to Automated Trash and Recycling pickup. The City averages a savings of about \$25,000 a month.
- Council President Miller thanked Director Benjamin and Mark Geyman for posting on the website a service offered by the Case Western Reserve University Accounting Department which will help residents fill out their tax returns if they make \$49,000 or less.

Adjourn to Executive Session to Discuss Pending Litigation

Following discussion, It was moved by Miller, seconded by Fiorelli, that Council Adjourn to Executive Session to discuss pending litigation.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: None.

Council adjourned to Executive Session at 9:23 pm.

ADJOURN

With no further business to discuss Romeo made a motion to adjourn the Regular Meeting of Council. Seconded by Goodman.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Gelfand

Council adjourned to Executive Session at 9:23 pm.

The Meeting Adjourned at 9:37 pm.

 Council President

Attest:

 Clerk of Council