

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

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

Roll Call.

Present: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman (*Clerk Note: Council President Miller indicated that Councilwoman Goodman was on her way. Ms. Goodman arrived at 8:21 pm.*)

Approval of Minutes: February 9, 2015 & February 23, 2015

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Councilman Dennis Fiorelli.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Councilman Moe Romeo, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icové, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman.

The Minutes have been approved.

Recognition Ceremony

A recognition ceremony was held to honor South Euclid residents Paul & Sonya Williams, good samaritans, who stopped to help a resident in need in February.

Police Award Ceremony

Sgt. Rick Friedl, Patrolman Steve Wilson, and Dispatcher Latrice Flanagan were recognized for their work to save a South Euclid resident who was the victim of a home invasion last year.

Swearing In Ceremony

The Mayor swore-in a new Safety employees: Police Officer Lisa Allen and Firefighter David Spraggins.

Recognition Ceremony Firefighter of the Year

Introduced by Miller

Resolution 04-15

RESOLUTION

IN APPRECIATION TO AND RECOGNITION OF FIREFIGHTER JOE PAVLISKO FOR HIS OUTSTANDING SERVICE TO THE SOUTH EUCLID FIRE DEPARTMENT AND THE RESIDENTS OF THE CITY OF SOUTH EUCLID AND HAVING BEEN NOMINATED AND ELECTED FIREFIGHTER OF THE YEAR FOR 2014. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President David Miller, **Seconded by** Councilman Dennis Fiorelli.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Council President David Miller, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icové, Councilman Moe Romeo.

The legislation has been approved.

Opening Meeting of Council:

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

- Robert Schoenewald, 4426 Bayard Road, expressed his concern regarding the proposed home based business ordinances and a potential requirement that home based businesses register with the City. Mr. Schoenewald stated that his concern is that registration could lead to a permit process and/or additional external/internal inspections. Mr. Schoenewald stated that even though the current council and administration have no plans to enact such registration requirements, there is a history of past abuses of registration which led to later abuses, like the Holocaust.
- George Martin, 1832 South Green Road, discussed a court issue he is involved in with the City regarding landscaping that allegedly is blocking the view of drivers at the corner of South Green Road and Greenway and was not in compliance with code. Mr. Martin stated that the charges were dismissed by South Euclid Court and that the City is planning to appeal. Mr. Martin requested that the City put an end to the manipulative misuse of council power and waste of taxpayer dollars on frivolous lawsuits and as an 80 year old he is being harassed.
- Charles Turner, 4549 Lilac Road, spoke regarding his ongoing issues with the South Euclid Police Department, Chief Nietert and Law Director Lograsso. Mr. Turner stated that the Police Department and Law Director are lying to the public and that South Euclid Police Car 46 chased him going 60 mph, and that the records were not kept regarding the incident.
- Robert Frey, 1299 South Green Road, spoke about the Charter Review Commission process and stated that he is dismayed that the Mayor and Councilmembers used politics to beat opponents over the head and spoke regarding the Mayor's attempt to get rid of the Court and Councilman Fiorelli's attempt to get rid of Councilwoman Ruth Gray by proposing a charter amendment regarding Council conflicts of interest. Mr. Frey stated that only one time has a potential conflict come up with Ruth Gray in 2005-2006 and Ms. Gray abstained from voting on the issue. Mr. Frey stated that Mr. Fiorelli voted in favor of the Oakwood Country Club development and took a campaign contribution from the developer and also voted to keep the Law

Director whom Mr. Frey stated is a serial debtor and has three Supreme Court sanctions. Mr. Frey stated that he would like to hear from Mr. Fiorelli how that is not a conflict of interest.

Report of Council Committees:

Committee of the Whole

Council President Miller reported that the Committee of the Whole met earlier in the evening to discuss and finalize the 2015 City Budget.

Introduced by Miller

Ordinance 02-15

ORDINANCE

TO MAKE EXPENDITURES FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015 **Third Reading.**

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Council President David Miller.

Councilman Romeo stated that there have been minor modifications to the budget and that the budget must be passed by the end of the month.

Councilman Icové stated that he would be voting no for the budget because he did not receive requested information from the administration regarding projected revenues and expenses for the next three years, financial statements regarding Cedar Center income and an itemization of the Law Director and outside legal expenses and complete charges for time by month. Mr. Icové said that the city needs to plan ahead and be good financial stewards.

Councilwoman Gray stated that the budget speaks for who we are as a community and two years ago, the Mayor spoke about the health, safety and welfare of the community and the 2015 budget continues to fall short of the expectation that was set and does not address staffing and increased domestic violence and felony cases. Ms. Gray stated that the budget places detectives on streets and that the law department has had an open checkbook philosophy. Councilwoman Gray stated that the budget needs to reflect what residents expected for our safety forces, and because the city has not reach the goal set in 2013 she will not support the budget.

Vote: Motion passed (**summary:** Yes = 5, No = 2, Abstain = 0). **Yes:** Councilman Moe Romeo, Council President David Miller, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman.

No: Councilwoman Ruth Gray, Councilman Ed Icové.

The legislation has been approved.

Legislation Requested by the Planning Commission

Introduced by Miller

Ordinance 03-14

ORDINANCE

CREATING NEW SECTION 722.05 "AGRICULTURE" OF CHAPTER 722 "CONDITIONAL USES IN RESIDENTIAL DISTRICTS" OF TITLE TWO "RESIDENTIAL DISTRICT REGULATIONS" OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FOR REFERRAL TO THE ZONING & PLANNING COMMITTEE.**

The legislation was referred to the Zoning & Planning Committee for discussion and Public Hearing.

Introduced by Miller

Ordinance 14-14

ORDINANCE

AMENDING SECTION 505.17 "PROXIMITY TO DWELLINGS" OF CHAPTER 505 "ANIMALS AND FOWL" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FOR REFERRAL TO THE ZONING & PLANNING COMMITTEE.**

The legislation was referred to the Zoning & Planning Committee for discussion and Public Hearing.

Mayor's Report:

Mayor Welo stated that this year's budget is the best that we've had in many years after finishing last year with a general fund balance of over \$4 million. Mayor Welo stated that she is indebted to the residents, administration, city council and the leadership of Finance Director Smith for keeping South Euclid in stable financial condition and insure the community's future. Mayor Welo stated that 2015 funding levels for Safety Forces are above 2013 levels and that the city has kept their promise and that we have a lot to be proud of. Mayor Welo discussed a regional meeting with State Senator Kenny Yuko's district and discussed state budget issues and their negative effect on local communities and another meeting regarding the regional emergency dispatch center consolidation and the results of the regional deer population study. A meeting will be set up with City Council to discuss the findings. Ms. Welo reported that she attended Cleveland Mayor Frank Jackson's State of the City address and that she has been asked to serve on an advisory board by Albert Ratner to discuss our region's future. Mayor Welo reported that she had the honor of having lunch with Congressman Lou Stokes to celebrate his 90th Birthday and thanked President Miller for stopping by to see the Congressman.

Housing Manager Martin reported that she and other housing officials will be meeting with County Executive Budish to discuss housing and foreclosure issues and asked Council consideration of the Ones South Euclid agreement renewal.

Economic Development Director Love asked that the One South Euclid legislation be placed on First Reading and stated that the Board has come a long way.

Mayor Welo thanked Law Director Lograsso and Finance Director Smith for their work with the collective bargaining units of the City and that two of the four agreements are on the agenda tonight and that it speaks volumes for the City that the unions and administration can work together.

Legislation Requested by the Mayor and Administration

Introduced by Miller

Resolution 02-15

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ONE SOUTH EUCLID FOR THE PROVISION OF COMMUNITY DEVELOPMENT SERVICES FOR THE CITY OF SOUTH EUCLID, OHIO. **TO BE PLACED ON FIRST READING AND REFERRED TO COMMITTEE-OF-THE-WHOLE.**

The legislation was placed on First Reading and referred to the Committee of the Whole.

Introduced by Miller

Resolution 03-15

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PROVIDE SODIUM CHLORIDE (BULK ROCK SALT) TO THE CITY OF SOUTH EUCLID, PER OHIO REVISED CODE SECTION 5513.01 (B); FOR THE 2015-2016 WINTER SEASON. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Ruth Gray, **Seconded by** Council President Pro Tem Jane Goodman.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Councilwoman Ruth Gray, Council President Pro Tem Jane Goodman, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

The legislation has been approved.

Introduced by Miller

Resolution 05-15

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CFT NV DEVELOPMENTS, LLC FOR THE PURCHASE AND SALE OF REAL PROPERTY IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President David Miller, **Seconded by** Councilman Moe Romeo.

Councilman Gelfand and Councilwoman Goodman both asked that the legislation be placed on first reading so that there is more time to discuss and Councilman Gelfand stated that he just got the information and needs more time to review.

Councilman Romeo stated that the Clerk sent out the information last week via email and in packets and that it is Council's job to review the materials prior to the meeting.

Councilwoman Goodman stated that the agreement is a negotiation issue and the matter deserves the right to have discussion about details and asked what the urgency was. Law Director Lograsso reported that the developer is eager to move forward and that the matter had been discussed in executive session and this matter is no different than the agreements with GFS and Bob Evans.

Councilman Gelfand stated that the development is in Councilwoman Goodman's ward and asked for time to discuss.

President Miller and Councilman Romeo removed their motions and the legislation was placed on First Reading for continued discussion and review.

Introduced by Miller

Resolution 06-15

RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President David Miller, **Seconded by** Councilman Moe Romeo.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Council President David Miller, Councilman Moe Romeo, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icové.

The legislation has been approved.

Introduced by Miller

Ordinance 05-15

ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE AND ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH LOCAL 2319 AND OHIO COUNCIL 8 OF THE AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES UNION; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Council President Pro Tem Jane Goodman.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Councilman Moe Romeo, Council President Pro Tem Jane Goodman, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icové, Council President David Miller.

The legislation has been approved.

Introduced by Miller

Ordinance 06-15

ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT ENTERED INTO WITH THE OHIO PATROLMAN'S BENEVOLENT ASSOCIATION FOR ALL FULL-TIME DISPATCHERS COVERED BY THE COLLECTIVE BARGAINING AGREEMENT; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Council President Pro Tem Jane Goodman.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Councilman Moe Romeo, Council President Pro Tem Jane Goodman, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icové, Council President David Miller.

The legislation has been approved.

Law Director's Report

No Report

Letters & Communications

Council President Miller scheduled a Committee of the Whole Meeting for April 13 regarding Resolution 05-15 at 7 pm.

Councilwoman Goodman scheduled a Public Hearing regarding Home Based Business legislation for May 11 at 7 pm.

Council President Miller scheduled a Committee of the Whole Meeting on April 27 at 7 pm to discuss the One South Euclid Agreement.

Councilman Fiorelli reported that the Charter Review Commission will have a public hearing on March 20th at 7 pm and scheduled a Recreation Committee regarding Pool Fees for April 13 at 7 pm.

Councilman Gelfand expressed his condolences to resident and South Euclid prosecutor Michael Shaughnessy on the loss of his mother and reported on a Cleveland Restoration Society Meeting and the Neighborhood Housing Center's annual meeting. Mr. Gelfand reported on a book signing for South Euclid author Susan Petrone for her new novel "Throw Like A Woman" and wished everyone a happy Passover and Easter.

Councilwoman Gray discussed her concerns with the potential sale of the former Lowden School property and that the South Euclid Lyndhurst Board of Education has not communicated or been open about the property being sold. Ms. Gray stated that 77% of the children in the district live in South Euclid and the school district represents us, and every month a Board Member comes to a Council Meeting to discuss what is going on in the district and never mention that the Lowden property is being sold and said that it is underhanded and disrespectful. Councilwoman Gray stated that a Board Member was at the last Council Meeting and never mentioned that they were selling the property. Ms. Gray stated that when she went to the School Board they shooed her off and City Council deserves better treatment and that the five acres of green area at Lowden are important to the residents and the School Board did not even consider them in their decision making.

Councilwoman Goodman reported on the upcoming Community Garden kickoff breakfast on Saturday at Whole Foods and upcoming Tree Commission meeting to prepare for the annual Arbor Day celebration. Ms. Goodman thanked the Fire Department for their work with a neighbor's fire and wished everyone a happy Passover and Easter.

Mayor Welo reported that this Saturday from 11 am to 3 pm is the Spring Spectacular at Brush, an event for youth sponsored by Velocity Church.

President Miller reported on the upcoming Brush Prom on May 22nd and efforts for donations so that students can have a safe after prom event.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Moe Romeo, **Seconded by** Council President Pro Tem Jane Goodman.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Councilman Moe Romeo, Council President Pro Tem Jane Goodman, Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icové, Council President David Miller.

The Meeting Adjourned at 9:42 pm.

Council President

Attest:

Clerk of Council