

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 Jane Goodman, Councilwoman Ruth Gray, Council President Pro Tem Icove, Councilman Moe Romeo, Council President David Miller.

Approval of Minutes: July 8, 2013 (recovered); July 22, 2013 (recovered); October 28, 2013 (recovered); March 10, 2014 & March 24, 2014.

Action: Motion to Approve Minutes, **Moved by** Councilman Dennis Fiorelli, **Seconded by** Councilwoman Jane Goodman.

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

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

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:

- Lisa Marko, 5180 Spencer Road (Lyndhurst) representing the South Euclid Lyndhurst School Board discussed ongoing community meetings being conducted by the school district regarding changes to school day schedules beginning in September. Ms. Marko discussed additional school district and student activities and achievements including the Brush High Student Art Show, Robotics Competition, Memorial Science Fair and Brush High School's annual theatre musical.
- Michael Fortner, 1823 Oakmont Road, made comments about the potential for rebranding South Euclid and stated that more revenues would be a reality of an effective rebranding. Mr. Fortner stated that South Euclid can be an attractive place from 300 miles away and that the name alone can offer strong favorable feeling, image or identify that can increase demand for new residents as the City faces its 100th anniversary in 2017.

Report of Council Committees:Zoning and Planning

Councilwoman Goodman reported that a meeting was held to discuss the home-based business legislation that is currently in committee. The Committee will meet again to discuss the refreshing of our codes to support the residential character of our neighborhoods as well as businesses.

Committee of the Whole

Council President Miller reported that the Committee met to discuss monthly city finances and that receipts are 6% above the estimated amount for the year and that disbursements are about 3% less than budgeted. The General Fund balance at the end of March was approximately \$4.6 million, however that number does not include transfers. Mr. Miller reported that the City is 16% ahead in RITA collections from this time last year and that Finance Director Smith discussed changing the City's use of credit cards to a purchasing card program which will establish stronger internal controls.

Legislation Requested by City Council

Introduced by Miller

Resolution 17-14

RESOLUTION

SUPPORTING THE PROPOSED OHIO VOTER BILL OF RIGHTS STATEWIDE CONSTITUTIONAL AMENDMENT TO GUARANTEE THE RIGHTS OF ALL ELIGIBLE OHIO CITIZENS. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Ruth Gray, **Seconded by** Councilman Moe Romeo.

Councilwoman Gray discussed the legislation supporting the statewide constitutional amendment to enshrine new voting provisions. If enough signatures are collected to put the amendment on the statewide ballot in November, the amendment would write into the constitution minimum early, in-person voting hours including Saturdays and Sundays during the weekend prior to the elections as well as promote new identification standards, absentee ballot procedures and online voter registration. Ms. Gray reported that Cuyahoga County will need to gather 70,000 signatures as part of the statewide ballot initiative and that the issue crosses all party lines and is at the very core of how we view our constitutional rights. Councilman Icove commended Councilwoman Gray on sponsoring the legislation and offered his support. Councilman Gelfand also stated that he supports the resolution and that voting rules change all the time and we should always be in the process of making it easier and not harder for citizens to vote. Councilman Romeo also stated that he agrees with his Council colleagues and that, with new technology available why are there continuing efforts to take away voting rights and that this legislation is important and will protect our rights. Councilwoman Gray stated that the deadline for the Cuyahoga County effort is July 2nd for all petitions to be submitted and that she will be at the Coffee Phix on Thursday evenings to collect petitions from petitioners and take them down to Olivet Baptist Church where the Cuyahoga County effort is being organized.

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

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

The Legislation has passed.

Mayor's Report:

- **Mayor Welo** reported for Engineer Blackley regarding upcoming road projects including the West Anderson Road Project which is beginning and a neighborhood meeting has been held. Mayor Welo also reported that Cuyahoga County will be beginning the South Belvoir Blvd road reconstruction project but has given the city very short notice regarding the project to residents. Councilman Icové suggested a neighborhood meeting and the Mayor committed to making a reverse 911 phone call to affected residents and making sure letters are sent to residents. The Mayor discussed the Brush Art Show and discussed the phenomenal efforts of the students.

Legislation Requested by the Administration

Introduced by Miller

Resolution 14-14

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 2014-2015 Winter Season. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Pro Tem Icové, **Seconded by** Councilman Dennis Fiorelli.

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

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

The legislation has passed.

Introduced by Miller

Resolution 15-14

RESOLUTION

Authorizing the Mayor to enter into a Membership Agreement with the Sourcing Alliance Network. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Councilwoman Jane Goodman.

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

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

The legislation has passed.

Introduced by Miller

Resolution 16-14

RESOLUTION

Authorizing the Appropriation of Unappropriated Funds in the following fund: "Law Department-Personal Services-Fund 101-7740" for the purposes of hiring a part-time Law Clerk. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Councilwoman Jane Goodman.

Law Director Lograsso stated that the issue was discussed during budget hearings regarding the potential need for additional assistance in preparing necessary case files and paperwork for the prosecutors for Municipal Court hearings and that the need is based on Court's transition to a paperless system which has placed an additional burden on the Mayor and Law Department's assistant Lee Williams regarding the preparation of court files, some of which, cannot be paperless.

Councilwoman Gray stated that she is concerned and thought that the legislation would go to committee and she has a lot of questions and is not ready to vote. Ms. Gray stated that the Judge sent a letter months ago regarding the Judge going green and that the City purchased laptop computers for our prosecutors for this purpose. Ms. Gray asked if the prosecutors have gone paperless, and if not, why, as the Court gave the city ample notice. Ms. Gray also stated that as a community we can't hire safety forces and we need to be careful that we are spending our tax dollars wisely and that we added one prosecutor to the law department last year and now are looking to add another. Ms. Gray stated that we need to do our due diligence before this issue goes to a vote. Councilman Gelfand agreed that more information and discussion is needed regarding the subject and asked why is something that is good for the environment costing the City more money and stated that a committee meeting is the right venue for continuing discussion. Councilman Icové also agreed that a meeting was needed and more discussion necessary and stated that any paper documents should be scanned into files on the computers for the prosecutors and stated that the Law Department should consult with Judge Nicastro in Garfield Heights as they now have electronic discovery and that it costs less if you go green and stated that in the interim, the law schools might have extern programs to assist, and also suggested a call to the Cleveland Metropolitan Bar Association which has a green certificate which they give people to move forward electronically. Law Director Lograsso stated that LEED reports cannot be copied by law and the court is not entirely paperless and the system is evolving and he would be happy to bring all the prosecutors in to explain the situation to Council. Councilman Icové stated that the LEED reports are the only things that can't be copied. Mayor Welo invited members of Council to stop in and see the process that Ms. Williams has to go through on court days because it's not as simple as everyone is saying. Councilwoman Goodman agreed and stated that green is what she does for a living and what people don't understand is that regardless of it is paper or paperless someone is still scanning or processing documents and someone needs to move the process from one place to another and that's what Lee does, but now she does it for two different entities. There's still more processing that needs to get done. Councilman Icové responded that it scanning is as quick as copying and they just need to get the reports from the Police Department. Councilman Gelfand stated that as an attorney the kind of things that Lee does

that the court used to do is really important for the Lawyer that needs to defend someone and that this is great experience for a law student so Councilman Icové's suggestion about getting a Law Student is a good idea.

The Motion for passage was removed by Councilman Romeo and Councilwoman Goodman and the legislation was placed on first reading and referred to the Committee of the Whole. Council President Miller scheduled a Committee of the Whole meeting for April 28 at 6:30 pm. Mayor Welo requested that council see how the process works and President Miller also suggested that members of Council look at how the process is done to have a better understanding. Councilwoman Gray asked that we look at what other Cities are to broaden their perspective and President Miller will consult with Judge Nicastro and Councilman Icové also stated that his partner runs the extern program. Mayor Welo stated that she is very concerned about having interns handling confidential information like LEEDs reports and Law Director Lograsso stated that he has discussed the issue with Case Law School and Mayor Welo stated that the law department has had Case Law students in the past.

Law Director's Report

No report.

Letters & Communications

Councilman Fiorelli provided an update on the summer swimming pools and stated that Lyndhurst will continue to provide reciprocity with South Euclid. Mr. Fiorelli also met with the Traffic Commissioner regarding speeding issues on Telhurst, especially in light of the fatal traffic accident.

Councilman Romeo reported that he has talked with the Police Chief about putting out the speed trailer on Telhurst and he will be setting up a community meeting for residents.

Councilman Gelfand wished everyone a happy Passover and/or Easter and commended the service department and the Cleveland Water Department for their work to solve a neighborhood problem.

Councilwoman Gray discussed the issue regarding two neighbors that made national news over the last week. Judge Byers sentenced a South Euclid resident for harassing their neighbor for 15 years. Ms. Gray stated that the harassment against this family has been so severe that she asked the Judge why Mr. Aviv was not charged with a more serious felony and sent to the Cuyahoga County Court where his sentence could have been more severe and that there is a problem if our system allows for individuals to participate in such heinous acts and his punishment is not serious enough. Ms. Gray stated that according to the Judge, the issue could have been a case of ethnic intimidation and would like the Law Director to report on how the issue was handled and why the matter of why he isn't downtown sitting in jail. Councilwoman Gray also stated that she had sent an email a couple weeks ago to councilmembers requesting an executive session and that she thought she was doing it in accordance with the city charter and the courtesy that has been extended in the past to other councilmembers. Council President Miller stated that he asked what the overall purpose of the meeting was about and never received an answer. Councilwoman Gray stated that she did state in her email that it was regarding personnel. Council President Miller said that he didn't see it in the email and stands corrected if it was, but the Ohio Revised Code lays out in detail what an Executive Session is allowed for and wanted more information about it.

Councilwoman Goodman reported that our garbage trucks from Kimble are run on natural gas, and also discussed that they be more careful about not damaging trees when they lift the containers. Ms. Goodman also reported on the upcoming Earth Day Celebration on April 25th at 1 pm at Oakwood Green.

Adjourn to Executive Session for the purpose of discussing the sale of real property and potential litigation.

Action: Motion to Adjourn to Executive Session, **Moved by** Councilman Moe Romeo, **Seconded by** Councilwoman Jane Goodman.

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

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

The Council has adjourned to Executive Session at 9:19 pm.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Moe Romeo, **Seconded by** Councilwoman Jane Goodman.

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

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

The Meeting Adjourned at 9:30 pm.

Council President

Attest:

Clerk of Council