

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President Pro Tem Jane Goodman called the meeting to order and the Pledge of Allegiance was recited.

Roll Call.

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

Absent: Council President David Miller.

Approval of Minutes: May 11, 2015 & May 26, 2015

Action: Approval of Minutes, **Moved by** Councilman Dennis Fiorelli, **Seconded by** Councilman Moe Romeo.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Absent: Council President David Miller

The Minutes have been approved.

Special Presentation

Councilman Dennis Fiorelli and Mayor Welo presented longtime resident and former BZA member Gentras Farmer with a proclamation in recognition for his longtime service to the community.

Opening Meeting of Council:

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

- Sue Jasper, 1443 Dorsh Road, spoke regarding the South Euclid Lyndhurst School District's plan to build a bus garage on school district property that would be adjacent to their backyard. Ms. Jasper stated that the School District has been purchasing properties in their neighborhood and tearing them down and would like the school district property, which is currently greenspace, to remain as it is.
- Jim Jasper, 1443 Dorsh Road also spoke regarding the School District's bus garage plans and stated that he is concerned about the impact of proposed garage on the character and integrity of the neighborhood. Mr. Jasper stated that if a bus garage is built, he will see buses and smell fuel and hear noise instead of seeing trees and nature.
- John Gregg, 1453 Dorsh Road, stated that the proposed school district bus garage project seems very unfair to the neighborhood's residents and that he believes the school district is trying to sneak the project in without discussing it with the neighborhood and asked city council to protect the neighborhood's best interests with the issue.
- Austin Wooley, 1131 Clifford Road in Cleveland Heights, introduced himself as a representative with East Side Cycles which is a community group formed to build Northeast Ohio's first bicycle pump track at Bexley Park. The group needs to raise approximately \$5,000. Mr. Wooley stated that the cycle track is for people of all ages and abilities and no special bike is needed and stated that it will be another unique community asset and give kids a safe place to ride their bikes instead of in the streets.
- Robert Frey, 1299 S. Green Road, stated that several years ago resident Bob Schoenewald worked on several initiative petition efforts including the point of sale initiative and trash collection fees initiative which were successful on the ballot. Mr. Frey stated that Mr. Schoenewald recently called him to form a committee to collect petitions to overturn the recently passed home based business legislation. Mr. Frey recalled a recent conversation he had with Councilman Fiorelli and stated that Mr. Fiorelli asked him what Mr. Schoenewald's issues were with the legislation. Mr. Frey also stated that Mr. Fiorelli asked Mr. Schoenewald if it would make him happy if language was included to exclude Mr. Schoenewald's accounting home accounting business. Mr. Frey stated that he considers that a bribe and that Mr. Fiorelli should step down from council. Mr. Frey also read the definition of a home based business from the city's code and said that in his opinion, three council people have home-based businesses. Councilpersons Fiorelli and Gelfand have rental properties and Councilwoman Goodman has a flower business. Mr. Frey stated that these are conflicts of interest and those councilpersons never said a word about it. Mr. Frey stated that now that it has been brought to council's attention, the ordinance must be removed. Councilperson Goodman stated that she does not have a flower business.
- Ray Rhode, 1543 Laclede Road, reported on two upcoming band concerts on Sunday, July 5 featuring the Hillcrest Concert Band and on August 2 featuring the Klezmer Orchestra.
- George Martin, 1832 South Green Road, reported on how our natural environment including our trees, attract bees which pollinate and help nature and the negative impact of losing our natural environment. Mr. Martin addressed Mr. Fiorelli and stated that ignorance is bad.
- Chuck Turner, 4549 Lilac Road, stated that "you can't fix stupid" and that at the last meeting President Miller read an email from Mr. Turner that he had recently passed a background check and purchased a gun and Mr. Miller stated that he perceived the email as a threat. Mr. Turner stated that he used to be a sniper in law enforcement. Mr. Turner also stated that the Police Chief continues to hide the fact that he was attacked by a police car going 60 mph after he filed a complaint for failing to investigate an alleged rape. Mr. Turner stated that he sent another email saying that another officer went out of his way to annoy, harass and intimidate him and Mr. Turner asked the Mayor what kind of city she is running.
- Robert Schoenewald, 4426 Bayard Road, informed council and the public of the Cleveland Orchestra event celebrating Independence Day that will be downtown at Mall A with fireworks afterward.
- Linda Pagan, 684 Parkside asked when the Planning Commission would be having a public hearing regarding the Master Plan and also addressed the urban agriculture ordinance that would allow chickens

and stated that they would become a nuisance and attract flies. Regarding the home based business ordinance, Ms. Pagan addressed her concerns with on-street parking and the needs of home based businesses for parking and the potential problems that it could cause.

- John Finucan, 1619 Oakmont Road, spoke in favor of the urban agriculture ordinance language allowing chickens and stated that if the owners maintain it and take care of it there should not be a problem and that it's not a bad thing to bring a little bit of the country to our homes.
- Doris Wallace, 1461 Dorsh Road, spoke regarding the School District's plans for the new bus garage and stated that the garage will have a direct negative impact on her and her neighbors. Ms. Wallace stated that she purchase her home because of the view and the backyard and now they are going to take all of the trees down and asked what recourse she had. Ms. Wallace stated that she met with Mr. Dana Stearns, a representative of the school district and that he stated that there would be a public meeting. Councilperson Romeo responded that he also met with Mr. Stearns regarding the issue and that they were looking at five different scenarios, but nothing has been presented to the city. When and if it is presented, it would go through the City's board and commission process. Councilwoman Gray stated that by the time it gets to city council committee it will be almost too late and that advocacy needs to start at the school boards and that residents should go to the school board and let their voice be heard.
- Ori Akrish, 1891 Camberly Road in Lyndhurst, stated that he is a member of the South Euclid Lyndhurst School Board and is in attendance to give the Board's monthly update. Regarding the proposed bus garage issue, Mr. Akrish stated that he has seen the same five sketches and that there were issues with having to remove the Tennis Courts if the bus garage is built on another location on the school property. Mr. Akrish stated that there is a School Board Meeting tomorrow evening and stated that residents can voice their concerns and get more information at the meeting. Mr. Akrish reported on school district and student accomplishments over the year which included an Academic Challenge team that competed and won a competition over Parma and Glen Oak Schools; the Brush Dance Team performed at the half-time Orange Bowl Show, students from Memorial went to the White House and met First Lady Michelle Obama and reported on the new Science Center at Memorial. Mr. Akrish stated that Greenview School's new principal is Kelly Murphy.

Report of Council Committees:

Safety Committee:

Councilman Gelfand reported that the Safety Committee met to discuss the regional heroin problem and reported that even though South Euclid has not had many cases, one heroin death is too many. Mr. Gelfand stated that the committee discussion included the police department, Judge Matia, Judge Byers and others to discuss problems, solutions and resources.

Zoning and Planning Committee:

Councilwoman Goodman reported that the committee met to discuss the proposed Urban Agriculture legislation which would allow chickens.

Committee of the Whole

Zoning & Planning Committee

Introduced by Miller

Ordinance 13-14

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. **THIRD READING.**

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

Following discussion, Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilman Ed Icové, Councilman Moe Romeo.

No: Councilwoman Ruth Gray.

Absent: Council President David Miller

The legislation has been approved.

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. **THIRD READING.**

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

Following discussion, Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilman Ed Icové, Councilman Moe Romeo.

No: Councilwoman Ruth Gray.

Absent: Council President David Miller

The legislation has been approved.

Finance Committee
Introduced by Miller

Resolution 11-15

RESOLUTION

SUBMITTING THE QUESTION OF RENEWING AN EXISTING TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF ROADS AND STREETS IN THE CITY. TOGETHER WITH ALL NECESSARY INCIDENTALS AND APPURTENANCES THERETO, PURSUANT TO OHIO REVISED CODE SECTION 5705.19, TO THE ELECTORS OF THE CITY OF SOUTH EUCLID. **THIRD READING.**

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

Following discussion, Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Absent: Council President David Miller

The legislation has been approved.

Safety Committee

Introduced by Miller

Ordinance 09-15

ORDINANCE

AMENDING SECTION 131.08 "FIRE DEPARTMENT DUTIES" OF CHAPTER 131 "DEPARTMENT OF PUBLIC SAFETY" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

The legislation was placed on second reading.

Legislation Requested by the Charter Review Commission

Introduced by Miller

Ordinance 12-15

ORDINANCE

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF SOUTH EUCLID OF CERTAIN CHARTER AMENDMENTS AS PROPOSED BY THE CHARTER REVIEW COMMISSION PURSUANT TO ARTICLE XI-A OF THE CHARTER FOR THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. **FIRST READING.**

The legislation was placed on first reading and a Charter Review Commission meeting will be scheduled to review the final submissions.

Mayor's Report:

Mayor Welo thanked Tony Caroscio and all of the organizers of the Rock the Block community festival on Mayfield Road and reported that over 5,000 people attended the event. The Mayor wished everyone a wonderful July 4th holiday.

Legislation Requested by the Mayor and Administration

Introduced by Miller

Resolution 18-15

RESOLUTION

ADOPTING THE FISCAL BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2016. **FIRST READING.**

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

Following discussion, Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Absent: Council President David Miller

The legislation has been approved.

Introduced by Miller

Resolution 19-15

RESOLUTION

AUTHORIZING AN INCREASE OF APPROPRIATIONS IN THE FOLLOWING FUND: "FLOOD CONTROL FUND" FOR EXPENSES RELATED TO THE ELMWOOD ROAD INFRASTRUCTURE IMPROVEMENT PROJECT. **FIRST READING.**

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

Following discussion, Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Absent: Council President David Miller

The legislation has been approved.

Law Director's Report

Prosecutor Michael Shaughnessy filling in for Law Director Lograsso - No report.

Letters & Communications

- Councilwoman Gray reported that there will be the annual Ward One Community Meeting tomorrow at the Community Center. Ms. Gray also reported on a strategy meeting that was held with Judge Williams Byers regarding community meetings on the heroin issue and that it was decided by the community group that the discussion needed more than just one meeting. As a result, four community meetings will be scheduled to discuss the issue. The first meeting on June 24 will frame the problem and impact on Cuyahoga County, Ohio and South Euclid. The second meeting on July 22nd will discuss recovery and will include representatives from the County's ADDAMS board to provide counseling to those who may need it. The third meeting on August 26 will focus on community response, resources from the courts, police departments and prosecutor's office. The final meeting on September 23rd will be a community response with a panel of experts.
- Councilman Gelfand rescheduled the Safety Committee meeting regarding fire and smoke dampers and reported on a South Euclid Youth Softball and Baseball Association night with the Lake County Captains on July 13th.
- Councilman Romeo stated that the Rock the Block event was a great success and congratulated Councilman Gelfand on an excellent Safety Committee meeting on the heroin issues. Mr. Romeo reminded residents to get rid of old drugs in medicine cabinets and also stated that maybe there are not enough half-way houses in Cuyahoga County to help rehabilitate drug abusers and requested that Councilwoman Gray perhaps include that as part of the discussion on the issue.
- Councilman Fiorelli also commented on the importance of getting rid of old medications and stated that the Rock the Block was a great event. Mr. Fiorelli requested that all council members and charter review members should review the language that was worded by the Law Director.
- Councilwoman Goodman reminded residents that there is a medication drop box located at City Hall by the Police Department to safely discard old medications.
- Councilman Icové stated for the record that he reviewed two of the provisions proposed by the charter review commission and made suggested language changes to the law director which was proposed as draft. Mr. Icové asked that Mr. Shaughnessy (filling in for Law Director Lograsso) remind Law Director Lograsso that he has not received his public records request regarding the Oakwood property regarding the \$12,000 that is given yearly for maintenance of the park. Mr. Icové stated that he did receive some, but not all documentation and we are entitled to know where the money is in the budget and how it is being spent.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Romeo, **Seconded by** Councilman Dennis Fiorelli.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Absent: Council President David Miller

The Meeting Adjourned at 9:35 pm.

Attest:

Council President

Clerk of Council