

## 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, Icové, Romeo, Miller (7)

**Absent:** None

**Staff:** Benjamin, Blackley, Kowalczyk, Nietert, Martin, Anderson, Love, Huston, Jonathan Greenberg (Acting Law Director).

### **Swearing-In Ceremony**

Marvin Willock was sworn-in as a new South Euclid Firefighter.

**Approval of Minutes:** July 9, 2012

### **Roll Call:**

**Ayes:** Fiorelli, Gelfand, Goodman, Gray, Icové, 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:

- Ray Rhode, 1543 Laclede reported on the upcoming Band Concert at Notre Dame College.
- Adrienne Martin, 4418 Elmwood Road, spoke about her concerns regarding the LoanMax on Mayfield Road.

### **Legislation for Removal from Council Docket:**

Introduced by Miller

Ordinance 52-09

#### ORDINANCE

An Ordinance amending section 721.03 "Accessory Uses" of Chapter 721 "Permitted Uses in Residential Districts" of Part Seven "Planning & Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio; and declaring an emergency. **FOR REMOVAL.**

Following discussion, It was moved by Icové, seconded by Miller, that Ordinance 52-09 be removed from the docket.

### **Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

The Legislation has been removed.

Introduced by Miller

Ordinance 48-10

#### ORDINANCE

Amending Section 721.03 "Accessory Uses" of Chapter 721.03 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. **FOR REMOVAL.**

Following discussion, It was moved by Icové, seconded by Romeo, that Ordinance 48-10 be removed from the docket.

### **Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

The Legislation has been removed.

Introduced by Miller

Ordinance 49-10

#### ORDINANCE

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." **FOR REMOVAL.**

Following discussion, It was moved by Icové, seconded by Fiorelli, that Ordinance 49-10 be removed from the docket.

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

The Legislation has been removed.

**Report of Council Committees:**Committee of the Whole

Council President Miller reported that a Committee of the Whole met earlier in the evening to hear a presentation from Studio Graphique regarding the City's new branding and marketing initiatives.

Introduced by Miller

Ordinance 10-12

## ORDINANCE

Amending Section 303.99 "Traffic Code Misdemeanor Classifications and Penalties" of Part Three "Traffic Code" of the Codified Ordinances of the City of South Euclid, Ohio to reduce the penalty of a parking ticket to a minor misdemeanor; and declaring an emergency. **SECOND READING.**

The legislation was placed on Second Reading.

Introduced by Miller

Ordinance 11-12

## ORDINANCE

An Ordinance establishing New Chapter 147 "Parking Generally" of Title Five "Administrative" 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.

Zoning & Planning Committee

Committee Chair Icove reported that the committee met earlier in the evening to discuss recommendations from the planning commission Ordinances 02-12, 05-12 and 06-12.

Introduced by Miller

Ordinance 02-12

## ORDINANCE

Creating a Zoning Text Amendment to Section 761.04 of Title Six of Part Seven "The Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio. **THIRD READING.**

It was moved by Icove, seconded by Fiorelli that the legislation be tabled pending further discussion.

Introduced by Miller

Ordinance 05-12

## ORDINANCE

Amending Zoning Text to 724, 734, 744 and Sections 722.02, 722.03, 722.04, 722.05, 732.02, 741.02, and 746.02 of Title Two, Title Three, and Four of Part Seven of the Planning and Zoning Code. **THIRD READING.**

Following discussion, It was moved by Icove, seconded by Miller, that Ordinance 05-12 be passed.

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

The Legislation has Passed Unanimously.

Introduced by Miller

Ordinance 06-12

## ORDINANCE

Enacting New Chapter 772 "Parking" of Title Seven of Part Seven "The Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio. **THIRD READING.**

Following discussion, It was moved by Icove, seconded by Miller, that Ordinance 06-12 be passed.

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

The Legislation has Passed Unanimously.

**Legislation Requested by the Planning Commission**

Introduced by Miller

Ordinance 46-12

## ORDINANCE

Granting a Conditional Use Permit for Outdoor Dining at 13901-13971 Cedar Road in the City of South Euclid, Ohio; and declaring an emergency. First Reading.

Following discussion, It was moved by Goodman, seconded by Fiorelli, that Ordinance 46-12 be passed.

**Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

The Legislation has Passed Unanimously.

Introduced by Miller

Ordinance 47-12

## ORDINANCE

Granting a Conditional Use Permit for a Drive Through at 13939 Cedar Road in the City of South Euclid, Ohio; and declaring an emergency. First Reading.

Following discussion, It was moved by Goodman, seconded by Fiorelli, that Ordinance 47-12 be passed.

**Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

The Legislation has Passed Unanimously.

**Legislation Requested by City Council**

Introduced by Miller

Ordinance 17-12

## ORDINANCE

Amending Section 710.08 "Definitions" of Chapter 710 "Interpretations, Rules of Construction, and Definitions" of Part Seven "Planning and Zoning 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 Planning Commission.

Introduced by Miller

Ordinance 18-12

## ORDINANCE

Amending Section 521.03 "Accessory Uses" of Chapter 721 "Permitted Uses in Residential Districts" of Title Two of Part Seven "Planning and a Zoning 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 Planning Commission.

**Mayor's Report:**

- **Engineer Blackley:** Gave an update on 2012 Road Projects and the Dominion East Ohio Gas Main project on South Green Road.
- **Building Commissioner Kowalczyk:** Reported that both the Cedar Center and Oakwood Commons construction projects are ahead of schedule.
- **Housing Manager Martin:** Reported on the progress of the Community Gardens and Pocket Park at Winston and Adrian and asked for Council's consideration of Resolution 49-12 regarding the Home Improvement Funds.
- **Finance Director Smith:** Reported on and asked for Council's consideration of several pieces of legislation related to nuisance abatement charges and appropriation of Home Improvement Funds.
- **Service Director Anderson:** Reported on the delivery of the new Trash and Recycling Carts by Kimble and that the Monday, Tuesday and Wednesday delivery routes have been completed.
- **Economic Development Coordinator Love:** Asked for Council's consideration for Resolution 48-12 supporting a loan request by Gent Machine to the Cuyahoga County Department of Development.
- **Police Chief Nietert:** Reported on a new study of Seat Belt use indicating that usage in South Euclid has risen by 16% since passage of the new seat belt law.
- **Fire Chief Huston:** Reported on a training with Notre Dame College on Tuesday night.
- **Director Benjamin:** thanked Dr. Kym Chambers, the staff and all of the volunteers that made the Summer Youth Initiative a success.

**Legislation Requested by the Administration**

Introduced by Miller

Resolution 48-12

## RESOLUTION

In support of Gent Machine Company's Application for a Cuyahoga County Economic Development Fund Redevelopment and Modernization Loan. First Reading.

Following discussion, It was moved by Gray, seconded by Fiorelli, that Resolution 48-12 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 49-12

## RESOLUTION

A Resolution authorizing the appropriation of unappropriated funds in the following fund: "Operation Home Improvement #103 – Other". First Reading.

Following discussion, It was moved by Fiorelli, seconded by Romeo, that Resolution 49-12 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 13-12

## ORDINANCE

Assessing unpaid costs of Service Department – Nuisance Abatement (High Grass, Weeds, Etc.) as authorized by Section 521.14 (D), of the Codified Ordinances of the City of South Euclid, Ohio; and declaring an emergency. First Reading.

Following discussion, It was moved by Romeo, seconded by Fiorelli, that Ordinance 13-12 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 14-12

## ORDINANCE

Assessing unpaid costs of Service Department – Nuisance Abatement (Yard Clean-Up, Boarding Charges, Etc.) as authorized by Section 521.14 (D), of the Codified Ordinances of the City of South Euclid, Ohio; and declaring an emergency. First Reading.

Following discussion, It was moved by Romeo, seconded by Fiorelli, that Ordinance 14-12 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 15-12

## ORDINANCE

Assessing all unpaid costs of False Alarms – Nuisance Abatements, as authorized by Chapter 531 of the Codified Ordinances of the City of South Euclid, Ohio, the Cuyahoga County Common Pleas Court and the Ohio Revised Code; and declaring an emergency. First Reading.

Following discussion, It was moved by Gray, seconded by Romeo, that Ordinance 15-12 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 16-12

## ORDINANCE

Assessing all unpaid costs of criminal nuisance abatements, as authorized by Chapter 531 of the Codified Ordinances of the City of South Euclid, Ohio, the Cuyahoga County Common Pleas Court and the Ohio Revised Code; and declaring an emergency. First Reading.

Following discussion, It was moved by Fiorelli, seconded by Romeo, that Ordinance 16-12 be passed.

**Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

The Legislation has Passed Unanimously.

**Law Director's Report**

None

**Letters & Communications**

- Council President Miller reported on the Bexley Campout which was attended by over 150 people and everyone had a great time.
- Councilperson Icové reported that the annual National Night Out at Bexley Park will be August 7 at 6 pm.
- Councilperson Fiorelli thanked the residents for their support of the new trash and recycling program and reported that the annual Recycling Committee FreeCycle event will be held on August 12.
- Councilperson Romeo reported that he will be holding a Ward 2 Community Meeting in August or September.
- Councilperson Gelfand stated that his family had a great time at the Bexley Campout.
- Councilperson Gray congratulated Director Benjamin for his hard work administrating the Summer Youth Initiative Program. Ms. Gray also requested follow-up on questions regarding legal bills and asked Finance Director Smith to confirm if they meet acceptable accounting standards.
- Councilperson Goodman reported on the Bexley Campout and said it was an excellent event and thanked everyone for their contributions.

**Adjourn To Executive Session**

Councilperson Romeo moved that Council Adjourn to Executive Session for the purpose of discussing collective bargaining agreements. Seconded by Gelfand.

**Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

Council has adjourned to Executive Session.

**ADJOURN**

It was moved by Fiorelli, seconded by Goodman, that Council Adjourn the regular meeting of City Council.

**Roll Call:**

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

**Nays:** None.

**Abstain:** None.

**Absent:** None.

The Meeting adjourned at 9:48 pm.

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Council President

Attest:

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Clerk of Council