

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

Opening Meeting of Council:

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

- No public comment

Report of Council Committees:**Safety Committee:**

Safety Committee: Councilman Gelfand reported on the 7:00pm Safety Committee Meeting concerning the temporary move of Heights High School to the site of the former Wiley Middle School. Councilman Gelfand stated that discussions continue with Cleveland Heights-University Heights School District Officials. He added that the school district will not agree to a dismissal time different from that of Brush High School. Discussions continue regarding transportation options. The first day of school is August 31st. A Safety Committee Meeting will be scheduled for September to continue evaluating the situation with the goal being to protect all residents and children.

Safety Committee

Introduced by Miller

Ordinance 11-15

ORDINANCE

CREATING NEW SECTION 1550.24 "FIRE AND SMOKE DAMPER INSPECTIONS" OF CHAPTER 1550 "MISCELLANEOUS REGULATIONS" OF TITLE FIFTEEN "FIRE PREVENTION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. ~~AND DECLARING AN EMERGENCY.~~ **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. **THIRD READING.**

Action: Motion to Amend Legislation, **Moved by** Councilman Dennis Fiorelli, **Seconded by** Councilman Moe Romeo
Councilman Fiorelli proposed that the ballot language of Proposal #4 be changed from "Shall the Charter of the City of South Euclid be amended to require all public officials and employees of the City of South Euclid to complete and sign a Conflict of Interest statement by the second council meeting of February 2016?" to "Shall the Charter of the City of South Euclid be amended to require all public officials and employees of the City of South Euclid to complete and sign a Conflict of Interest statement by the second council meeting of February of each year?" Councilman Gelfand requested clarification from Law Director Lograsso as to whether the amendment was permissible. The Law Director confirmed that it was as it was not a substantive change to the proposal and merely clarified the intent of the Charter Review Commission.

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

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

The legislation has been approved

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

Councilman Icové stated that Council has a mandatory duty to pass this Ord. so the charter review amendments can be placed on the ballot and that City Council has no control over the final ballot language once the Ord. is certified to be placed on the ballot. Mr. Icové stated that he does not agree with Proposal #3 concerning the Law Director's term and feels it could have been written clearer and proposed the following language: "Shall the Charter of the City of South Euclid be amended to make the appointment of the Law Director every four years instead of every two years?" Councilman Gelfand discussed his opposition to Proposal #4, requiring all city employees to sign an ethics statement and stated that he feels non-elected officials should not have to sign this statement, but was just stating his opinion as he understands his duty to pass this Ord. so the proposals can go to the voters. Councilman Fiorelli spoke of the need to begin drafting an ethics document so people understand what they would be voting on should they approve the amendment. He felt this could be a duty of the Charter Review Commission. Councilwoman Goodman stated she did not feel this would be appropriate since the Charter Review Commission disbands immediately following the election. She felt this could be a duty of Council to develop the form. Councilwoman Goodman also stated her opposition to Proposal #4 as she feels the ethics statement requirement is overarching, vague, and general. She stated that it is a terribly written proposal. Councilwoman Goodman also expressed opposition to Proposal #5 which would restrict the ability of City of South Euclid elected officials from serving on the Charter Review Commission. She stated this would not allow anyone with knowledge of the Charter to be on the Commission and is terribly unwise. She is hopeful the voters will be wiser and more careful. In regards to Proposal #4, Councilman Romeo stated that the process is being put in place and it is now up to the Administration to develop the ethics document. He then asked Councilwoman Gray if her employer required such documentation. Councilwoman

Gray stated that her employer does not have such a document, however such a document is required in the charter of many other communities. She stated that Councilman Miller does sign such a document at his place of employment. She also added that an ethics document promotes open government and transparency by making the public aware of activities all city employees may be engaged in outside of city business. Councilman Romeo stated that the administration could draft such a document. Councilwoman Gray stated that the document could be drafted as a partnership between the Administration and City Council or be drafted by an independent 3rd Party. Councilman Romeo expressed his support for the proposal. Mayor Welo stated the administration is already doing research concerning potential forms. Councilwoman Goodman stated conflict-of-interest statements are very general and this statement may not mean much. Councilwoman Gray stated that the Ohio Revised Code places responsibility on government employees to be open and transparent and this form would encourage that behavior. Councilwoman Goodman felt this proposal, if passed, could prevent her as an elected official from voting on anything which benefits her, such as the resurfacing of her street. Councilwoman Gray stated that the purpose is to ensure elected officials and employees engage in proper behavior. Councilman Gelfand stated that the whole reason for being on Council is to benefit the City we live in, thus he does not see how signing the ethics document could prevent a Council Member from voting on any matter. Councilman Gelfand also stated his opposition to Proposal #5 concerning restricting elected officials from running for and serving on the Charter Review Commission. He stated that he made a commitment to not vote for any proposal which restricts democracy and he feels this proposal does just that by preventing certain individuals from running for an elected office. Anyone who wants to run should be able to. Councilman Fiorelli asked the Council President to Call the Question.

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

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

No: Council President Pro Tem Jane Goodman

The legislation has been approved

Mayor's Report:

- Mayor Welo: Announced Operation Backpack, a school supply donation drive sponsored by Channel 19, will be taking place at the Ohio Savings Bank Branch on Cedar Road from 4:00pm-6:30pm on Weds. Aug. 5th. Mayor Welo also reported on the following events: Sun. Aug. 2nd, Velocity Church will be hosting their annual Summer Fest at Bexley Park, beginning at 3:00pm; Sun. Aug. 2nd, at 7:00pm it will be the second free community band concert at Notre Dame College featuring the Workmen's Circle Klezmer Orchestra; Fri. Aug. 7th at 7:00pm will be the second free outdoor band concert at Cedar Center featuring the band, Twist; Sun. Aug. 9th will be the Freecycle at Bexley Park from 9:00am-2:00pm; On Sat. Aug. 22nd from 11:00am-2:00pm will be the City Hall Open House; Sat. Sept. 12th from 11:00am-3:00pm will be Harvest Fest at Quarry Park
- Finance Director James Smith: Requested City Council support of Resolution 25-15 and Ordinance 13-15 concerning the continuation of the street light assessments and Ords. 14-15 to 18-15, the annual nuisance abatement assessment ordinances
- Economic Development Director Michael Love: Introduced intern Patrick Mohorcic, a South Euclid Resident, and incoming sophomore at the College of Wooster, and thanked him for all of his hard work this summer and also introduced intern Brandon McGhee, a South Euclid Resident, Brush High School Graduate, and incoming sophomore at Princeton University. Brandon will be interning with the City through early September. Mr. Love also requested City Council support of Resolution 24-15, which would allow the City of South Euclid to participate in the Wells Fargo Community and Urban Stabilization Program and potentially receive donations of real property.

Legislation Requested by the Mayor and Administration

Introduced by Miller

Resolution 24-15

RESOLUTION

AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO PARTICIPATE IN THE WELLS FARGO COMMUNITY AND URBAN STABILIZATION PROGRAM IN ORDER TO ACCEPT THE DONATION OF REAL PROPERTY. 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: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.

The legislation has been approved

Introduced by Miller

Resolution 25-15

RESOLUTION

DECLARING IT NECESSARY TO IMPROVE CERTAIN DESCRIBED PUBLIC STREETS, ROADS, AND PLACES IN THE CITY OF SOUTH EUCLID, OHIO BY PROVIDING STREET LIGHTING; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Moe Romeo.

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

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

The legislation has been approved

Introduced by Miller

Ordinance 13-15

ORDINANCE

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN DESCRIBED PUBLIC STREETS, ROADS, AND PLACES IN THE CITY OF SOUTH EUCLID, OHIO BY PROVIDING STREET LIGHTING; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Moe Romeo.

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

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.
The legislation has been approved

Introduced by Miller

Ordinance 14-15

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.

Action: Motion to Approve Legislation, **Moved by** Councilman Ed Icove, **Seconded by** Councilman Moe Romeo.

Councilman Icove moved for passage of Ord. 14-15, Councilman Romeo seconded. Councilman Icove stated that this is one of two annual service related abatement ordinances for properties where the city has ordered work to be done. Councilwoman Goodman asked why each grass cut only costs \$48.00 when it used to be much higher when the city performed the work directly instead of using private contractors. Councilman Icove stated that the legislation allowing for private contractors only allows the actual cost of the work to be passed onto property owners. Councilwoman Goodman requested that the legislation allowing for private contractors be reconsidered in the future. There being no further discussion, Council President Miller requested the roll call.

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

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.
The legislation has been approved

Introduced by Miller

Ordinance 15-15

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.

Action: Motion to Approve Legislation, **Moved by** Councilman Ed Icove, **Seconded by** Councilman Moe Romeo.

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

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.
The legislation has been approved

Introduced by Miller

Ordinance 16-15

ORDINANCE

ASSESSING ALL UNPAID COSTS OF FALSE ALARM-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.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Dennis Fiorelli.

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

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.
The legislation has been approved

Introduced by Miller

Ordinance 17-15

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.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Moe Romeo.

Councilwoman Gray requested clarification that the property located 650 South Green was on the criminal nuisance abatement list due to the complaints received by the tenant occupying the building, 2nd II None Bar. It was confirmed that the abatements were for complaints received regarding the bar. Councilwoman Gray requested legislation be placed on the August 3rd Special Meeting Council Agenda to notify the State of South Euclid's objection to the renewal of the liquor permit for 2nd II None. Councilman Fiorelli stated that he was surprised at the total costs of nuisance abatement some residential properties had incurred but said it illustrated how quickly the costs add up.

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

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

Introduced by Miller

Ordinance 18-15

ORDINANCE

ASSESSING ALL UNPAID COSTS OF ABATEMENT OF NUISANCES, 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.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Council President David Miller

Councilman Romeo commented that between the five ordinances, the city should collect over \$150,000 in fees which is significant. Councilman Goodman questioned the amount for the property at 1601 Warrensville Center Road. This cost was to demolish the home, which now must be placed on the tax duplicate.

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

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

Law Director's Report

No report

Letters & Communications

- Councilman Icové reported that National Night Out will be taking place Tuesday August 4th at Bexley Park, beginning at 6:30pm.
- Councilman Fiorelli Announced One South Euclid is holding an on-line fundraiser for Brady Tucker, the resident injured in the Velosano bike race. The fundraiser has already generated over \$28,000. Mayor Welo added that she has seen Brady and he is doing well. He reminded her to always wear her helmet when biking. Councilman Fiorelli went to the Buxton, Herold, and PACA block parties and enjoyed them all.
- Councilman Romeo Attended the Cutter's Creek Block Party, which went very well and also enjoyed his own block party on Dorshwood.
- Councilman Gelfand stated that due to the religious holidays of Rosh Hashanah and Sukkot being two-day holidays, he requested the September Council Meetings to be moved to Wednesday September 15th and Wednesday September 30th respectively. Law Director Lograsso will look into whether this change can be made administratively or if legislation will need to be placed on the August 3rd Special Council Meeting Agenda. Councilman Gelfand also scheduled a Safety Committee Meeting for 7:00pm on Wednesday September 30th to further discuss the temporary location of Heights High with officials from the CH-UH City Schools.
- Councilwoman Gray She spoke regarding her family renting the pavilion at Quarry Park North for a church function on a recent Sunday. Ms. Gray stated that the bathrooms at Quarry Park were not unlocked at the time of arrival and that she made several calls. According to Councilwoman Gray, the Splash Park opened a ½ hour late at 12:30pm, at which point her guests had access to restroom facilities. It was not until 2:00pm that the other set of restrooms was opened at Quarry. When the restrooms were opened, Councilwoman Gray stated that she found the condition of the restrooms to be disgusting and sent an email to Community Center Director Martines about her experience at the pavilion. Ms. Gray requested that the email response be placed on the record of the minutes of the meeting:

"Ruth: I don't know why this message was addressed to me, but as it was, I will respond. I don't know what to tell you beyond people are nasty. Not meaning to be offensive, but be happy it was actually in the toilet. Welcome to my world. For future reference, I only handle the paperwork for pavilion reservations. I am only able to access email at work. I don't have keys to the park buildings. I don't handle park or pool staffing or scheduling. The reservation system for pavilions is in place to reserve the date for the pavilion. The system was designed to eliminate monopolizing and/or fighting over the public space. This system allows for the many thousands of residents to enjoy the pavilion on the same day a reservation is in place. The park bathrooms aren't open all day and night. Should a pavilion reservation have need of the restrooms during off hours, they are instructed to contact the SEPD at the non-emergency number and request they be opened. To my knowledge, if the police do not have other pressing matters, they come up as they can to unlock the restrooms. This is true for ALL pavilion reservations. The restrooms are not opened specifically in preparation for a reservation. We don't tell people the restrooms are available during their time slot and that isn't written in any of the paperwork either. I am not responsible for the parks, their appearance or cleanliness. As you well know, for the past several years the City of South Euclid has been operating on increasingly tight budgets with ever dwindling funds and with the lowest staffing levels ever, in all departments. Nothing in any City is as it used to be. To my understanding, the parks only have guard staffing during peak hours. You were utilizing a public park with a public restroom, that appears wasn't checked before being locked up the previous day. I have no control over the public at large, residents or not, using a public facility, especially one that I am not responsible for. The only thing the un-flushed toilet is representative of is plenty of gross people, who may or may not be residents using that facility. It certainly is not a representation of the City of South Euclid. Please remember Quarry is a PUBLIC park with PUBLIC bathrooms. More and more, society at large and people in general don't treat public amenities with respect or try to leave them nicer than they found them. They don't treat a park bathroom like their home bathroom. or perhaps they do, I don't know. When I personally run across a situation like this, I take into account where I am and flush the toilet, pick up the trash, wipe of the table etc. myself, then move on. And that is always, private time as well as 'on the clock'. I

frequently come upon feces wiped on the wall or floor in the restrooms at the community center or at a park. I clean it up. Same with urine, bloody toilet paper on the floor, dirty diapers on the back of a toilet, boogers on the mirror, used tampons, and a host of other gross and disgusting things. Did I complete graduate school for this? Nope, but it is what it is. People are disgusting. I have, on many occasions used the restrooms at Quarry or Bexley and found them a mess. On my dog walks I pick up trash I come across and throw it away in the appropriate receptacle. Knowing we don't have staff like we used to, I take the initiative and clean whatever it is up as do many of my colleagues and staff and civic minded folks such as Kim Scott, Beth Griesl, Scott Pugh (who actually swept up a lot of goose poop in the pavilion last year), Nikki Froelich, RJ Watford and many others too numerous to list. I try to put priorities above personalities and set an example, rather than take exception. Hope that clears up any misconceptions, have a good one-- P.S. my last name is not spelled with a 'z' but an 's'—"

Councilwoman Gray stated that she did not feel the e-mail was an appropriate response and requested a public apology from Director Martines to her and her husband. Councilwoman Gray also stated that she had a conversation with the Mayor about the overall condition at Quarry Park. Mayor Welo responded that the restroom building is only open during the week and on the weekends, those renting the pavilion can use the restrooms in the splash park, which she confirmed did open at 12:00pm on the date in question.

Councilwoman Goodman reminded City Council of the Special Council Meeting on Monday August 3rd at 8:00pm to consider the proposed rezoning of the former Young Israel property and that the public hearing taking place at 7:30pm on Monday August 3rd to discuss the same topic. Thanked Councilman Fiorelli for mentioning the Crowd Rise fundraiser for Brady Tucker and reminded all of the importance of wearing helmets. Ms. Goodman stated that she believes with the period of dry weather, the benches can be placed at Oakwood Green soon.

Adjourn

Action: Motion to Adjourn, Moved by Council President David Miller, Seconded by Councilman Moe Romeo

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

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Council President Pro Tem Jane Goodman, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller. The Meeting Adjourned at 9:10 pm.

Council President

Attest:

Clerk of Council