

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 Moe Romeo, Council President David Miller.

Absent: Councilman Edward Icove.

Approval of Minutes: July 14, 2014; July 21, 2014 Special Meeting of City Council; July 28, 2014 Meeting of Council
Action: Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **Seconded by** Council President Pro Tem Jane Goodman.

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 Moe Romeo, Council President David Miller.

The Minutes have been approved.

Special Presentation

The 2014 graduates of the Citizens Police Academy were honored and presented certificates.

Opening Meeting of Council:

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

- Laurel Tree, 4233 Lambert Road and a veterinarian at Belvoir Pet Hospital spoke in favor of allowing chickens to be kept in South Euclid.
- Molly Monaco, 4542 East Berwald, spoke in favor of supporting chickens in South Euclid.
- George Huang, 4644 Liberty Road stated that he supported an ordinance allowing chickens in backyards and that it will increase property taxes.
- Charles Turner, 4549 Lilac Road spoke regarding the Law Director's reconfirmation and stated that he is fearful of being sued by Mr. Lograsso for frivolous reasons and asked council to reconsider his confirmation and stated that Mr. Lograsso and Police Chief Nietert have been lying and withholding public records for two years.
- Charlene Quinn, 4040 Bayard, thanked Council for the opportunity to raise chickens and stated that she grew up on a 40 foot lot with chickens in Cleveland.
- Carol Johnson, 1573 Maplegrove Road, thanked the police officers who volunteered their time for the Police Academy and said that they were great.
- Stephanie Rhine, 5044 Mayfield Road, reported that she is a member of the South Euclid Lyndhurst Board of Education and reported on initiatives including community charitable fundraising events held by students at Greenview, Sunview, Adrian and Rowland schools. Ms. Rhine reported on student accomplishments including those of South Euclid resident Tyler Wynne. Ms. Rhine reported on the importance of the state keeping the Common Core standards and not changing standards midway through the core implementation and urged residents to contact their elected representatives.

Report of Council Committees:

Councilwoman Goodman reported that the Zoning & Planning Committee met to discuss legislation related to urban agriculture and regulation of allowing chickens to be kept in protected shelters at residences. The legislation is on the agenda to be referred to the Planning Commission for their review and recommendation.

President Miller reported that the Committee of the Whole held their monthly meeting to review City finances and as of November 28th the City has collected 98.85% of projected income and are approximately \$1 million under budget for disbursements. The General Fund balance is currently at \$4.3 million.

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. **TO BE PLACED ON SECOND READING FOR REFERRAL TO THE PLANNING COMMISSION.**

The legislation was placed on second reading and referred to the Planning Commission for discussion and review.

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. **TO BE PLACED ON SECOND READING FOR REFERRAL TO THE PLANNING COMMISSION.**

The legislation was placed on second reading and referred to the Planning Commission for discussion and review.

Legislation Requested by City Council

Introduced by Miller

Resolution 58-14

RESOLUTION

IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO, THE COUNCIL OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW. **SECOND READING.**

The legislation was placed on second reading for further discussion and review.

Introduced by Miller

Resolution 65-14

RESOLUTION

ESTABLISHING AN AD HOC CITIZENS COMMITTEE FOR THE PURPOSE OF ASSISTING THE RECREATION COMMITTEE IN MAKING THEIR RECOMMENDATION TO CITY COUNCIL, REGARDING RECREATIONAL LAND USE AND MAINTENANCE WITHIN THE CITY OF SOUTH EUCLID. FIRST READING.

Following discussion, the legislation was referred to the Recreation Committee for discussion and review.

Introduced by Miller

Resolution 19-14

ORDINANCE

CREATING NEW SECTION 509.081 "TEMPORARY SPECIAL CURFEW AREAS" OF CHAPTER 509 "DISORDERLY CONDUCT AND PEACE DISTURBANCES" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Following discussion, the legislation was placed on First Reading and referred to the Safety Committee for discussion and review.

Mayor's Report:

- Mayor Welo reported that she and Chief Nietert will once again be meeting with an international being brought to the United States by the Council of World Affairs. The discussion will be with a group from Afghanistan who will hear about issues related to domestic violence. The Mayor reported on the fundraiser held for Lt. Schaefer and his family and the annual Euclid Creek holiday party. The Mayor congratulated One South Euclid and the Humane Society for their holiday lighting ceremony and events and also reported on an event held to reduce gun violence at the South Euclid United Church of Christ that was planned by Reverend Chris Eggert. Mayor Welo reported on the bids for 2015 road repair and water main replacement and also proposed legislation regarding abandoned shopping carts and legislation regarding the City Hall's custodian.
 - Housing Manager Martin requested Council Consideration regarding the Bexley Park Community Garden legislation.
 - Economic Development Director Love requested consideration of a resolution transferring a foreclosed property to One South Euclid and reported that the bakery "A Cookie and a Cupcake" will be opening next spring at Cedar Center.
 - Mayor Welo thanked all of the residents and businesses that participated in the City's annual holiday food drive.
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Legislation Requested by the Administration

Introduced by Miller

Resolution 59-14

RESOLUTION

AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR THE BEXLEY PARK COMMUNITY GARDEN TO BE CONSTRUCTED AS PART OF THE CITY OF SOUTH EUCLID GREEN NEIGHBORHOODS INITIATIVE. FIRST READING.

Following discussion, **Action:** Motion to Approve Legislation, **Moved by** Council President David Miller, **Seconded by** Council President Pro Tem Jane Goodman.

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 Moe Romeo, Council President David Miller.

The legislation has been approved.

Introduced by Miller

Resolution 60-14

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE ELMWOOD ROAD INFRASTRUCTURE IMPROVEMENT PROJECT 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.

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 Moe Romeo, Council President David Miller.

The legislation has been approved.

Introduced by Miller

Resolution 61-14

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2015 COMBINED RESURFACING AND WATERMAIN RENEWAL PROGRAM IN THE CITY OF SOUTH EUCLID, OHIO. 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 = 6).

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

The legislation has been approved.

Introduced by Miller

Resolution 62-14

RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO

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 = 6).

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

The legislation has been approved.

Introduced by Miller

Resolution 63-14

RESOLUTION

REQUESTING FROM THE COUNTY AUDITOR A TAX ADVANCE FROM THE PROCEEDS OF THE 2014 TAX YEAR COLLECTION; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

The legislation has been approved.

Introduced by Miller

Resolution 64-14

RESOLUTION

AUTHORIZING AN INCREASE OF APPROPRIATIONS IN THE FOLLOWING FUND: "LAND ACQUISITION FUND #440." FIRST READING.

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 = 6).

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

The legislation has been approved.

Introduced by Miller

Ordinance 16-14

ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENDING THE ENGINEERING SERVICES FOR STEPHEN HOVANCSEK & ASSOCIATES FOR A PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2015. FIRST READING.

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

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 Moe Romeo, Council President David Miller.

The legislation has been approved.

Introduced by Miller

Ordinance 17-14

ORDINANCE

TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT AND OTHER EXPENSES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015; AND DECLARING AN EMERGENCY. FIRST READING.

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

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 Moe Romeo, Council President David Miller.

The legislation has been approved.

Introduced by Miller

Ordinance 18-14

ORDINANCE

CREATING NEW SECTION 521.18 "ABANDONED SHOPPING CARTS PROHIBITED" OF CHAPTER 521 "HEALTH, SAFETY, AND SANITATION" OF PART FIVE "GENERAL OFFENSES 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 Committee of the Whole.

Introduced by Miller

Ordinance 20-14

ORDINANCE

AMENDING SECTION 2 OF ORDINANCE 20-09; FIXING THE SALARY RANGE, COMPENSATION AND RATES OF PAY FOR VARIOUS OFFICES, BOARDS, COMMISSIONS, AND DEPARTMENTS OF THE MUNICIPAL GOVERNMENT EFFECTIVE JANUARY 1, 2009; TO CREATE THE POSITION OF CUSTODIAN; AND DECLARING AN EMERGENCY. FIRST READING.

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

Law Director's Report

Law Director Lograsso reported on a lawsuit regarding building department violations at the shopping plaza on between East Antisdale and Grosvenor Roads on Warrensville Center Road.

Letters & Communications

- Council President Miller scheduled the following Committee Meetings: COW on January 12 at 6:30 pm regarding abandoned shopping carts; Committee Meeting regarding the City's custodian on January 12 at 7:15 pm; and Recreation Committee on January 26 at 7 pm.
- Council President Pro Tem Goodman reported on a project with Notre Dame College biology students at the Langerdale retention basin and their presentation regarding potential invasive issues affecting plants and wildlife.
- Councilwoman Gray congratulated the Mayor on the international woman's group that is meeting with her and the Police Chief to discuss issues of domestic violence and cautioned that Mayor on how to handle the discussion. Councilwoman Gray reported that the annual Kwanzaa celebration will be December 30th. Ms. Gray stated to resident Chuck Turner that she did receive his letter and will help and support him to get a remedy and assistance and his comments are not falling on deaf ears. Councilwoman Gray stated that she congratulates the Mayor's son on his new job with a law firm that has done business with the city, and that it speaks volumes to his ability, but that she believes it was not appropriate to discuss in executive session at the last meeting. Ms. Gray stated that the Executive Session was regarding pending litigation and the sale of real property and without going into details of the discussion feels an obligation to discuss and reveal the issue and that the issue had nothing to do with pending litigation or sale of real property and that the Ohio Sunshine Laws, Ohio Revised Code and Secretary of State very clearly spell out the purpose of executive sessions and that she is wrong, she apologizes, but she wants to feel that council is doing is in accordance with the law. Law Director Lograsso responded that he had reviewed the issue and that there is a similar case that was from the 8th District courts and that the discussion in Executive Session regarding the City's Legal Counsel hiring the Mayor's son was completely appropriate and 100% legal.
- Councilman Gelfand stated that when he was sworn in as a councilman he took an oath to follow the law and that what happens in Executive Session, stays in Executive Session. Mr. Gelfand state that what was discussed was certainly on point with the purpose of discussing litigation. Councilman Gelfand reported on a meeting he attended for the Cuyahoga Fair Housing Alliance and a speech by University Circle President Chris Ronayne. Mr. Gelfand discussed upcoming holiday events and stated that South Euclid is a great diverse community and wished everyone happy holidays.
- Councilman Romeo reported on the annual Ward Two holiday decorations contest and reported that the Mayor will be recognized by the national organization Building One America as a visionary leader and stated that the Mayor deserves it not only for the South Euclid, but for her work Countywide.
- Councilman Fiorelli reported that recycling through November is down 18 tons from last year and that solid waste is up, but the recycling effort is still saving approximately \$250,000 less than pre automated recycling conversion in 2011. Mr. Fiorelli reported on the Recycling Committee's community potluck.
- President Miller reported that Brush boys' basketball opens the season tomorrow night.

Adjourn

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

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 Moe Romeo, Council President David Miller.

The Meeting Adjourned to Executive Session at 9:17 pm.

Council President

Attest:

Clerk of Council