

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 Ruth Gray (*Councilwoman Gray arrived at 8:07 pm*), Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman,

President Miller stated that Councilwoman Goodman would not be at the meeting and that Councilwoman Gray was attending to a family matter and would be late to the meeting.

Motions to Amend Agenda

Amend to Include Resolution 13-15 and Amend to Include Additional Executive Session Topic of "collective bargaining agreements".

Action: Motion to Remove Ordinance 11-15, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Dennis Fiorelli.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman

The legislation has been removed.

Action: Motion to Add Resolution 31-15 to the Agenda, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Dennis Fiorelli.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman

The Resolution has been added to the agenda.

There was discussion of making additional motions to add the additional topic of collective bargaining agreements to the Executive Session agenda. Councilman Icové stated that he believed that Council could not add the topic without prior notice being given. Law Director Lograsso stated that he believes Council may add the additional topic without prior notice and that City Council has done so in prior instances. The matter was delayed pending the Law Director's review of the issue.

Approval of Minutes: June 22, 2015; July 13, 2015; July 27, 2015; & August 3, 2015 (Special Meeting)

Action: Motion to Approve Minutes of Previous Meetings, **Moved by** Councilman Moe Romeo, **Seconded by** Councilman Dennis Fiorelli.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Councilman Dennis Fiorelli, Councilman Marty Gelfand, Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman

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:

- President Miller read the City's Decorum Section regarding behavior of meeting attendees, including public officials.
- Charles Turner, 4549 Lilac Road, stated that Mr. Miller's reading of the decorum rules were specifically designed to intimidate him and that he has contacted NEOMG regarding a council member being under investigation at Case Western Reserve University for sexual harassment. Mr. Turner continued to discuss other matters saying he was called a liar because he used the name of a female that someone was involved with. Mr. Miller reminded Mr. Turner to stick to council business or sit down. Mr. Turner stated that he will give Law Director Lograsso the opportunity to apologize to him and that the Police Department chooses to retaliate against him for filing a complaint against Chief Nietert for failing to investigate a rape and destruction of evidence.
- Dennis Silsby, 4428 Greenway Road, stated that he is stressed regarding the construction of the County Library and that last Saturday's rains again caused more water in his back yard, which he believes is runoff from the Library construction site and that he has stated that the swales that have been installed are too shallow and not installed properly. Mr. Silsby stated that Building Commissioner Kowalczyk walked the site and that everything is being completed according to EPA specifications. Mr. Silsby stated that on September 3rd he was involved in a rear-end car accident and that the Fire and Police departments came out immediately and did a wonderful job and Mr. Silsby expressed his appreciation.
- Doris Ann Wallace, 1461 Dorsh Road, stated that she came to the meeting hoping to get more insight on the South Euclid Lyndhurst School District's plans for the Bus Garage which would border her backyard, but has not heard about the project recently. Councilman Romeo stated that he had talked with Mr. Stearns at the school district and they are not ready to present anything to the city at this time. Mayor Welo stated that she spoke to School Board President Casandra Jones and encourages residents to attend the School

Board Meetings to notify them of their concerns. Councilman Icové stated that she would receive notice of the Planning Commission and Architectural Review Boards when the project does come to the City and City Council if a conditional use permit is involved.

- Andre Reynolds, 4334 Neville Road, asked what the City's stance was on the recent County reassessment of property values. Mayor Welo stated that she discussed the issue with County Finance Director Dennis Kennedy and let him know that there appears to be many discrepancies in how the county assessed properties and that property sales data from CWRU's NEOCANDO database reflect an increase and not a decrease in market rate housing. In addition properties that were new housing PURDS and apartment buildings were mistakenly included in the county assessment as condominiums. The Mayor stated that many questions remain and that the City has a meeting scheduled with the County to discuss concerns in greater detail. Mr. Reynolds asked what programs the city and community have regarding youth outreach and recreation initiatives. Director Benjamin discussed youth programs and a grant that was just announced with the School District and Urban League of Greater Cleveland for Out-of-School Time activities and President Miller discussed the many youth recreation leagues in the community. Mr. Fiorelli addressed upcoming survey and the Mayor discussed the bike track opening this Saturday.

The Law Director stated that he had reviewed the City's ordinances and that there is no additional requirement in the code regarding the amending of Executive Session issue. Councilman Icové stated that he needs to know what the Ohio Revised Code says on the matter and he would look it up online.

Report of Council Committees:

Legislative Committee

President Miller stated that the Committee met to discuss the proposed revisions to the Fair Housing Ordinance and that the committee approved the amendments and asked that it be voted on at the next council meeting.

Zoning & Planning Committee

President Miller stated that the Zoning and Planning Committee held a public hearing regarding the conditional use permit to allow the American Porcelain Museum at the Telling Mansion.

Committee of the Whole

President Miller reported that the Committee of the Whole held its monthly finance review and that the budget is on track with a current general fund balance of approximately \$5 million. Mr. Miller stated that the Finance Director discussed contracts for police and fire and a new tax ordinance from RITA that is required by law that needs to be passed by mid-November. Mr. Miller also stated that the Finance Director discussed RITA's delinquency program to collect unpaid income taxes would begin in November.

Committee of the Whole

Zoning & Planning Committee

Introduced by Miller

Resolution 15-15

ORDINANCE

GRANTING A CONDITIONAL USE PERMIT TO THE MUSEUM OF AMERICAN PORCELAIN ART AND THE SOUTH EUCLID/LYNDHURST HISTORICAL SOCIETY, LOCATED AT 4629 AND 4645 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID. **THIRD READING.**

Action: Motion to Approve Legislation, **Moved by** Council President David Miller, **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, Councilwoman Ruth Gray, Councilman Ed Icové, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman

The legislation has been approved.

Legislation Requested by City Council

Introduced by Miller

Ordinance 20-15

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 943 "TREE COMMISSION/TREES" OF PART NINE "STREETS AND PUBLIC SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FIRST READING.**

The legislation was placed on first reading.

Mayor's Report:

- Mayor Welo gave an update from City Engineer Andy Blackley regarding street repair projects. Ms. Welo assured Mr. Silsby that he will meet with Building Commissioner Kowalczyk to make sure that the Library is taking care of all issues. Mayor Welo reported that the City has received the SAFER Fire Department grant from FEMA that will fund three fire fighters for a two-year period and would be looking at a recruitment committee to look at attracting qualified minority candidate. Mayor Welo stated that the grant adds to our safety forces and the purpose of the Safety Levy was to maintain current safety staffing. The Mayor

addressed the restructuring of the income tax laws by the state and that at this time the city has identified that it will lose approximately \$178,000 in state revenue as a result of the changes.

- Fire Chief Stefko reported on the SAFER grant and the need for council to vote on accepting the grant at tonight's meeting.
- Mayor Welo discussed legislation on the agenda including allowing residents to walk dogs on leashes at Bexley Park. The Mayor stated that One South Euclid's annual HarvestFest at Quarry Park was a great success and the Pump Bicycle Track would be opening on Saturday.

Legislation Requested by the Mayor and Administration

Introduced by Miller

Resolution 28-15

RESOLUTION

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER. 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, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman

The legislation has been approved.

Introduced by Miller

Resolution 29-15

RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President David Miller, **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, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Moe Romeo, Council President David Miller.

Absent: Council President Pro Tem Jane Goodman

The legislation has been approved.

Introduced by Miller

Resolution 30-15

RESOLUTION

AUTHORIZING THE MAYOR TO APPLY FOR A GRANT UNDER THE CUYAHOGA COUNTY "COMPETITIVE MUNICIPAL PROGRAM": 2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUND; AND DECLARING AN EMERGENCY. FIRST READING.

The legislation was placed on first reading.

Introduced by Miller

Resolution 31-15

RESOLUTION

AUTHORIZING THE MAYOR TO ACCEPT THE FY 2014 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT. 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 = 6).

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

Absent: Council President Pro Tem Jane Goodman

The legislation has been approved.

Introduced by Miller

Ordinance 19-15

ORDINANCE

AN ORDINANCE AMENDING SECTION 505.14 "ANIMALS PROHIBITED IN CERTAIN PLACES" OF CHAPTER 505 "ANIMALS AND FOWL" 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.

Law Director's Report

Law Director Lograsso reported that he had reviewed the Ohio Revised Code and that Council can amend the agenda to add an additional topic to the Executive Session. Councilman Icove stated that he also researched the matter and concurred with the Law Director's opinion.

Action: Motion to Amend Agenda to include discussion of Collective Bargaining Agreements to the Executive Session, **Moved by** Council President David Miller, **Seconded by** Councilwoman Ruth Gray.

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

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

Absent: Council President Pro Tem Jane Goodman
The Motion to Amend Agenda has been approved.

Letters & Communications

- Councilman Fiorelli stated that the One South Euclid Harvest Festival was a great event and thanked the volunteers that put it together.
- Councilman Romeo also stated that he had a great time at Harvest Fest and that the band was great and the kids had a great time.
- Councilman Miller scheduled a Special Meeting of Council for October 7 to interview candidates for the Parking Ticket Hearing Officer position.
- Councilwoman Gray scheduled a Public Utilities Committee Meeting regarding Resolution 57-14 limiting the Public Utilities Commission of Ohio to conduct home solicitations. The meeting was scheduled for October 12 at 7 pm.

Adjourn to Executive Session for the purpose of discussing pending litigation and collective bargaining agreements

Action: Motion to Adjourn to Executive Session, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Moe Romeo.

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

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

Absent: Council President Pro Tem Jane Goodman
Council adjourned to Executive Session at 9:08 pm.

Adjourn

Action: Motion to Adjourn Regular Meeting of Council, **Moved by** Council President David Miller, **Seconded by** Councilman Moe Romeo.

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

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

Absent: Council President Pro Tem Jane Goodman
The Meeting Adjourned at 9:55 pm.

Council President

Attest:

Clerk of Council