

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

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

**Roll Call.**

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

**Approval of Minutes:** December 14, 2015; December 28, 2015 & January 4, 2016 Special Meeting

December 14, 2015

December 14, 2015 Minutes:

**Action:** Motion to Approve Minutes, **Moved by** Council President Pro Tem Dennis Fiorelli, **Seconded by** Councilman Moe Romeo.

**Vote:** Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

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

**Abstain:** Councilman Jason Russell.

The minutes have been approved.

December 28, 2015 Minutes:

**Action:** Motion to Approve Minutes, **Moved by** Councilman Moe Romeo, **Seconded by** Council President Pro Tem Dennis Fiorelli.

**Vote:** Motion passed (**summary:** Yes = 5, No = 0, Abstain = 2).

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

**Abstain:** Councilman Ed Icove, Councilman Jason Russell.

The minutes have been approved.

January 4, 2015 Minutes

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

**Vote:** Motion passed (summary: Yes = 6, No = 0, Abstain = 1).

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

**Abstain:** Councilman Ed Icove.

The minutes have been approved.

**Opening Meeting of Council:**

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

- President Goodman stated that public comment is allowed up to three minutes per person and read Section 111.13 from the Codified Ordinances regarding decorum for addressing Council.
- Don Lisy, 1352 Francis Court addressed a home that was supposed to be demolished at the corner of Prasse and Francis that is a mess and the demolition contractor is very slow in abating the issues.
- Chuck Turner, 4549 Lilac Road, congratulated Councilwoman Jane Goodman on her election as Council President. Mr. Turner stated that the red flashing light at the top of the communications tower at City Hall is not working. Mr. Turner stated that the Mayor and Law Director currently have several public records requests and he has been given the run-around on and he needs these records by the next council meeting because he had plans for them.
- Terry Nord, 4115 Princeton Blvd, stated that she and her husband purchased their home adjacent to the Lowden School property in 1980 and was shocked when they received a letter saying that an apartment is being proposed for the property. They are against any development that is not residential and asked that council help preserve their neighborhood.
- Roy Rhoades, 560 Greenvale Drive, thanked the Mayor and City Council for all that they do and appreciate their service to the community. Mr. Rhoades stated that the Lowden community is very much opposed to bringing in low-income housing to the neighborhood and that there are other alternatives and he is appealing to City Council to reconsider because they like their residential neighborhood and want to keep it that way. Mr. Rhoades also stated that the proposal looks like it could be spot zoning.
- Sheryl Rothenberg, 4090 Lowden Road, stated that both she and her husband are against the proposed Lowden senior apartment and that the development will have a negative impact, increase traffic, calls for EMS and lots of children running around the neighborhood. Ms. Rothenberg also stated they are against the development for environmental reasons and opposed to 130 parking spaces and potential issues with stormwater draining issues and implored Council to do what's in the best interest of residents in the neighborhood.
- Clarice McGregor, 410 Greenvale Road, stated that she has been a resident since 1988 and takes great pride in being a part of the neighborhood. Ms. McGregor stated that she shares the same sentiments with the other residents that have spoken and is opposed to the Lowden development. Ms. McGregor also commented that there is a property at Greenvale and Suffolk that is an eyesore and a vacant lot that the

leaves were never collected and she believes the lot is owned by the city. Ms. McGregor stated that they have even cut the property on occasion.

- Priscilla Bradley, 4049 Dartford Road, stated that she moved from Cleveland to South Euclid to spend her retirement years and live in a quiet and safe neighborhood. Ms. Bradley stated that the proposed Lowden development is not good for the neighborhood and she wants it to stay the way it is and that if we allow more renters who don't maintain their neighborhood, it could go the way of East Cleveland.
- Mark Friedlander, 3984 Lancaster Road, stated that he is opposed to the Lowden development and that the neighborhood has been through some rough times and reported on an issue last evening with police officers. Mr. Friedlander stated that he believes that the neighborhood and home prices will rebound and that the property should remain greenspace. Mr. Friedlander stated that as greenspace, the Lowden Property acts as the lungs of the neighborhood, much like Central Park does in New York City and the School Board does not care about the taxpayers and won't apologize to the homeowners when the development happens and their home values go down.
- Bess Rhoades, 560 Greenvale Road, thanked Council and Mayor for all of the work they have done in South Euclid's neighborhoods and to promote South Euclid including the magazine, green projects and even the "green" Walmart. She stated that she moved to South Euclid because the City has been so progressive and diverse. Ms. Rhodes stated her concern that many of the Lowden area residents have not been informed about the process and don't understand what the process is for City Council, Planning Commission and School Board. Ms. Rhoades stated that the Planning Commission was supposed to have their public hearing next week and was notified that it had been moved to the 28<sup>th</sup> and is not fair to schedule a meeting and change it and how will residents be notified of the change. Ms. Rhoades stated that the proposed Lowden apartment development is too much for the neighborhood and is overkill and it is too close to other properties. Ms. Rhoades also stated that the neighborhood was not appropriately informed about the Planning Commission Public Hearing process.
- Robert Schoenewald, 4426 Bayard Road, stated that eight years ago the city made the grandiose declaration to buy the Greenvale properties to abate nuisances in the area that are still being paid for and now want to give the Lowden property for a Section 8 development, when there is a large park there now.
- Valerie Ridley, 4119 Lowden, stated that she lives directly across the street from the Lowden property and is against the rezoning. Ms. Ridley stated that she moved to the community because it was a great street and community and the children use the field to play in and if it is filled with 65 units of low income housing, there will be grandparents their taking care of children and stated that the city was selling the property because they want to make money.
- Council President Goodman stated that the City does not own the property, so it is not ours to sell or make money off of. The School District owns the property. Ms. Goodman reported on the process and the recommendation that will be coming from the Planning Commission.

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#### Report of Council Committees:

##### Committee of the Whole

President Goodman reported that the Committee of the Whole met for their monthly financial update with the Finance Director and the City closed the year with 1% below projected revenues, however the City also came in 5.5% below projected expensed. Ms. Goodman stated that the Finance Director is working on the 2016 Budget and will present it when ready in February and that the budget must be passed by March 31<sup>st</sup>.

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#### Mayor's Report:

Mayor Welo reported on the new ambulance that came in about \$30,000 less than budgets and requested support for Resolution 02-16 regarding an application to NOACA for a planning grant.

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#### Legislation Requested by the Mayor and Administration

Introduced by Miller

Resolution 01-16

##### RESOLUTION

SETTING THE DATES FOR THE CITY OF SOUTH EUCLID'S REGULARLY SCHEDULED COUNCIL MEETINGS IN 2016. FIRST READING.

**Action:** Motion to amend Legislation to move the October 24<sup>th</sup> Meeting to October 25<sup>th</sup> in observance of the Shmini Atzeret Jewish Holiday, **Moved by** Councilman Marty Gelfand, **Seconded by** Council President Pro Tem Dennis Fiorelli.

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

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

The legislation has been amended.

**Action:** Motion to Approve Legislation, **Moved by** Council President Jane Goodman, **Seconded by** Councilman Marty Gelfand.

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

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

The legislation has been approved.

Introduced by Miller

Resolution 02-16

RESOLUTION

AUTHORIZING THE MAYOR TO PREPARE AND FILE AN APPLICATION WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY'S (NOACA) TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) FOR A PLANNING GRANT FOR THE "REGIONAL MAYFIELD ROAD CORRIDOR INITIATIVE". FIRST READING.

**Action:** Motion to Approve Legislation, **Moved by** Councilman Jason Russell, **Seconded by** Council Moe Romeo.

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

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

The legislation has been approved.

**Law Director's Report:** No report

**Letters & Communications**

- Councilman Ilove stated that Council scheduled interviews for Planning Commission candidates for January 13<sup>th</sup> and he will be in Washington DC and will not be able to attend and requested that Council vote on the candidates on another date and suggested that it be placed on the agenda for the January 25<sup>th</sup> meeting, which will allow him time to interview each candidate or pick another date to interview candidates in the spirit of openness, transparency and input from all members of Council. Council President Goodman stated that City Council scheduled the Interviews at the Special Council Meeting on January 4<sup>th</sup> with the consensus of Council and that the Planning Commission member needs to be appointed prior to their Organizational Meeting. Councilwoman Gray stated that she has to work on the 13<sup>th</sup> and also won't be able to make the scheduled interview time and asked if the Planning Commission could move their organizational meeting to later on. Councilman Ilove stated to go forward with the interviews and asked that Council not vote on Wednesday night.
- Councilman Ilove stated that in November he requested that legislation be placed on the ballot for City Council confirmation of the Law Director, per the Charter provisions approved by the residents in November, and asked that the legislation be read three times to provide for input from the public, openness and transparency and to allow Councilman Russell to vote. Mr. Ilove stated that City Council voted to approve the resolution appointing the Law Director on second reading on December 28<sup>th</sup> and in his opinion, that vote is contrary to the Charter. Mr. Ilove requested that the legislation be put back on for a vote on the January 25<sup>th</sup> Agenda. Councilman Ilove stated that he had made a public records request regarding two lawsuits that have costs tens of thousands of dollars and went to the Supreme Court and cost a lot of goodwill and said as a prophylactic matter he suggested that the City revise its public records policy and post at City Hall and on the website. Mr. Ilove said that checks and balances have to be in place and the city's records policy has one person responsible and directs requests to Lee Williams, which needs to be revised if that's not the case. Mr. Ilove stated that we are a public institution and need to adopt process to prevent the human error made by Keith Benjamin and Lee Williams. Law Director Lograsso stated that the Public Records policy is nearly verbatim to the recommended language by the State and is posted at City Hall and on the City's website.
- Councilman Fiorelli reported on the end of year recycling update and stated that in 2016 the City collected over 1,800 tons of recycling which is a new record since the Kimble Recycling Program began in 2012. Mr. Fiorelli stated that the switch to automated garbage and recycling pickup has saved the city over \$250,000 a year.
- Councilwoman Gray thanked the administration for the great job on the latest South Euclid Magazine. Councilwoman Gray reported on the sale of the Lowden School Property and asked that the administration provide her with information related to who was notified of the Lowden public meetings and how far reaching the letter went to the neighborhood and it is concerning because several residents stated that they did not receive notification. Ms. Gray also stated that it is a problem that the Planning Commission public hearing was held during the holiday season when residents are busy and out of town and it seems disingenuous and the Planning Commission needs to be more respectful of the community. Ms. Gray also stated that Council provides 30-day notice for their public hearings and that Planning Commission does not and that residents received letters just days before the meeting was scheduled.
- Councilwoman Gray reported that she has scheduled a Ward One Community Meeting for March 10<sup>th</sup> at the new Library and would like representation from housing and police at the meeting. Ms. Gray stated that she has been selected Council's Recreation Chair and scheduled a Committee Meeting for January 25<sup>th</sup> at 6:30 pm to discuss recreation strategic planning efforts.
- Councilman Gelfand stated that there will be a Safety Committee meeting on January 25<sup>th</sup> to discuss the nuisance abatement legislation that is currently in committee. Mr. Gelfand congratulated Councilman Russell for his work with the City Club moderating a panel discussion last week and that he did a great job.
- Councilman Russell reported that the City is expecting a snowstorm this weekend and reminded residents to lead by example and shovel their sidewalks and stated that it is the personal responsibility of a homeowner.
- Councilman Russell stated that he was the Chairman of the Planning Commission last year when the December Public Hearing was scheduled regarding the Lowden proposal and stated that he takes full responsibility for the December date issue. Mr. Russell stated that the Public Hearing was left open for more public input and the next public hearing will be on January 28. Mr. Russell went through the Planning

Commission process stating that at the close of public comment the Commission has 180 days to make a recommendation back to City Council and then City Council must schedule a Public Hearing and give 30 days notice of the meeting and that City Council ultimately makes the final decision.

- Council President Goodman asked Mr. Benjamin if it was possible to get letters out to the surrounding neighborhoods notifying them of the Public Hearing on the 28<sup>th</sup>. Mr. Benjamin stated that he would send out the letters.
- Councilwoman Gray asked what happened to the old Reverse 911 system that allowed the city to contact residents about important issues. Mayor Welo stated that the old system was outdated and also only allowed for contact from landline phones and that many residents no longer have landlines. Mayor Welo stated that the City switched to the regional Cuyahoga County Ready Notify system, but it is up to each resident to sign up for the notification. Ms. Welo stated that the old system cannot interface with the new system.
- Council President Goodman reported that the "ShopCle" bags being dropped by the Plain Dealer that have been littering the city will cease following their January 27<sup>th</sup> issue.

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**Adjourn**

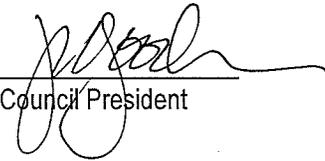
**Action:** Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Council President Pro Tem Dennis Fiorelli.

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

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

The Meeting adjourned at 9:21 pm.

Attest:

  
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Council President

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Clerk of Council