

**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.

**Opening Meeting of Council:**

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

- Jessica Morris, 1482 Holmden Road and Amber Quigley, 1378 Argonne Road introduced themselves as representatives from the South Euclid Lyndhurst Youth Basketball League. Ms. Morris and Ms. Quigley stated that they have taken over the administration of the league which has 18 teams from Kindergarten through 8<sup>th</sup> Grade and 129 youth participates. Ms. Morris and Ms. Quigley thanked the Mayor and those City Council members that have financially supported the league and discussed how basketball and sports teach kids about team building and learning how to lose gracefully. Ms. Morris and Ms. Quigley stated that they are again seeking to raise funds to support the league and have set up a "GoFundMe" site to raise money. Jane Logsdon, 1599 Felton Road stated that the organization is working to obtain 501c3 status as a nonprofit and that the season is wrapping up on February 6 with an All-Star Game at Brush. The all-volunteer league need additional sponsors to continue programming and residents can donate at [www.gofundme.com/arcbasketballclub](http://www.gofundme.com/arcbasketballclub).
- Charles Turner, 4549 Lilac Road, stated that the youth basketball program was a wonderful cause. Mr. Turner stated that there is still no flashing red light on the top of the communications tower at city hall. Mr. Turner stated that there is legislation on for third reading tonight regarding banning solicitors licensed by the PUCO to ban nefarious door-to-door salesmen trying to make a living and that there is a reason why the City cannot blanketly outlaw door-to-door sales. Mr. Turner also stated that he was the victim of a second police officer attacking him with a police car and that the GPS will document it. With regards to all of his issues, Mr. Turner stated that nothing has been done and that the lack of discipline of police officers emboldens them to attempt to run him over in a crosswalk.

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

Council President Goodman reported that the committee met to have an information gathering session with the Police Chief, Law Director and Building/Housing staff regarding Resolution 45-15 looking at merging the municipal court. Ms. Goodman stated that they are still in fact-finding mode and more meetings will be held.

Recreation Committee

Councilwoman Gray reported that the Recreation Committee met to discuss Ordinance 30-15 regarding the 2016 Summer Pool fees and more discussion will be held at a future meeting. Ms. Gray also reported that the Committee will continue discussions regarding a Parks and Recreation Strategic Plan and the recreation survey that was just launched. The committee agreed by consensus that they would like to initiate a strategic planning process to complement the master plan.

Safety Committee

Councilman Gelfand reported that the Committee met to discuss Ordinance 26-15 that expands the geographic area where criminal nuisances occur. The legislation was amended and the committee recommended the legislation back to City Council for second reading at the next meeting.

Utilities Committee

Introduced by Miller

Resolution 57-14

**RESOLUTION**

Requesting the Public Utilities Commission of Ohio (PUCO) limit the ability of a utility provider to conduct home solicitation. **THIRD READING.**

**Action:** Motion to Approve Legislation, **Moved by** Councilman Ed Icove, **Seconded by** Councilman Marty Gelfand. Councilman Gelfand stated that the resolution does not make any enforcements and does not tell solicitors that they can't go door to door. The legislation urges the PUCO to look at the practices and sends a message that they need to regulate the problems.

Councilwoman Gray gave an overview of the committee process for the legislation when she was Utilities Committee Chair in 2015 when the legislation was recommended by the committee. Ms. Gray reported that the Police have received only a handful of complaints over the last three years, so it does not seem to be an issue that is concerning residents. Ms. Gray stated that she asked the Law Director for a legal opinion on the issue and he stated that because the City is not taking any action, it is not unconstitutional.

Council President Goodman stated that all of these issues were discussed in committee and that she has received many complaints about the solicitors, and that the legislation is not a code or an ordinance, but simply asks PUCO's help in abating the problems.

Councilman Gelfand asked Law Director Lograsso for his opinion on whether the legislation would be constitutional or unconstitutional. Law Director Lograsso responded that the energy providers have a right to solicit and that the legislation is informing the PUCO that there is a problem and to look into it, so the legislation itself is not unconstitutional.

Councilman Ilove state that in his opinion this particular action is unconstitutional and he said he handles first amendment issues. Mr. Ilove cited case number 447US557 regarding the PUCO and the Hudson Gas Company decided in 1980. Mr. Ilove said that the resolution goes beyond the home rule powers of the City of South Euclid. Councilwoman Goodman stated that it is not unconstitutional for the city to pass a resolution asking that the PUCO control solicitors who give residents misleading information and behave in an abusive manner. Councilman Fiorelli asked that the legislation be amended to remove the word "ban" in Section One of the legislation and replace with the word "restrict" to better reflect Council's intentions.

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

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

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

**No:** Councilman Ed Ilove.

The legislation has been amended.

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

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

**No:** Councilwoman Ruth Gray, Councilman Ed Ilove.

The legislation has been approved as amended.

#### Motion to nominate a member of the City Planning Commission

Councilman Romeo made a motion to nominate Carlean Alford to fill the Planning Commission vacancy. The motion was seconded by Councilman Jason Russell.

Following discussion; **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 motion has been approved.

#### Legislation Requested by City Council

Introduced by Goodman

Resolution 03-16

##### RESOLUTION

APPOINTING CARLEAN ALFORD TO THE PLANNING COMMISSION OF THE CITY OF SOUTH EUCLID, OHIO AS ESTABLISHED BY ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION NINE "CITY PLANNING COMMISSION" OF THE CHARTER OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

**Action:** Motion to Amend Legislation to include the name "Carlean Alford" as the appointee, **Moved by** Councilman Moe Romeo, **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 Ilove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.

The legislation has been amended.

**Action:** Motion to Approve Legislation, **Moved by** Councilman Moe Romeo, **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 Ilove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.

The legislation was approved as amended.

#### Mayor's Report:

Council President Goodman stated that Mayor Welo was absent attending to a family matter. Housing Manager Martin discussed a new pilot program in collaboration with the Home Repair Resources Center in Cleveland Heights to work with residents with housing issues and offer free counseling classes. Ms. Martin thanked Councilmen Fiorelli and Gelfand for attending the SEL Experience Project Community Meeting regarding the public schools on Sunday afternoon.

#### Law Director's Report – no report.

#### Letters & Communications

- Councilman Fiorelli reported on the SEL Experience Project Meeting and said it was an excellent meeting and residents shared views of what they like and don't like about the school district. Mr. Fiorelli also stated that he attended an Open House regarding the merged Sacred Heart and St. Claire's school that was attended by several hundred people.

- Councilman Romeo stated that he was not able to attend the SEL Experience event, but congratulated Sally on her efforts to promote our public schools and for the excellent article about the issues with perception.
- Councilman Russell scheduled a Zoning and Planning Committee meeting for February 8, 2016 to discuss the committee structure.
- Councilman Gelfand also reported on the SEL Experience Meeting and the hard-hitting article on the public schools and perception issues. Mr. Gelfand stated that it's not just the South Euclid Lyndhurst Schools and we need to work with Cleveland Heights University Heights Schools as well. Councilman Gelfand discussed Heights Hillcrest Chamber of Commerce meetings and events and discussed the Purple Heart Homes Town Hall Meeting that was held earlier in the evening.
- Councilwoman Gray reported that the Planning Commission will continue their Public Hearing on the proposed Lowden development on January 28 at 7 pm at the Community Center and urged residents to attend. Ms. Gray reported that the annual Ward One Community Meeting will be on March 10 at 6:30 pm at the South Euclid Library.
- Councilwoman Goodman requested that Councilman Icové schedule a Utilities Committee Meeting to discuss the Stormwater Management Program. A meeting was scheduled for February 22, 2016 at 7 pm.
- Councilwoman Gray scheduled a Recreation Committee Meeting for February 22 at 7:30 pm.

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**Adjourn**

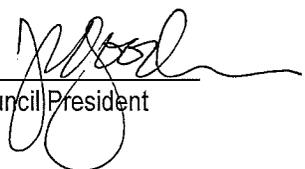
**Action:** Motion to Approve Legislation, **Moved by** Council President Pro Tem Dennis Fiorelli, **Seconded by** Councilman Marty Gelfand.

**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 Meeting adjourned at 8:49 pm.

Attest:

  
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Council President

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Clerk of Council