

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: March 22, 2016 (special meeting) & March 28, 2016

Action: Motion to Approve Minutes of the March 22nd Special Meeting, **Moved by** Councilman Moe Romeo, **Seconded by** Councilman Jason Russell.

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

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

Abstain: Council President Pro Tem Dennis Fiorelli (not present at 3/22/16 meeting).

The Minutes have been approved.

Action: Motion to Approve Minutes of the March 28th Council Meeting, **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, Councilman Ed Icove, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.

Abstain: Councilwoman Ruth Gray (not present at 3/28/16 meeting).

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:

- Peggy Anzo, 1387 Francis Court, stated that she has resided at her residence since 1978 and has three grown children that have stayed in the community. Ms. Anzo wanted to know why there is still a sign saying no turn on Victory Road from Mayfield since the school has been gone for decades. Ms. Anzo also stated that Victory Pool was closed without having a pool committee meeting or a town hall meeting. She also addressed issues of tickets not being issued for trash cans remaining on the street the day after collection and asked who is taking care of the city because she went to Walmart and there were three police officers there. Ms. Anzo stated that she said to Council Members many years ago that the proposed Francis Court development would not work and that she came to this City Council meeting to request a personal apology from all members of council and that if she did not get a verbal apology, she expects one in her mailbox by Wednesday.
- Charles Turner, 4549 Lilac Road, applauded Ms. Anzo for standing up and speaking her mind. Mr. Turner addressed the resolution regarding the court merger legislation and stated that it was about merging with the City of East Cleveland or Cleveland Heights. Mr. Turner said he thinks it's a bad idea and that everyone in the room agrees with him. Mr. Turner stated that if the city is looking to cut expenditures, they should look at Law Director Lograsso's salary and that council would save so much money if they got rid of one guy.
- Former Mayor John Kocevar, 1106 Hillrock, stated that he is speaking on behalf of himself and his wife regarding the retirement of Councilman Moe Romeo. Mr. Kocevar stated that over the years they worked on several issues together and solved many problems, including an issue with neighborhood flooded basements. Mayor Kocevar stated that Mr. Romeo made a significant impact, especially with his knowledge of the budget and city finances. Mr. Kocevar wished Mr. Romeo best wishes and congratulations on his retirement.
- Sue Jasper, 1443 Dorsh Road, stated that a year ago she came to city council with concerns about the Board of Education wanting to build a bus garage on school district owned property behind her house, but no plans have been submitted. Ms. Jasper stated that she is aware that the School Board has purchased three homes on her street that they plan to demolish them and asked for City Council's help in stopping the school board from destroying her neighborhood.
- Former Councilwoman Diane Fistek, 1002 Bryan Drive, congratulated Councilman Romeo on his retirement and stated that the service Mr. Romeo has provided has been excellent and that over the years, you could always rely on Moe to be a calming, objective voice on City Council and that she hoped City Council chooses someone who has Mr. Romeo's temperament as his replacement. Ms. Fistek congratulated and thanked Mr. Romeo for his service.
- John Savani, 1900 South Belvoir, spoke about new issues regarding the business Dogtropolis and the disturbances it is creating for his tenants at his apartment building located at 4129 Greenvale Drive. Mr. Savani reported that the dogs seem to be quieter during business hours but are still bad over the weekends and a tenant called and asked him to call the police to report the disturbance. Mr. Savani said that it is bothersome that the dogs at the doggie daycare cannot be controlled and there is not enough sound proofing. Mr. Savani also wondered why it is worse on weekends and holidays. Mayor Welo stated that they are working on a solution to the problem with Law Director Lograsso and that the owner of the business is looking into more soundproofing measures. Mr. Savani stated that the owner doesn't care about people and that he believes it is the owner's dogs that are left at the business to bark.

- Former Councilman James Boyle, 31399 Fairview Road, Orange Village, spoke about Councilman Romeo's retirement and stated that there are a lot of people at the meeting tonight to thank him. Mr. Boyle stated that many of the issues he heard about tonight from residents are similar to the issues he heard when he and Councilwoman Fistek were on Council. Mr. Boyle commended Councilman Romeo on how he worked with council and mayor and that Mr. Romeo held to the standard that you can disagree on an issue, without being disagreeable about it.
- Harvey Rothenberg, 4090 Lowden Road, stated that he does not support the resolution requesting merging of the court and believes that the issue should be turned down. Mr. Rothenberg asked if he could get copies of audio from past meetings. Mr. Benjamin responded that copies are available for specific meetings at his request.

Amend the Agenda to include Resolution 13-16

Action: Motion to Amend Agenda, **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 Icové, Councilman Moe Romeo, Councilman Jason Russell, Council President Jane Goodman.
The Agenda has been amended.

Report of Council Committees:

Safety Committee

Councilman Gelfand reported that the committee met to discuss two pieces of legislation: one regarding regional dispatch agreement and the other regarding Ohio House Bill 48 which, if passed, would expand concealed carry laws to allow guns on college campuses, school property and other areas. The committee moved to recommend passage of the joint dispatch agreement, creating a council of governments with the cities of University Heights, Cleveland Heights and Shaker Heights.

Committee of the Whole

Council President Goodman stated that Council met with new Finance Director Brenda Wendt and that they got more information than they usually do and thanked Ms. Wendt and said that they have a lot more insight about where funds are coming from. Ms. Goodman discussed RITA Income Tax collections and also Resolution 09-16 requesting \$4,000 for the domestic violence advocate to work with domestic violence victims with cases before the South Euclid Court.

Committee of the Whole

Introduced by Goodman

Resolution 45-15

RESOLUTION

REQUESTING THE OHIO STATE LEGISLATURE INTRODUCE AND PASS LEGISLATION TO MERGE THE SOUTH EUCLID MUNICIPAL COURT WITH A NEIGHBORING MUNICIPAL COURT AND REQUESTING THE OHIO SUPREME COURT TO ASSIST WITH SAID MERGER. **THIRD READING.**

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

Councilmen Gelfand and Fiorelli explained that the legislation changes language and intent in the resolution to reflect that the issue is about efficiencies and regionalism.

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 Icové.

The legislation has been amended.

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

- Councilman Romeo stated that City Council has held numerous meetings about this issue and the intent is to work to reduce costs in South Euclid and the city cannot continue to compensate the court every year and that one of the ways is to ask for a merger and that there are compelling reasons why the court should merge with a neighboring court and reduce expenses.
- Councilwoman Gray stated that she is not in favor of the legislation and that she has been on council for almost 10 years and during that time had the pleasure of seeing two judges in action and that she does not see that Judge Byers has been given the same respect as former Judge Kleri. Ms. Gray stated that as her family says, if it walks like a dog and barks like a dog, then it's a dog. Councilwoman Gray stated that the Court benefits South Euclid and she hopes the Ohio General Assembly sees it that way and they should put the issue on the ballot to and let the residents decide because merging the court is almost reckless. Ms. Gray stated that there are three branches of government and the future of the court should not be decided on by council and stated that she will be sending her own letter to the State Legislature and discussed a letter from the Ohio Supreme Court that stated that courts are not revenue generating arms, but they are

about justice and that a similar letter was provided to colleagues regarding the issues in Ferguson, Missouri. Ms. Gray stated that it would behoove the city to analyze all systems in ways to save money before we jump out there and submit this legislation to the general assembly. Ms. Gray stated that she is saddened by this and will do everything in her power to make the case to the General Assembly.

- Councilman Icové stated that this issue is a perfect example of respectfully agreeing to disagree and that he will let his personal feelings be known to the State Legislature and stated that he is an attorney and an officer of the court. Mr. Icové stated that courts are not in the business of making money and that justice has no price and that the current court has been fair and humane and innovative. Councilman Icové reported that under Judge Byers' leadership the court has made technological advances, providing live streaming that City Council now uses at no cost and that the Court also was a founding court for the Suburban Drug Court Program and received \$1 million for three years. Mr. Icové stated that Judge Byers is the only municipal court with a monthly Night Court so people don't have to take off from work and that the court is the only suburban court with a certified mental health docket and received a grant for the program. Councilman Icové also stated that the financial issues are at best contrived and that the negative amount fails to take into account the parking ticket revenue that the City now collects instead of the court, so it is disingenuous. Mr. Icové stated that the Court has always been within budget and returned more than \$90,000 to the City's General Fund and that numbers provided by Councilman Fiorelli were a superficial analysis and improper. Mr. Icové stated that it is not City Council's place to pass this legislation and that they can only enact legislation for issues that deal with home rule and that this issue is beyond home rule power.
- Councilman Gelfand stated that, like Mr. Icové, he is also an attorney, and that he agrees that justice has no price, but Mr. Gelfand stated that justice does have a cost. Mr. Gelfand stated that he doesn't necessarily want to see the court move from South Euclid, which is why he added language to the legislation to also look at the possibility of other jurisdictions being merged into the South Euclid court. However, he does not want to see the City digging into its budget year after year for court expenses. Councilman Gelfand stated that Courts should not be about making money, but if the City is paying a disproportionate share, the issue needs to be looked at, and that many other cities share courts and are regionalized and they also provide justice. Mr. Gelfand stated that Mr. Icové is correct in stating that the City does not have the right to merge the court, but Council does have the first amendment right to stand up and say that maybe we should do things differently, especially with funding cuts from the State and thinks that the State should return the money to the municipal budget. Mr. Gelfand stated that he also believed the parking tickets should have stayed with the court at the time, however in this case we have to look at alternatives and that we are seeking greater efficiencies that distribute the costs of justice.
- Councilman Fiorelli stated that the Court issue should not be about profit. The issue is about seeking efficiencies by joining or creating a regional court that can save taxpayers \$250,000 a year and that City Council has a duty to be fiscally responsible. Mr. Fiorelli stated that other cities have regional courts and they also have justice and reported that in the State of Ohio only 13 cities have their own municipal court and South Euclid is the second smallest court with only 22,000 residents. The next city with its own municipal court is Cleveland Heights, but they have nearly 50,000 residents. Mr. Fiorelli stated that smaller communities do not have the efficiencies to have their own court and that they have a duty to be fiscally responsible.
- Councilman Russell stated that his position has changed on this issue because, at first, the language was not about efficiency. Mr. Russell stated that the issue is not all about money, it's also about regionalism and that Courts are doing better than municipalities are and that we have to start looking at new ideas and reimagining how we provide services in the 21st century.
- Councilman Romeo stated that Council has had many meetings about this issue and that he believes it's time to take a vote.
- Council President Goodman stated that her reason for voting for this legislation is that the City won't know if there would be a cost savings unless they take the next step and learn what we need to learn. Ms. Goodman stated that many other communities share courts including Bedford Heights with Bedford, and University Heights with Shaker Heights and that these other communities have learned that collaboration works without denying its residents justice.

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 Icové.

The legislation has been approved.

Mayor's Report:

Mayor Welo requested Council passage of Resolution 13-16 related to providing mutual aid for the upcoming Republican Convention and will allow the City to be reimbursed. Mayor Welo reported that she and Housing Manager Sally Martin will be in Columbus on Tuesday testifying against passage of HB483 regarding issues with the fast-track foreclosure bill that could hurt communities if passed. Ms. Welo discussed Police Chief Nietert's involvement with the Rape Crisis Center. Mayor Welo discussed the community garden breakfast for resident gardeners and said that it was wonderful. Mayor Welo reported that she spoke at Notre Dame College for their career day and asked residents to support the City's own Mercury Theatre Company at Notre Dame College. Mayor Welo also reported on her attendance at the dedication ceremony for the South Euclid United Church of Christ last Sunday. Mayor Welo stated that the city is not out of the woods financially with continued cuts from the State, but the city is looking at new ways

of doing things. Mayor Welo reported that the repair of the broken elevator will cost \$46,000, which is a lot less than the estimated \$70,000.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 12-16

RESOLUTION

AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS IN THE GENERAL FUND TO THE BOND RETIREMENT FUND, THE BOND RETIREMENT FUND (RECREATION), THE CAPITAL PROJECTS FUND, THE LAND ACQUISITION FUND, THE SEWER MAINTENANCE FUND, THE SICK LEAVE FUND, AND THE SWIMMING POOLS FUND. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Pro Tem Dennis Fiorelli, **Seconded by** Council President Jane Goodman.

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 legislation has been approved.

Introduced by Goodman

Resolution 13-16

RESOLUTION

AUTHORIZING THE MAYOR AND POLICE CHIEF TO ENTER INTO AN INTERGOVERNMENTAL COOPERATIVE/MUTUAL AID AGREEMENT WITH THE CITY OF CLEVELAND, OHIO. FIRST READING.

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

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 legislation has been approved.

Law Director's Report: Law Director Lograsso thanked Councilman Romeo for his service, and that their time together goes a long way back to when he was a policeman. Mr. Lograsso stated that Mr. Romeo is the definition of a gentleman and class and that he has been a role model and wished him the best of luck and that he will be missed.

Letters & Communications

- Councilwoman Gray stated that she agrees with all that others have said about Councilman Romeo and that he has been a gentleman and fair and someone that listens. Ms. Gray stated that they have not always agreed on things but remembered a time when they shared a moment and she walked away sensing that Moe was a great person in a spiritual sense, and that he is loved like a brother and wished him well. Ms. Gray told Councilman Romeo to enjoy his retirement and take the time to smell the flowers.
- Councilman Gelfand said that over the years he has been watching Moe Romeo and how he governs and that, while all elected officials in politics have egos, including himself, he doesn't think that Councilman Romeo has an ego. Mr. Gelfand stated that Moe Romeo has always done what's in the best interest of the City and thanked him for being the mentor that he has been for the last five years.
- Councilman Russell stated that as a new Councilman, he has known Councilman Romeo the shortest period of time and that last year when he was considering running for council he sat through council meetings and watched Mr. Romeo and said that he needed to get to know him. Mr. Russell stated that Councilman Romeo met with him, walked door to door with him and helped him. Councilman Russell stated that Mr. Romeo has provided our constituents great service and that he has been the Statesman of Council who is also willing to admit when he is wrong on an issue. Mr. Russell stated that it has been a pleasure serving with Councilman Romeo and that he has made an impact on him and will continue to need his intelligence and wisdom.
- Councilman Icove stated that he wore a special shirt in appreciation of Moe's next chapter of life and that he has paid his dues here in South Euclid. Mr. Icove stated that he has spent more time on City Council with Mr. Romeo than any other member and that he has always been a gentleman that never raises his voice and always listens and whoever is appointed will have big shoes to fill.
- Councilman Fiorelli stated that it has been an honor working with Councilman Romeo.
- Council President Goodman thanked Councilman Romeo for staying long enough to help guide her through her first few months as Council President and stated that Mr. Romeo has been a great mentor. Ms. Goodman stated that all of the comments by other members of council are all true and the issue boils down to the fact that some of us are into being elected for political reasons and some run for office because they want to govern and thanked Mr. Romeo for helping to get the right things done.
- Howard Goldberg, representing Purple Heart Homes recalled all of the time Councilman Romeo spent working on the South Euclid homes for injured veterans and presented Mr. Romeo with the Purple Heart Military Challenge Coin.
- County Councilwoman and former South Euclid Councilwoman Sunny Simon, presented a proclamation to Councilman Romeo and stated that she has always considered Mr. Romeo to be like a rock – consistent and that she has learned from him about always putting the city first.
- Council President Goodman reported that State Senator Kenny Yuko could not be at the meeting and Ms. Goodman presented Mr. Romeo with a Resolution from the Ohio Senate honoring his service.
- Mayor Welo presented the key to the City to Councilman Romeo.

Special Presentation

Introduced by Goodman

Resolution 11-16

RESOLUTION

IN APPRECIATION TO MODESTINO (MOE) ROMEO FOR HIS YEARS OF DILIGENT SERVICE ON SOUTH EUCLID'S CITY COUNCIL AND TO THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Jane Goodman, **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 legislation has been approved.

Motion to accept the resignation of Councilman Moe Romeo effective April 30, 2016

Action: Motion to accept resignation of Councilman Moe Romeo, **Moved by** Council President Pro Tem Dennis Fiorelli, **Seconded by** Council President Jane Goodman.

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 motion has been approved.

Adjourn

Motion to Adjourn, 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 9:39 pm.

Council President

Attest:

Clerk of Council