

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 Icové, Council President Jane Goodman.

Absent: Councilman Joe Frank, Councilman Jason Russell.

Special Presentation

Recognizing South Euclid Resident Nathanael Honvou on placing first in the 12 & Under Category in the Johnny Cake Jog and for setting an Association of Road Statistics World Record.

Approval of Minutes: June 27, 2016

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

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:

- Robert Schoenewald, 4426 Bayard Road, commented about the proposed legislation regarding Safety Levy education expenses and stated that if it is for advertising then it would obviously only tell one side of the story and if it's an education piece then both sides should be presented and the residents should know the salaries that police and firefighters make. Mr. Schoenewald stated that while the safety force officers may or may not be worth every penny, residents should know what they make so they can make a decision on the levy and prior to them asking for more during the next union negotiations.
 - Brecia Whitten, 4145 Greenvale Drive, commented about the barking dog issue from Dogtropolis and stated that it is ridiculous what is going on and that the dog barking is very loud and she can't even talk on the phone. Ms. Whitten said that the business put up soundproofing and now the noise is even worse. Ms. Whitten stated that she and her husband are hard-working taxpayers and that the Mayor has the power to enforce the law and she believes that something will be done and justice will be served. Ms. Whitten stated that the owner of Dogtropolis came to her home at 7 am to listen to the noise and Channel 5 News videoed from inside her apartment and the Sun Press wrote that the two sides need to negotiate. Ms. Whitten said that she can't sleep, have company over and that her blood pressure is up and she is on a women's committee with 1,000 people and can't have people over for meetings. Ms. Whitten said that safety is more important and she can see the neglect by the workers and asked how many council members would take their dogs there. Ms. Whitten stated that a storm came and knocked all of the sound proofing down and they are lucky no dogs got tangled in them. Council President Goodman stated that the Law Director has been following the negotiations between the owner of Dogtropolis and the owner of the apartment building and Council unfortunately can only listen and hear how it is being enforced and that there is pressure being put on the owners to come to a resolution.
 - Johnnie Pinkney, 4143 Greenvale Road, spoke regarding the Dogtropolis dog barking issue and stated that she has video showing that things have not changed and stated that she had to leave the last council meeting because she was insulted that Dogtropolis' lawyer spoke and that they all signed in but the lawyer did not. Ms. Pinkney stated that the lawyer was insulting and the improvements that were made are nothing and that the owner refuses to speak to them. Ms. Pinkney said this issue can't be just left up to Ruth Gray and that the Mayor, Law Director and Police Chief need to go over there and see what's going on. Ms. Pinkney stated that when she spoke at the last Council Meeting, Channel 5 News had already been out that day to film the story and she knew it was going to be on the 11 pm news but didn't want to tell Council that evening.
 - William McLaughlin, 4286 Elmwood Drive, stated that last week he worked as a volunteer at the RNC Convention and welcomed all delegates who were treated well by Cleveland and the police and he hopes for the same for the Democratic Convention this week in Philadelphia.
 - Madelon Watts, 873 Haywood Drive, reported that the South Euclid Move to Amend petition has gathered enough signatures to be placed on the November Ballot, and if it passes, South Euclid will join several Ohio cities, 17 States and the District of Columbia in calling for the overturning of the Citizens United ruling.
 - Charles Turner, 4549 Lilac Road, stated that while justice may be slow in coming it certainly does come and stated that when his sister Doris came to the council meeting and complained about ADA access and the broken elevator. Mr. Turner said that he understands that there was some earthshaking developments and the elevator is being fixed. Mr. Turner stated that there was an ADA complaint made to the Department of Justice and that he is still having issues with public records and the Law Director is refusing to provide them because he is covering up for the Chief and police. Mr. Turner said he has been requesting records for three and a half years and asked once again that they be turned over. Mr. Turner stated that one of the Officer's involved had previously totaled a \$60,000 police vehicle and she has just required City Council to pay \$10,000 for a pound of strawberries and it's time to do something with "that lady".
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Initiative Petition LegislationAmend Agenda to Include Ordinance 12-16

Action: Motion to amend the Agenda to Include Ordinance 12-16, **Moved by** Councilman Marty Gelfand, **Seconded by** Council President Pro Tem Dennis Fiorelli.

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The Agenda has been amended

Introduced by Goodman

Ordinance 12-16

ORDINANCE

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE NEW CHAPTER 114 "PUBLIC HEARING, CORPORATE RIGHTS AND POLITICAL CONTRIBUTIONS" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO AT THE GENERAL ELECTION, NOVEMBER 8, 2016. FIRST READING.

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

Councilman Gelfand gave an overview of the petition process, which began at the request of City Council during deliberations of a resolution in 2015. Council President Goodman stated that if the ballot measure passed that the City will be required to hold public hearings every odd year starting in 2017 and that by collecting the signatures it is their way of asking voters to work with the city and stand up against citizens united. Councilman Icove stated that the vote on the issue is a ministerial one in that all of the qualifications have been met in the Charter by the petition committee to place the initiative before the voters.

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The legislation has been approved.

Report of Council Committees:Committee of the Whole

Council President Goodman reported that the Committee met regarding Resolution 22-16 which would provide for education expenses for the Safety Levy and that the City is allowed to pay for education campaigns, but not to endorse an issue. Ms. Goodman stated that the legislation will not be moving forward.

Recreation Committee

Councilwoman Gray reported that the committee met to discuss the repair of the tennis courts at Bexley Park and Resolution 41-16 establishing an ad-hoc committee of residents to come up with a strategic plan for recreation. Ms. Gray stated that it would cost about \$68,000 to repair the tennis courts to goof work order. The committee decided it would be more prudent to wait until the Ad Hoc Recreation Committee reviews and comes up with a plan before spending funds to repair the tennis court. Councilwoman Gray asked the Committee, Council Members and the administration to give her any questions related to the committee and that another meeting will be held to work on a proposed budget, timeline and plan for 2017 for strategic planning efforts.

Committee of the Whole

Introduced by Goodman

Resolution 22-16

RESOLUTION

IN SUPPORT OF PUBLIC EDUCATION, SPECIFICALLY THE SOUTH EUCLID LYNDHURST AND CLEVELAND HEIGHTS-UNIVERSITY HEIGHTS CITY SCHOOL DISTRICTS, AND ENCOURAGING FAMILIES TO UTILIZE THE PUBLIC EDUCATION SYSTEM IN ORDER TO CREATE STRONGER COMMUNITIES. **SECOND READING.**

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The legislation has been approved.

Legislation Requested by City Council

Introduced by Goodman

Resolution 38-16

RESOLUTION

AUTHORIZING AN APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "CITY COUNCIL/MISCELLANEOUS FUND #101-7720-52799" FOR PUBLIC EDUCATION EFFORTS RELATED TO SAFETY AND CITY SERVICES. FIRST READING.

The legislation was placed on first reading.

 Introduced by Goodman

Resolution 39-16

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MELAMED COMMUNICATIONS FOR SERVICES RELATED TO PUBLIC EDUCATION EFFORTS REGARDING THE CITY'S FINANCIAL SITUATION AND REVENUE PLANNING EFFORTS REGARDING SAFETY AND CITY SERVICES. FIRST READING.

The legislation was placed on first reading.

Introduced by Goodman

Resolution 41-16

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.

The legislation was placed on first reading.

Mayor's Report:

Mayor Welo reported on the RNC Convention in Cleveland and thanked Cleveland Mayor Frank Jackson for the hard work to put together a great convention. Mayor Welo thanked all those that attended the Commission on Aging's Taste of Cedar Center fundraiser that was very successful. Ms. Welo discussed several block parties and upcoming community events including the FreeCycle, City Hall Open House, Velocity Church SummerFest, Outdoor Band Concerts at Notre Dame College and theatre at Mercury Theatre Company. Mayor Welo reported that Building Commissioner Paul Kowalczyk has accepted a job at another city and will be leaving on July 31st. Ms. Welo stated that there are many great candidates and that she met with Councilman Russell to discuss issues related to the position. Mayor Welo stated that Paul worked for South Euclid for 14 years and brought many projects to the community and turned around the Building Department.

City Engineer Andy Blackley reported that the summer road project is moving forward and projects like the East Antisdale road reconstruction project is moving more rapidly than anticipated. Mr. Blackley discussed water main connections on Greenvale and curb cut work on Miramar. Engineer Blackley reported that Dominion East Ohio Gas will be replacing a major gas line on Mayfield Road between South Belvoir and South Green Road. Councilwoman Goodman asked if they will be replacing any trees that are disrupted by the improvements, Mr. Blackley replied that trees will be replaced.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 40-16

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE GENERAL FUND TO THE FOLLOWING FUND: "COMMUNITY RELATIONS/MISCELLANEOUS FUND #101-4440-52799" FOR THE ESTABLISHMENT AND CREATION OF A NEIGHBORHOOD YOUTH SERVICE DELIVERY PLAN IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The legislation has been approved.

Introduced by Goodman

Ordinance 08-16

ORDINANCE

ASSESSING UNPAID COSTS OF SERVICE DEPARTMENT –NUISANCE ABATEMENT (HIGH GRASS, WEEDS, ETC.) AS AUTHORIZED BY SECTION 521.14 (D), OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The legislation has been approved.

Introduced by Goodman

Ordinance 09-16

ORDINANCE

ASSESSING UNPAID COSTS OF SERVICE DEPARTMENT-NUISANCE ABATEMENT (YARD CLEAN-UP, BOARDING CHARGES, ETC.) AS AUTHORIZED BY SECTION 521.14 (D) OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.
The legislation has been approved.

Introduced by Goodman

Ordinance 10-16

ORDINANCE

ASSESSING ALL UNPAID COSTS OF FALSE ALARM –NUISANCE ABATEMENTS, AS AUTHORIZED BY CHAPTER 531 OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO, THE CUYAHOGA COUNTY COMMON PLEAS COURT AND THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The legislation has been approved.

Introduced by Goodman

Ordinance 11-16

ORDINANCE

ASSESSING ALL UNPAID COSTS OF CRIMINAL NUISANCE ABATEMENTS, AS AUTHORIZED BY CHAPTER 531 OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO, THE CUYAHOGA COUNTY COMMON PLEAS COURT AND THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY. FIRST READING.

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

Councilwoman Gray asked why the City cannot enforce the barking dog ordinance with the Dogtropolis nuisance with this piece of legislation. Council President Goodman responded that these are not all the nuisances they are just the ones that have gone through collections because they haven't been paid and are adjudicated.

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The legislation has been approved.

Law Director's Report - no report.

Letters & Communications

Councilwoman Gray stated that she receives letter from some of the residents regarding the Dogtropolis Issue and for the sake of treating everyone the same, she is submitting them to the Clerk for the minutes. Ms. Gray stated that there is a letter from Ms. Whitten and Peggy and John Savani and requested that the originals be returned to her. Councilwoman Gray reported that she had a church event at Quarry Park over the weekend and that the Park was clean and thanked Service Director Anderson and staff for their work.

Councilman Gelfand reported on the Pixie League Championship game that included his daughter and Service Director Anderson's daughter. Mr. Gelfand stated that he volunteered at the Republican National Convention as a part of the National Lawyers Guild and NAACP Legal Team and was part of a team that represented 18 protestors. Councilman Icove reported that the annual National Night Out commemoration will take place on Tuesday, August 2nd at 6 pm at the Bexley Park pavilion and asked that residents come out in support of the police and fire department.

Councilman Fiorelli reported that he attended a performance of the Little Mermaid at South Euclid's Mercury Theatre Company and that it was a great production. Mr. Fiorelli reported on the 18 and under fast pitch regional all-star competition in South Euclid. Mr. Fiorelli gave an update on the upcoming FreeCycle event and thanked Building Commissioner Kowalczyk for his years of service to South Euclid.

Council President Goodman acknowledged the students that took part in this summer's Environmental Leadership Program sponsored by the City, SEL Schools and the Urban League of Greater Cleveland. Ms. Goodman discussed the weekly field trips she led to the Solid Waste Management District, Oakwood Commons, Community Gardens and other sites.

Adjourn to Executive Session for the purposes of discussing pending litigation.

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 = 5).

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

City Council Adjourned to Executive Session at 9:18 pm.

Adjourn

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

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

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

Absent: Councilman Joe Frank, Councilman Jason Russell.

The Meeting adjourned at 9:28 pm.

Council President

Attest:

Clerk of Council