

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President Pro Tem Dennis Fiorelli called the meeting to order and the Pledge of Allegiance was recited.

Roll Call

Present: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell.

Absent: Council President Jane Goodman.

Approval of Minutes: October 10, 2016

Action: Motion to Approve Minutes, **Moved by** Councilman Jason Russell, **Seconded by** Councilman Marty Gelfand.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell.

Absent: Council President Jane Goodman

The minutes have been approved.

Opening Meeting of Council:

President Pro Tem Fiorelli called the Open Meeting of Council to order and invited the audience to address Council:

- Peggy Savani, 1900 South Belvoir, stated that she is the owner of the Princeton Park Apartments and updated Council on the issue of the barking dogs from the neighboring Dogtropolis Doggie Day Care. Ms. Savani reported that resident Brecia Whitten is also at the meeting and that Ms. Whitten will not renew her lease if the nuisance is not abated. Ms. Savani reported that she has attended meetings with Law Director Lograsso and with the building owner, Mr. Frank Kuhar, and that they will be meeting again next Friday and that the meetings have been productive and that things seem to be moving in a positive direction.
- Brecia Whitten: 4145 Greenvale Road, stated that she has been a resident of the apartment building for nine years, but will move when her lease is up of the nuisance has not been resolved. Ms. Whitten stated that the dogs are getting more aggressive and that the tarp that is covering part of the outside area is getting ready to fall and is a danger to the dogs. Ms. Whitten stated that the dogs are left there all night alone and that they whine and cry, are hurting and are in danger. Ms. Whitten also reported that she has to be at work at 4 am and is kept awake all night by the barking dogs and that she also contacted the APL, but when they went out they didn't see anything. Councilman Fiorelli stated that he is sorry that Ms. Whitten has to continue hearing the barking dogs. Councilman Gelfand stated that what Ms. Whitten is now describing is worse than she has reported before and asked why she was not contacting the police, especially when she is woken up at 2 am?
- Charles Turner, 4549 Lilac Road, stated that this was the last council meeting before Veterans Day and that he wanted to thank those that have served. Mr. Turner reported on the meaning of the word "bigotry" and that he has been attacked by police officers. Mr. Turner reported and asked if it was a coincidence that almost all of the Mayor's directors are Catholic and asked if there were any Jews or Protestants that she could hire and that the Mayor is also Catholic.
- Kermit Lind, 3392 Meadowbrook in Cleveland Heights, stated that he is an attorney specializing in housing issues and has been working with Housing Manager Sally Martin and the City on the Vacant Building Registration Ordinance, and also worked on the previous ordinance three years ago. Mr. Lind stated that he is at the Council Meeting to answer any questions City Council might have about the legislation. Councilman Icove asked Mr. Lind about his opinion on the constitutional issues. Mr. Lind stated that he has done some research and that issues that have come up in other communities have been related to problems regarding fee structures and cities that had registration fees anticipated in advance, and that those were problematic. Mr. Lind stated that he knows of no other communities that have legislation like South Euclid that have been subject to a court contest anywhere else.
- Pamela Mason, 2119 Apple in Euclid, stated that she is one of the co-founders of the new National Congress of Black Women Northeast Ohio Chapter and reported that Councilwoman Gray had been instrumental in organizing the new Chapter and will be the organization's first President. Ms. Mason stated that there will be a celebration on October 27th where Ms. Gray and the new Board Members will be sworn in. Councilwoman Gray stated that she appreciates the resolution before City Council tonight and requested if a proclamation could also be presented from Mayor Welo on the formation of the Chapter. Mayor Welo stated that she would have a Proclamation ready.
- Marcia McCoy, 3431 East 142nd Street in Cleveland, reported on the establishment of the local chapter of the National Congress of Black Women and gave a history of the national organization which was founded by Shirley Chisholm and that the region is gifted to have Councilwoman Gray as the Chapter's first Chair and asked that City Council and Mayor Welo to please give a resolution and proclamation in appreciation of the work of Councilwoman Gray.

Legislation Requested by City Council

Introduced by Fiorelli

Resolution 53-16

RESOLUTION

IN CONGRATULATIONS OF RUTH I. GRAY BEING APPOINTED TO BE THE CHAIR OF THE NATIONAL CONGRESS OF BLACK WOMEN'S GREATER CLEVELAND CHAPTER. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Ed Icove, **Seconded by** Councilman Marty Gelfand.

Councilman Ilove stated that Councilwoman Gray's appointment is an honor and he strongly supports the initiative and the honoring resolution. Councilwoman Gray thanked her colleagues and said it was honor. Ms. Gray stated that she was one of several people that went to Washington DC in September and the new chapter was sworn in. Ms. Gray stated that several South Euclid residents and residents from all over Northeast Ohio have already joined the local Chapter. Councilman Fiorelli wished Councilwoman Gray well and thanked her for helping to bring pride to South Euclid. Councilman Frank stated that he is proud of Councilwoman Gray for the honor to lead the new organization.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell.

Absent: Council President Jane Goodman

The legislation has been approved.

Report of Council Committees:

Zoning & Planning Committee

Introduced by Goodman

Ordinance 13-16

ORDINANCE

AMENDING CHAPTER 1414 "REGISTRATION OF VACANT BUILDINGS AND CERTIFICATES OF ~~OCCUPANCY~~ **COMPLIANCE** FOR VACANT BUILDINGS" OF PART FOURTEEN "HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **THIRD READING.**

Action: Motion to Approve Legislation, **Moved by** Councilman Jason Russell, **Seconded by** Councilman Marty Gelfand.

Councilman Fiorelli made a **motion to amend** Section 1414.02 in the Ordinance to change the wording from "may" to "shall". **Seconded by** Councilman Jason Russell.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell.

Absent: Council President Jane Goodman

The legislation has been amended.

Councilman Ilove stated that he had asked the Law Director for a written legal opinion, and while Mr. Lograsso has given a verbal opinion that the legislation is constitutional, he could not vote for the legislation without a written opinion and stated that the matter should be tabled since it doesn't have to be passed until December 31st. Councilman Russell stated that the Zoning and Planning Committee of Council has worked very hard to make changes that strengthen the ordinance to continue to improve our neighborhoods and it is important because housing is our number one industry. Mr. Russell stated that he supports the legislation as written and has moved for passage tonight. Law Director Lograsso gave his legal opinion in response to Councilman Ilove's request regarding the legislation's constitutionality under the fourth and fourteen amendments.

Vote: Motion passed (**summary:** Yes = 5, No = 1, Abstain = 0).

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Jason Russell.

No: Councilman Ed Ilove.

Absent: Council President Jane Goodman

The legislation has been approved.

Safety Committee

Councilman Gelfand reported that the committee met regarding the EMS collections Resolution 55-14 and that some additional revisions were made and amended in committee.

Recreation Committee

Councilwoman Gray reported that the committee met to discuss Resolution 41-16 establishing the ad-hoc recreation committee and also discussed the outlining of the process for a strategic plan for recreation and a request to go out to bid for planning efforts. Some revisions were made to the resolution establishing the ad-hoc committee and how the committee will work with the MyCom planning initiative regarding youth recreation issues.

Committee of the Whole

Council President Pro Tem Fiorelli reported that he met last week with Finance Director Wendt and that budget hearings will begin in the next week. Mr. Fiorelli stated that City Council is beginning the process several months earlier this year and thanked the Administration and Director Wendt for providing the budget books early.

Legislative Committee

Introduced by Fiorelli

Ordinance 05-16

ORDINANCE

AN ORDINANCE AMENDING SECTION 111.08 "COUNCIL RULES" OF TITLE THREE "LEGISLATIVE" OF PART ONE OF THE "ADMINISTRATIVE CODE" TO REQUIRE DEPARTMENTAL HEADS TO ATTEND REGULAR COUNCIL MEETINGS IN THE CITY OF SOUTH EUCLID. **SECOND READING.**

The legislation was placed on second reading pending further review by the Law Director.

 Introduced by Fiorelli

Ordinance 14-16

ORDINANCE

AN ORDINANCE AMENDING SECTION 111.08 "ORDER OF BUSINESS" OF TITLE THREE "LEGISLATIVE" OF PART ONE OF THE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

The legislation was placed on second reading.

Mayor's Report:

- City Engineer Blackley reported that most of the city's road construction projects are wrapping up for the year and that a new gas line project by Dominion East Ohio Gas will begin on South Green Road south of Mayfield in the coming week.
 - Economic Development Director Love requested Council consideration of the resolution regarding a transfer of vacant property to One South Euclid Community Development Corporation.
 - Mayor Welo reported that Service Director Anderson could not be at the meeting and reported that the Service Department had begun daily pickup of leaves and yard waste and will continue through December 1st. Mayor Welo stated that each day at 4:30 pm the Service Department phone number will be updated with information for residents about which section of the city the department will be collecting the next day. Mayor Welo also reported on the annual Northeast Ohio Fair Lending Conference at Cleveland State University and thanked Housing Manager Martin and Community Services Director Benjamin for their efforts in planning the conference. The Mayor stated that she was on a panel at the Fair Lending Conference and also spoke at a Northeast Ohio Realtors association conference regarding fair lending issues and that Ohio Savings Bank has over \$93 million in deposits, but has not made one loan to a South Euclid resident in the last three years and that fair lending needs to be a priority with the County.
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Legislation Requested by the Mayor and Administration

Introduced by Fiorelli

Resolution 47-16

RESOLUTION

AUTHORIZING THE MAYOR TO APPLY FOR A GRANT UNDER THE CUYAHOGA COUNTY "COMPETITIVE MUNICIPAL PROGRAM": 2017 COMMUNITY DEVELOPMENT BLOCK GRANT FUND; AND DECLARING AN EMERGENCY. **THIRD READING.**

Councilman Gelfand reported on the collection of signatures for the grant application and Councilman Frank reported on the Public Hearing that was held last week.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Joe Frank.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell.

Absent: Council President Jane Goodman

The legislation has been approved.

Introduced by Fiorelli

Resolution 52-16

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** Councilwoman Ruth Gray, **Seconded by** Councilman Jason Russell.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell.

Absent: Council President Jane Goodman

The legislation has been approved.

Law Director's Report

Law Director Lograsso stated that that he has been working with Finance Director Wendt on the city's health insurance renewal and that he has been extremely impressed with Ms. Wendt and that the city is in great hands with her as finance director. Mr. Lograsso reported that three years ago the city joined Cuyahoga County's healthcare insurance plan, and at the time was told that yearly increases would average about 3%, but that last year insurance premiums rose 13% and this year the County notified the City that premiums would rise another 14%. As a result, Directors Lograsso and Wendt began researching leaving the County's health insurance plan and met with a private insurance broker, which will result in premium increases of only 3.7% in 2017, an approximate \$200,000 savings. Mr. Lograsso also reported that he is continuing his research on the medical marijuana issue and that the State of Ohio will be the only entity that is allowed to tax the businesses. Councilman Russell asked if the City could charge a fee and Director Lograsso responded that the city could charge a fee, but not apply a tax to the company. Councilwoman Gray asked about regulations of where medical marijuana affiliated facilities could be located. Mr. Lograsso responded that the law would be similar to the current restrictions of adult entertainment districts.

Letters & Communications

- Councilman Frank reported on last week's CDBG public hearing and reported on resident's concerns about the growing deer population.
- Councilman Gelfand requested that Resolution 55-14 be placed on the Agenda for the next council meeting. Another committee meeting was scheduled for November 14, 2016 at 5:30 pm to discuss EMS costs and policy. Mr. Gelfand reported on upcoming events including Halloween Trick or Treat on October 31st, the Eastway Road Block Party and One South Euclid Meet and Greet at the library.
- Councilman Russell reminded residents to exercise their right to vote on November 8th.
- Mayor Welo requested that City Council schedule a Service Committee meeting to discuss the EPA Stormwater legislation that must be passed in in December. A Service Committee Meeting was scheduled for November 28 at 6:30 pm.
- Councilman Fiorelli thanked Housing Manager Martin and attorney Kermit Lind for their work on the vacant building registration ordinance and the Housing Department for administering the program.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Jason Russell.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell.

Absent: Council President Jane Goodman.

The Meeting Adjourned at 9:15 pm.

Council President

Attest:

Clerk of Council