

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 Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell, Council President Jane Goodman.

President Goodman informed the audience Economic Development Director Michael Love would be acting as Clerk-of-Council in place of Keith Benjamin.

Motion to Amend Agenda

Council President Goodman requested a motion to amend the agenda to add adjournment to Executive Session following Letters & Communications for the purpose of discussing the sale of real property.

Action: Motion to Amend Agenda to add Executive Session, **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 Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell, Council President Jane Goodman.

The Agenda has been amended.

Opening Meeting of Council:

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

- Charles Turner (4549 Lilac Road): Stated he was speaking regarding the police cover up of assault on a citizen, which happens to be him. He stated that he was assaulted by multiple South Euclid Police Officers, and immediately afterwards informed the Mayor and Law Director of the assault. Stated that the Law Director refused to look into the incident. He stated that his last communication with the Law Director was when the Law Director invited him to attend mass with him at St. Greg's. He stated that the Police Chief was allowed to carry on his own investigation of the alleged assault and allowed evidence to be destroyed and was slow to respond.

There being no additional attendees wishing to speak, the open meeting was closed.

Report of Council Committees:Finance Committee:

Councilman Fiorelli reported on the 5:30pm Finance Committee Meeting concerning Ord. 21-16, the Salary Ordinance. Councilman Fiorelli stated that this legislation will replace the previous Salary Ordinance, which was passed in 2009. He stated that the committee heard a presentation from the Finance Director regarding this legislation and the next meeting will be scheduled soon.

Service Committee:

Council President Goodman reported on the 6:30pm Service Committee Meeting pertaining to Ords. 17-16 & 18-16 regarding sediment and erosion control. Council President Goodman stated that this legislation is required to be updated in order to be in compliance with state law and that the Committee recommended passage by the full Council.

Safety Committee:

Councilman Gelfand reported on the 7:30pm Safety Committee Meeting, where the committee docket was discussed. Meetings will be scheduled to discuss the legislation on the docket, Ords. 26-12, 19-14, 11-15, & 26-15. The committee also discussed reintroducing legislation concerning pesticides in 2017.

Legislative Committee:

Introduced by Goodman

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. **THIRD READING**

Councilman Frank read the legislation and stated that it requires department heads or their designee to be present at Council Meetings. He stated that the legislation applies to the Finance Director, Police Chief, Fire Chief, Building Commissioner, Service Director, and Law Director. Councilman Icove stated that the legislation permits a Department Head or designee to be at the meeting, allows for the Mayor or Presiding Officer to excuse Directors, and promotes openness and transparency.

Councilman Fiorelli stated that the time of department heads is valuable and should be respected. He stated that when a director has legislation on the agenda he/she is here and he is not fond of compelling attendance, residents can always call a director.

Councilman Gelfand stated that while he appreciates Councilman Fiorelli's sentiment, the duties of a department head go well beyond sitting behind a desk and they should value interactions with residents. When issues from residents or Council Members come up at a meeting, Department Heads can easily address them. Department Heads should be at the meetings to interact with Council and the residents.

Councilman Gelfand commended Councilman Ilove for introducing the legislation. Councilwoman Gray stated that she represents the legislative branch in South Euclid and the administrative branch in another city. She stated the mission in both cases is to serve the public in an open government system. Thus, it is a good business practice to have department directors at Council Meetings and no director should complain about coming. Coming to Council Meetings is something all directors should do, as it is part of being a leader of a department.

Councilman Russell stated that he agrees with Councilman Gelfand, Councilwoman Gray, and Councilman Ilove, and stated that with Council also considering the Salary Ordinance, this piece of legislation shows Directors are being required to attend Council Meetings as the leaders of South Euclid.

Councilman Ilove added that he spoke with Clerk of Council Keith Benjamin who stated no Department Head in South Euclid had any objection to attending Council Meetings.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6 No = 1).

Yes: Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell, Council President Jane Goodman.

No: Councilman Dennis Fiorelli

The legislation has been approved.

Introduced by Goodman

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. **THIRD READING.**

Action: Motion to Approve Legislation, **Moved by** Councilman Joe Frank, **Seconded by** Councilman Jason Russell.

Councilwoman Gray asked if the new Council agenda format should include roll call of directors, based on the passage of Ord. 05-16. Councilman Frank stated that the minutes would reflect the Directors who were present and Council President Goodman added that for now she felt roll call of directors was not necessary.

Councilman Gelfand then stated that he noticed the new agenda format calls for two open meeting sessions, Councilman Fiorelli responded that was the purpose of the legislation. Councilman Russell added that the Mayor's Report moves to the beginning of the meeting along with an open session for residents to speak on items related to the agenda, with Council President Goodman adding that this will improve the flow of information.

Action: Motion to Amend Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilwoman Ruth Gray.

Law Director Lograsso stated that roll call is typically reserved for members of the voting body, as it is done to ensure there is a quorum. Councilwoman Gray stated that she has experienced roll call for both Council Members and Directors. Council President Goodman stated that she is unsure we would want to include the roll call of directors in the administrative code, as it will be recognized in the minutes. Councilman Frank echoed this sentiment. There being no further discussion on the proposed amendment, Council President Goodman requested the roll call to amend.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 2 No = 5).

Yes: Councilman Marty Gelfand, Councilwoman Ruth Gray.

No: Councilman Dennis Fiorelli, Councilman Joe Frank, Councilman Ed Ilove, Councilman Jason Russell, Council President Jane Goodman.

The proposed amendment has failed.

Councilman Ilove stated that a record of Directors in attendance would be reflected at "Section f" of the meeting agenda in the meeting minutes. Council President Goodman also stated that since the legislation does not have an emergency clause, it will not take effect until the first meeting in January.

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

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

The legislation has been approved.

Service Committee:

Introduced by Goodman

Ordinance 17-16

ORDINANCE

AMENDING, IN ITS ENTIRETY, CHAPTER 1326 "EROSION AND SEDIMENT CONTROL" OF TITLE FIVE "OTHER BUILDING PROVISIONS" OF PART THIRTEEN "BUILDING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **THIRD 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 = 7).

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

The legislation has been approved.

Introduced by Goodman

Ordinance 18-16

ORDINANCE

AMENDING, IN ITS ENTIRETY, CHAPTER 1324 "STORMWATER MANAGEMENT" OF TITLE FIVE "OTHER BUILDING PROVISIONS" OF PART THIRTEEN "BUILDING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **THIRD 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 = 7).

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

The legislation has been approved.

Finance Committee

Introduced by Goodman

Ordinance 21-16

ORDINANCE

FIXING THE SALARY RANGE, COMPENSATION AND RATES OF PAY FOR VARIOUS OFFICES, BOARDS, COMMISSIONS AND DEPARTMENTS OF THE MUNICIPAL GOVERNMENT EFFECTIVE DECEMBER 1, 2016 REPEALING ORDINANCE NO. 20-09 ADOPTED APRIL 27, 2009 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH; AND DECLARING AN EMERGENCY. **SECOND READING.**

The legislation was placed on second reading and remains in the Finance Committee.

Mayor's Report:

- Mayor Welo stated that she is sending prayers to the OSU Campus due to the recent incident. She stated that since South Euclid is a college town, she knows how much training goes into dealing with incidents such as what occurred at OSU, but you hope it never happens.
- The Mayor gave her condolences to the Rothschild Family, for the recent passing of former University Heights Mayor Beryl Rothschild, whom the Mayor considered a mentor. The Mayor thanked Councilman Gelfand for sharing this.
- Assistant Fire Chief Dave Csire stated that the "Stuff the Squad" Food Drive held at GFS on November 19th was a success. Thanked the Fire Department and GFS for hosting. All donations have gone to the Cleveland Food Bank. Requested Council's support of Res. 61-16, concerning the merger of the Heights and Hillcrest Special Rescue Teams. Stating that a committee was formed in 2015 to facilitate a merger, the agreement before Council was reached in October, and the Fire Department requests approval of the agreement by the end of the year. The Mayor added that this, along with the regionalization of dispatch and potential regionalization of the Municipal Court, show the commitment of adopting regional services.
- Service Director Jim Anderson stated that the Service Department is on their fourth trip through the city picking up leaves. They are finishing up the north side and then will be going back to the south side of the city. He expressed his support for Ord. 25-16, which would renew the contract with Stephen Hovancsek & Associates for Engineering Services in 2017. He stated that he has no problems attending Council Meetings and reminded Council he is on call 24 hours a day.
- Police Chief Kevin Nietert asked for support of Res. 60-16, which would allow for the immediate replacement of a police vehicle that was involved in an accident and cannot be repaired.
- City Engineer Andy Blackley reported that the Dominion Project on South Green Road continues, most work is currently occurring on Bayard Road. They will return in the spring for tree lawn restoration but are using proper temporary sediment control measures. They will be resurfacing the South Green Road curb lane, this will most likely occur in the spring. They will attempt to do the concrete restoration as the weather allows. The legislation to bid the 2017 road projects will be on

the agenda at the next Council Meeting. The City continues to deal with a issue involving sidewalks, which were replaced on Sheridan as part of that 2013 project. The sidewalks heaved up this summer. Law Director Lograsso and City Engineer Blackley are pursuing a claim against the contractor's bond and hope to come to a resolution soon.

- Mayor Welo also offered sympathy to the DeJohn Family, as former Mayfield Heights Mayor DeJohn recently passed. She thanked employees for their donations of holiday decorations. She reminded all that the annual Pets Light Up Our Lives Ceremony is at 2:00pm at Mayfield & Green on Sunday 12/4, the City Holiday Lighting Ceremony is also Sunday 12/4 from 4:30pm-6pm at City Hall, the Notre Dame Tree Lighting is Friday 12/2 and Mercury Theatre presents "Meet Me in St. Louis" from 12/17-12/18. She stated that Building Commissioner Eric Tuck-Macalla and Finance Director Brenda Wendt were also in attendance at the meeting.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 57-16

RESOLUTION

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER. FIRST READING.

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

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

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

The legislation has been approved.

Introduced by Goodman

Resolution 58-16

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "GENERAL FUND" IN ORDER TO FUND EXPENSES ASSOCIATED WITH THE CITY OF SOUTH EUCLID HEALTH CARE PLAN. FIRST READING.

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

Council President Goodman stated this legislation will allow for the required first payment to be made for the City's new health care plan, which takes effect in January. This first payment is due before the end of the year and the new plan will result in significant savings for the city. Councilman Fiorelli added that the health care expense is paid out of many accounts within the General Fund, which is why the legislation does not contain a specific account number.

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

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

The legislation has been approved.

Introduced by Goodman

Resolution 59-16

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "STREET CONSTRUCTION & MAINTENANCE FUND" IN ORDER TO FUND EXPENSES ASSOCIATED WITH THE CITY OF SOUTH EUCLID HEALTH CARE PLAN. FIRST READING.

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

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

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

The legislation has been approved.

Introduced by Goodman

Resolution 60-16

RESOLUTION

AUTHORIZING AN INCREASE OF APPROPRIATIONS IN THE FOLLOWING FUND: "GENERAL FUND-POLICE DEPARTMENT-VEHICLES #101-1110-52507" IN ORDER TO EXPEND FUNDS FOR THE PURCHASE OF A NEW POLICE VEHICLE. FIRST READING.

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

Councilman Fiorelli stated that the Police Chief spoke regarding this legislation and while the plan was to buy five new vehicles in 2017, one is able to be purchased now. Councilman Russell stated that while he supports this legislation, he would like to see a capital budget in place with a replacement plan for all city vehicles. Councilman Frank echoed this sentiment. Council President Goodman added that it is an eleven

year old vehicle which is being replaced. Councilman Gelfand asked for clarification as to whether the amount being appropriated included the insurance payment, the Police Chief stated that the insurance payment is in and will be used towards buying the new vehicle

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell, Council President Jane Goodman.
The legislation has been approved.

Introduced by Goodman

Resolution 61-16

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE HEIGHTS-HILLCREST TECHNICAL RESCUE TEAM FOR SPECIAL RESCUE SERVICES; AND DECLARING AN EMERGENCY.
FIRST READING.

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

Councilman Gelfand introduced Resolution 61-16 and considered moving the legislation to Safety Committee. Councilman Frank stated that he felt the legislation would not change if discussed in committee. Councilman Fiorelli commended the Fire Chief and the Mayor for their work in securing this agreement. Councilman Russell is happy for the potential staffing and equipment savings and also commended the Fire Chief on his work. Councilwoman Gray asked for clarification that the legislation had nothing to do with support for regionalizing the municipal court and she was assured this was the case. Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell, Council President Jane Goodman.
The legislation has been approved.

Introduced by Goodman

Resolution 62-16

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CAMBRIDGE LANDCO SE, LLC FOR THE PURCHASE AND SALE OF REAL PROPERTY IN THE CITY OF SOUTH EUCLID, OHIO.
FIRST READING.

The legislation was placed on First Reading. Council President Goodman stated that City Council would be discussing this in Executive Session, as it pertains to the sale of real property.

Introduced by Goodman

Ordinance 25-16

ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENDING THE ENGINEERING SERVICES FOR STEPHEN HOVANCSEK & ASSOCIATES, INC. FOR A PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017. FIRST READING.

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

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell, Council President Jane Goodman.
The legislation has been approved.

Law Director's Report – No report.

Letters & Communications

- Councilman Frank announced he will continue the Annual Ward 2 Holiday Lighting Contest, a tradition started by former Councilman Moe Romeo, and that there will be a celebrity judge this year.
- Councilman Fiorelli wished everyone a happy Thanksgiving and stated that we all have something to be thankful for.
- Councilwoman Gray requested Res. 56-16, pertaining to a study of recreational facilities be placed on the December 12th Council Agenda for second reading. Stated that there will be a March in Washington on January 24th in honor of Martin Luther King, Jr. She will be attending along with a group from Cleveland and will have more information soon.
- Councilman Gelfand scheduled a Safety Committee Meeting for Tues. 12/27 at 7:30pm to discuss Ords. 26-12, 19-14, & 26-15. Also scheduled a Safety Committee Meeting for Mon. 1/23 at 7:00pm to discuss Ord. 11-15.
- Councilman Russell stated that he hopes everyone is enjoying the holiday season so far.
- Council President Goodman reported on attending the recent National League of Cities Conference in Pittsburgh. Said it was a great learning experience as she talked with colleagues and vendors. Stated it was nice to see South Euclid is ahead of the curve in many aspects.

Adjourn to Executive Session for the purpose of discussion of the sale of real property.

Action: Motion to Adjourn to Executive Session, **Moved by** Council President Pro Tem 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 Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icové, Councilman Jason Russell, Council President Jane Goodman.

The meeting adjourned to Executive Session at 9:21 pm.

Adjourn

Action: Motion to Adjourn, **Moved by** Council President Pro Tem Fiorelli, **Seconded by** Councilman Joe Frank

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

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

The meeting adjourned at 9:47 pm.

Council President

Attest:

Clerk of Council