

**THE CITY OF SOUTH EUCLID
SCHEDULE OF MEETING**

**July 10, 2017
8:00 PM**

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF MINUTES: April 24, 2017 (revised); June 12, 2017; June 26, 2017

4. REPORT OF MAYOR

5. REPORT OF LAW DIRECTOR & DEPARTMENTAL HEADS

6. PUBLIC HEARINGS (OPEN MEETING) RELATED TO AGENDA ITEMS

7. REPORT OF COMMITTEES

ZONING & PLANNING COMMITTEE:

1. ORDINANCE 10-17 AMENDING SECTION 1607.02 "CERTIFICATE ISSUANCE; CONTENTS, TERMS AND REVOCATION" OF CHAPTER 1607 "CERTIFICATE OF BUSINESS OCCUPANCY" OF PART SIXTEEN "BUSINESS MAINTENANCE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**
2. ORDINANCE 11-17 AMENDING SECTION 1409.01 "CERTIFICATE OF OCCUPANCY REQUIRED" OF CHAPTER 1409 "CERTIFICATE OF OCCUPANCY" OF PART FOURTEEN "HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

COMMITTEE-OF-THE-WHOLE:

1. ORDINANCE 09-17 CREATING NEW SECTION 147.29 "ELECTRIC CHARGING STATION PARKING RESTRICTIONS" OF CHAPTER 147 "PARKING GENERALLY" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**
2. ORDINANCE 12-17 CREATING NEW CHAPTER 552 "DISCRIMINATION PROHIBITED" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO TO ENSURE THAT ALL PERSONS HAVE EQUAL ACCESS TO EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS, AND EDUCATION. **SECOND READING.**

8. LEGISLATION REQUESTED BY CITY COUNCIL

1. RESOLUTION 31-17 DIRECTING THE MAYOR TO SOLICIT PROPOSALS FOR AND CONDUCT A STUDY OF CREATING A REGIONAL BUILDING DEPARTMENT WITH THE AIM TO MERGE THE SOUTH EUCLID BUILDING DEPARTMENT WITH NEIGHBORING BUILDING DEPARTMENTS TO CREATE GREATER EFFICIENCIES AND ADVANCE THE GOAL OF REGIONALISM. **FIRST READING.**

9. COMMUNICATIONS OF CITY COUNCIL

10. PUBLIC HEARINGS (OPEN MEETING) RELATED TO OPEN BUSINESS

11. ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSES OF DISCUSSING COLLECTIVE BARGAINING AGREEMENTS.

12. ADJOURN

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 Jason Russell, Council President Jane Goodman.

Absent: Councilman Joe Frank.

Approval of Minutes: March 13, 2017 & March 27, 2017

Minutes of March 13, 2017 Meeting of City Council

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

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason

Absent: Councilman Joe Frank.

The minutes have been approved.

Action: Motion to Approve Minutes, **Moved by** Council President Jane Goodman, **Seconded by** Councilwoman Ruth Gray.

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

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

Absent: Councilman Joe Frank.

The minutes have been approved.

Swearing-in Ceremony: Lieutenant Robert Abele

A moment of silence was held for former Police Chief Farrell who passed away.

Recognition Ceremony: Citizen's Police Academy Graduates were recognized for completing the most recent academy.

Report of the Mayor

- Mayor Welo reported that all directors were present except Police Chief Nietert and Service Director Anderson. Asst. Police Chief Mays is in attendance.
- Sally Martin reported that the door-to-door inspection program would begin May 1st through October 1st.
- City Engineer Andy Blackley reported on the 2017 road program, which is ahead of schedule and discussed watermain projects on Parkside Blvd.
- Mayor Welo reported on upcoming community events including Arbor Day on April 28 at 1 pm, Democracy Day on May 9, the Spring Garage Sale, Community Clean Up Day, Shred Day and Memorial Parade. Mayor Welo also stated that repairs to the War Memorial were being made this week.

Report of Law Director

No report.

Opening Meeting of Council Related to Agenda Specific Items

President Goodman called the Open Meeting of Council to order and invited the audience to address Council: No residents spoke on any agenda items.

Report of Council Committees:

Council President Goodman reported that a meeting was held with members of the Board of One South Euclid Community Development Corporation. Ms. Goodman reported that the CDC has contributed significantly to improve the quality of life of the community. A second Committee of the Whole meeting was held to discuss city financial matters and that City Council will be holding town hall meetings and that residents should attend and weigh in with their opinion.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 13-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "STREET CONSTRUCTION AND MAINTENANCE" FOR A BALANCE OF MONIES DUE TO THE GENERAL FUND FROM AN ADVANCE RECEIVED IN 2009. 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 = 6).

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

Absent: Councilman Joe Frank.

The legislation has been approved.

Introduced by Goodman

Resolution 14-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "GENERAL FUND-POLICE DEPARTMENT-VEHICLES #101-1110-52507" IN ORDER TO COMPLETE 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 Jason Russell.

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

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

Absent: Councilman Joe Frank.

The legislation has been approved.

Introduced by Goodman

Resolution 15-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS AND THE TRANSFER OF FUNDS IN THE GENERAL FUND TO THE LAND ACQUISITION 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 = 6).

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

Absent: Councilman Joe Frank.

The legislation has been approved.

Introduced by Goodman

Resolution 16-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "COPS GRANT FUND" FOR A BALANCE OF MONIES DUE TO THE GENERAL FUND FROM AN ADVANCE RECEIVED IN 2012. FIRST READING.

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

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

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

Absent: Councilman Joe Frank.

The legislation has been approved.

Introduced by Goodman

Resolution 17-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "COPS GRANT FUND #106-9920-52902" IN ORDER TO REIMBURSE THE CITY OF BEACHWOOD AND THE CITY OF EUCLID FOR FUNDS PAID TO CONDUCT THE REGIONAL DISPATCH STUDY. FIRST READING.

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 = 6).

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

Absent: Councilman Joe Frank.

The legislation has been approved.

Introduced by Goodman

Resolution 18-17

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PROVIDE 4,500 TONS OF SODIUM CHLORIDE (BULK ROCK SALT) TO THE CITY OF SOUTH EUCLID, PER OHIO REVISED CODE SECTION 5513.01 (B); FOR THE 2017-2018 WINTER SEASON. FIRST READING.

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

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

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

Absent: Councilman Joe Frank.

The legislation has been approved.

Communications of City Council

- Councilman Icove asked residents to save August 1, 2017 for National Night Out at Bexley Park from 6 pm until 8:30 pm.

- Councilman Fiorelli stated that he went to a meeting at the Community Partnership on Aging and learned a lot about families transitioning to Medicaid and that they have two full time social workers working with our senior residents.
- Councilwoman Gray reported that today is Holocaust Remembrance Day that recognizes the suffering of her Jewish brothers and sisters and that it's important that we continue to tell the story of what happened and the lives that were lost. Ms. Gray said that like the Jewish community, African Americans have many of the same issues. Councilwoman Gray stated that she has been asked by residents about the resolution that passed last year regarding the court merger and that she did not support the legislation and is very transparent about the issue and asked residents to attend a meeting that will be held at City Hall tomorrow about the court issue. Council President Goodman asked who would be at the meeting to speak about the reasoning and rationale for the passage of the legislation. Councilperson Gray stated that Council President Goodman is free to attend the meeting to come and give her perspective, but that she is not the convener of the meeting to save the court.
- Councilman Gelfand gave his condolences to two attorneys that passed away recently and reported on attending recent community events including the Kiwanis Pancake Breakfast, Heights Hillcrest Chamber of Commerce Business Breakfast and upcoming meetings of the Hillcrest Council of Councils. Mr. Gelfand stated that he wanted to discuss Resolution 45-15 regarding the merger of the court that was mentioned by Councilwoman Gray, Mr. Gelfand stated that the legislation says that it calls to either merge with a municipal court or for another municipal court to merge with the South Euclid Court. Mr. Gelfand said there are five neighboring jurisdictions (*revised clarification language: with University Heights utilizing the Shaker courts. Councilman Icove stated that East Cleveland is also contiguous. Mr. Gelfand stated that it is not, but for the sake of argument, if it was contiguous, there would be six cities*) and all but Cleveland Heights and East Cleveland are regional courts. Councilwoman Gray and Councilman Icove stated that East Cleveland does border South Euclid in Ward One. Mr. Fiorelli stated that South Euclid is not contiguous with East Cleveland. Mr. Gelfand stated that there are 10-12 possible merger potentials, including many courts merging into the South Euclid Court and that the legislation does not state that we are merging South Euclid to Lyndhurst Court and that residents should make sure they understand the legislation (*revised language: and that the judges would have to agree, so council is not forcing the merger and the legislation does not say that the South Euclid court is merging with the Lyndhurst court.*)
- Councilwoman Gray stated that no one said that, but that there were meetings where a merger into the Lyndhurst court was discussed and that there are documents discussing that.
- Councilman Icove asked for more time to speak from the floor. President Goodman stated that Mr. Icove gave his update already. Mr. Icove requested a motion to appeal the rules of the chair so that there can be a free and honest discussion of this matter at this meeting.

Action: Motion to appeal rules of Chair, Moved by Councilman Ed Icove, Seconded by Councilwoman Ruth Gray

Vote: Motion carried by unanimous roll call vote (summary: Yes = 4; No = 2).

Yes: Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell.

No: Council President Pro Tem Dennis Fiorelli, Council President Jane Goodman.

Absent: Councilman Joe Frank

The motion passes.

- Councilman Icove stated that after the legislation was passed, there was a memo distributed from the Supreme Court that stated that a merger could not be done without a feasibility study and that the Mayor and Law Director went to the Lyndhurst Judge behind their backs and that they do not have the power to begin discussions to merge the court and he believes it's an ethical violation, violation of sunshine laws and contrary to what Council said in the passing of the legislation.
- Councilman Fiorelli stated that he disagreed wholeheartedly with Councilman Icove and that the passage of the Resolution allows the administration to look into potential possibilities and that is what was being done and that nothing unethical was done behind closed doors.
- Councilwoman Gray stated that City Council voted 5-2 to approve the legislation to dissolve the court, and it had been quiet until another entity on Facebook revealed what was going on and secured public records regarding conversations with Judge Bosa, Representative Matt Dolan and the Mayor and Law Director and that this issue is on track and getting ready to move forward at the State without it being discussed.
- Councilman Gelfand stated that the legislation was discussed and went through three readings and several committee meetings with full public knowledge. Mr. Gelfand stated that when the legislation was going through the public review process he called Judge Byers and asked what would make the legislation better. Mr. Gelfand stated that Judge Byers replied that the legislation should be symmetrical both ways to open the possibility of a court merging into the South Euclid Court and he proposed the amendment to the legislation, which was approved.
- Councilman Russell stated that he voted for the resolution because we need to move forward with more regional approaches and that the city has had and continues to have serious discussions about financial realities. Mr. Russell stated that he is glad residents are here tonight, because the city did have public meetings on the legislation and not many people attended when it was being considered and its important that we have these conversations and continue to have them.
- Mayor Welo stated that back in 2015 six members of city council served on the Charter Review Commission and at that time, she requested that the Commission put an amendment on the ballot to ask the voters if they were supportive of a court merger and that Judge Byers attended one of those meetings. Ms. Welo stated that Councilman Icove at that time stated that the issue was a councilmatic matter and that City Council should discuss it. Mayor Welo stated that there are minutes regarding this discussion that were supposed to be put on the website and Councilwoman Gray was the secretary for the commission but has

never completed the minutes. Mayor Welo stated that South Euclid is a bedroom community and that we have to support everything ourselves and over the years the City has implemented regional initiatives like sharing an animal warden and some safety services with other cities, as well as the upcoming merger of our emergency dispatch. Ms. Welo stated that 54 cities in Cuyahoga County can't be wrong, and this is a way to make sure that we have police and fire and garbage pickup, as those are the services the city is trying to save by moving toward regional initiatives. Mayor Welo stated that she has not met with Judge Bosa regarding the Court issue, but has had conversations with Representative Dolan.

- Council President Goodman stated that as a result of the state cuts we are being forced to stand on our own to take on the costs, logistics and financial burden of having one of the only municipal courts in Cuyahoga County and that nothing has been done improperly as City Council passed a resolution, which was sent to our state legislators and all the city is doing is acting on a request that the majority of City Council made. Ms. Goodman stated that the majority of City Council asked the State to move forward with looking at a merger and the city is doing its due diligence, talking to other entities, asking questions and doing research and there is nothing inappropriate. Council President Goodman stated that the best way to shut down good decision making is to stop learning and just because there are some emails, doesn't mean it's improper and that she resents outside or inside forces for going against what City Council has decided for their own purposes and the issue is about both finances and serving justice.

Open Meeting

- Kevin Wynne, 585 Quilliams, congratulated Lt. Abele on his promotion and said that the police are doing a great job and asked for more patrols of the Quilliams neighborhood. Mr. Wynne spoke regarding the court issue and stated that he hopes when council makes their decision and they dig deep and make good decisions that are not based on personal or monetary views and that the decision benefits the community. Mr. Wynne stated that the community has changed drastically and that the city should take into account the juveniles that came through the court and were helped or given access to services and that the city should tread lightly and delicately.
- Charles Turner, 4549 Lilac Road, stated "shame on you" and he recalls being at the charter review meeting when Mayor Welo brought up the idea about the court and she assigned Dr. Miller to present the legislation. Mr. Turner stated that maybe with the Law Director's help, you could have freedom of speech to carry a sign and get people in jail and keep the jail cell free of lice.
- Crystal Maclin, 429 Greenvale Road, stated that she is a 16 year resident and spoke regarding the court merger. Ms. Macklin stated that she doesn't doubt what the legislation says, but when she hears about surrounding communities, like Lyndhurst, they don't share the same demographic and might not understand cultural issues, like how to raise a young black man. Ms. Macklin asked if the City was discussing merging with other courts as much as they are with Lyndhurst. Ms. Macklin stated that she is a former high school principal and is embarrassed that City Council can't have a conversation without finger pointing and blaming and she hopes Council cleans that up.
- Melvin Bowman, 4093 Ellison Road, stated that he has lived in the City for over five years and loves living here, but he has an issue with a neighbor that has a child that he believes is selling drugs and he has called the Police, but they arrive after the deal is done and that there have also been issues at Bexley Park, as well as four garages that have been broken into. Mr. Bowman requested the city's help.
- Audrey Allenby, 4120 Lowden Road, stated that she has been involved with other communications from the city that were not shared with the public, such as the sale of the Lowden property. Ms. Allenby stated that the city should post these issues on the website or some other means of communicating what is going on and to meet the residents half-way, and now it is the 12th hour and there's nothing anyone can do about the court issue. Council President Goodman stated that it is not too late and all the City has done is asked for a process. Councilwoman Gray stated that residents should contact Matt Dolan directly as the matter is in his hands and residents should make their voice heard with entire judiciary committee of the state legislature.
- Dana Altman, 988 Clinton reported two occurrences regarding gun shots on her street from one home and she sent an email to Councilwoman Gray urging her help because the house is turning into a shooting gallery, however Councilwoman Gray never responded and the house is up to \$8,500 in nuisance fines. Councilwoman Gray stated that she wanted to see if the matter resolved itself. Ms. Altman stated that the nuisance abatement laws do not have enough teeth in them if the city cannot enforce these criminal issues. Councilman Gelfand stated that he will follow up with Asst. Chief Mays and Councilman Ilove requested a legal opinion on if the city could file a foreclosure action.
- Kerrie Howard, 1768 Maywood Road, thanked City Council and the Mayor for getting work done and stated that he is an Assistant United State Attorney, but is not at the meeting in an official capacity. Mr. Howard discussed some services that the US Attorney's Office may provide to assist communities. Mr. Howard also reported on a situation that occurred at the corner of Rainbow and Maywood Roads and that the police were responsive and that their response time was great.

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

Absent: Councilman Joe Frank.

The meeting was adjourned at 9:38 pm

Attest:

Council President

Clerk of Council

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.

Report of the Mayor

Council President Goodman reported that the Mayor could not be at the meeting.

- The NOPEC Community Outreach Manager presented Clerk Benjamin with the Clerk of the Month Award.
- Housing Manager Martin reported on the award of a Cleveland Foundation Grant to conduct a five-city property survey study by Western Reserve Land Conservancy & Thriving Communities Institute.
- Director Benjamin reported on legislation creating a comprehensive non-discrimination code to be presented on first reading.
- City Engineer Blackley reported on 2017 road and infrastructure projects.

Opening Meeting of Council Related to Agenda Specific Items

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

- Jim Rokakis, 2012 West 6th Street in Cleveland, reported that he is representing the Western Reserve Land Conservancy and Thriving Communities Institute. Mr. Rokakis spoke in support of the legislation to accept the grant from the Cleveland Foundation for the five-city property survey study and that South Euclid has been the leader in these efforts.
- Dana Altman, 988 Clinton Avenue, thanked Councilman Fiorelli for introducing legislation to add increased fines for nuisance abatements for incidences of gun violence, but stated that in reality it was going to be meaningless. Ms. Altman reported on an issue with a problem home on their street that has seen escalating violence and resulted in a gun being shot off and bullets landing in yards. The home already has over \$8,500 in nuisance fines and the police say they can't do more unless they can substantiate the issue. Ms. Altman suggested that the proposed ordinance needs to be strengthened to include the threat of home foreclosure and that she has contacted the media about the issue.
- Kim Maricic, 991 Clinton Avenue, spoke about the nuisance ordinance and the issue on Clinton and stated that she has been called derogatory names by the resident of the problem home and should not have to live like this.
- Patrick Lawler, 999 Clinton, spoke about the nuisance ordinance and issue on Clinton and reported on the occurrence of the resident reporting gunshots and a possible car that drove by and shot at the house with the problem resident.
- Police Chief Kevin Nietert reported that he had spoken with many residents and held mediation regarding the issue and a lot of what the residents are saying is accurate. Mr. Nietert stated that the resident causing the issue lives in a home owned by his mother and that they have tried to resolve the issue and applied the law both criminally and civilly. Chief Nietert stated that there was some dialogue at the last Safety Committee Meeting about how to deal with this kind of issue. Councilwoman Gray reported that she had talked to the Chief and the residents and that this issue is an exception in South Euclid and not the rule, but there is an issue with the resident on Clinton and potentially other areas as well. Ms. Gray stated that the revised nuisance abatement law does not have enough teeth and would like to stiffen the law for frequent offenders and that if a homeowner has already amassed over \$8,000 in nuisance fines, they have demonstrated that they don't care and the city should look into its right to move forward with potential foreclosure of nuisance homes.
- Gwen Stembridge, 1479 West 112th Street, Cleveland, stated that she is the Northeast Ohio Coordinator for Equality Ohio and spoke about the proposed non-discrimination ordinance. Ms. Stembridge stated that a few months ago, the organization began conversations with community members, thanks to a connection from Director Benjamin about adding nondiscrimination protections to the city's code. Since then, they have met with the chamber of commerce, local business leaders, faculty and staff at Notre Dame College, and the school superintendent and staff. Ms. Stembridge stated that the organization applauds Mayor Welo and City Council's leadership in creating an environment that has fostered a culture that is welcoming to the LGBTQ community and hopes that the City Council will ultimately vote to make the law match that experience.
- Chuck Turner, 4549 Lilac Road, stated that he was speaking about the proposed non-discrimination ordinance and reported that he has been discriminated against by Mayor Welo who has only hired people of catholic faith and that the city awarded the Police Chief with an award from the catholic organization the Knights of Columbus and in October will bury a time capsule at the catholic Notre Dame College. Mr. Turner stated that the city sign says "Come Together and Thrive" and that maybe he should join the law director and mayor at catholic mass.
- Marissa Pappas, 1700 East 13th street, Cleveland, addressed the nuisance abatement ordinance, which adds to the law, menacing by stalking and that if passed, South Euclid would join six other northeast Ohio communities that have added the stalking clause to the nuisance ordinance. Ms. Pappas reported how victim abuse and domestic violence are often cyclical and that they have ongoing fear for their lives and their families and it remains one of the leading causes of homelessness for women.

- Susan Petrone, 4508 Ammon Road, discussed the proposed non-discrimination ordinance and commended the city for proposing the legislation. Ms. Petrone stated that in the American experience we should not have to legislate equality, but thanked the city and stated that the city should also consider the adoption of a freedom ordinance proposed by the ACLU to voice equality for all citizens.
- Michael Lepley, 3320 Aberdeen Road in Cleveland Heights, stated that he is an attorney working with the Housing Research and Advocacy Center, which performs an annual analysis of fair housing issues and potential violations in Northeast Ohio communities. Mr. Lepley stated that he had sent a letter recently to the Law Director regarding the need to strengthen the nuisance laws regarding menacing and stalking and that the legislation proposed follows those recommendations.
- Mason Caminiti, 1345 Plainfield Road, spoke regarding the proposed non-discrimination legislation and that he has lived in the community with his wife for two years and she is working with the community on the upcoming centennial gala. Mr. Caminiti stated that he is transgender and that South Euclid is a special place where people celebrate diversity and embrace it and stated that he wanted to thank the city and hopes that city council will support the legislation.

Report of Council Committees

Committee of the Whole

Council President Goodman reported that the committee met to discuss Ordinance 09-17 regarding electric vehicle charging stations. Ms. Goodman reported that there are six stations at Oakwood Commons and complaints from patrons with electric vehicles that non-electric vehicles are parking in the spots. The proposed legislation adds restrictions and fines to the Parking Infractions Code and that signs will be posted.

Safety Committee

Councilman Gelfand and Clerk Benjamin reported that the legislation as presented was not the final amended version of the Ordinance and Clerk Benjamin read the amendments that were approved by the Safety Committee and recommended to City Council.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).
The legislation has been amended.

Introduced by Goodman

Ordinance 08-17

ORDINANCE

AN ORDINANCE AMENDING SECTION 531.09 "ABATEMENT OF CRIMINAL ACTIVITY NUISANCES" OF CHAPTER 531 "NUISANCES" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **THIRD READING.**

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

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

Councilman Fiorelli reported that he agreed with both amendments to the nuisance ordinance, but that it is no substitute for fighting crime, but does provide more protection for residents.

Councilman Gelfand stated that they will continue to look at the issues that were raised by the residents and that were spoken about by Councilman Gelfand and Councilwoman Gray and that council will work to address further enhancements to make it harder for people to be bad neighbors. Mr. Gelfand reported on several different crimes addressed by the nuisance ordinance including domestic violence, menacing by stalking and violation of protection orders. Mr. Gelfand stated that there's an emotional and psychological component to these crimes and that while the revised legislation may not be perfect and does not cover all of the concerns discussed by the Police Chief, he urges passage to the ordinance.

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.

Legislation Requested by City Council

Introduced by Goodman

Ordinance 10-17

ORDINANCE

AMENDING SECTION 1607.02 "CERTIFICATE ISSUANCE; CONTENTS, TERMS AND REVOCATION" OF CHAPTER 1607 "CERTIFICATE OF BUSINESS OCCUPANCY" OF PART SIXTEEN "BUSINESS MAINTENANCE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FIRST READING.**

The legislation was placed on First Reading and referred to the Zoning and Planning Committee of City Council.

Introduced by Goodman

Ordinance 11-17

ORDINANCE

AMENDING SECTION 1409.01 "CERTIFICATE OF OCCUPANCY REQUIRED" OF CHAPTER 1409 "CERTIFICATE OF OCCUPANCY" OF PART FOURTEEN "HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

The legislation was placed on First Reading and referred to the Zoning and Planning Committee of City Council.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 24-17

RESOLUTION

ADOPTING AN AMENDED INVESTMENT POLICY FOR THE CITY OF SOUTH EUCLID, OHIO. FIRST READING. The legislation was placed on First Reading and referred to the Finance Committee of City Council.

Introduced by Goodman

Resolution 25-17

RESOLUTION

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A DISCRETIONARY INVESTMENT MANAGEMENT AGREEMENT FOR PROFESSIONAL MANAGEMENT OF VARIOUS CITY FUNDS. FIRST READING.

The legislation was placed on First Reading and referred to the Finance Committee of City Council.

Introduced by Goodman

Resolution 26-17

RESOLUTION

ADOPTING THE FISCAL BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2018. 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 27-17

RESOLUTION

AUTHORIZING THE APPROPRIATION AND TRANSFER OF FUNDS FROM THE "GENERAL FUND #101" TO THE "SALARY AND BENEFITS RESERVE FUND #927." 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 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 28-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "GENERAL FUND-BUILDING DEPARTMENT-PROGRAM EXPENSES #101-4410-52722" IN AN AMOUNT OF \$197,540.00 FOR A GRANT RECEIVED FROM THE CLEVELAND FOUNDATION. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Pro Tem Dennis Fiorelli, **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 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 29-17

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2017 GROSVENOR ROAD RESURFACING PROGRAM IN 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 = 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 12-17

ORDINANCE

CREATING NEW CHAPTER 552 "DISCRIMINATION PROHIBITED" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO TO ENSURE THAT ALL

PERSONS HAVE EQUAL ACCESS TO EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS, AND EDUCATION. FIRST READING.

The legislation was placed on First Reading and referred to the Committee of the Whole.

Communications of City Council

- Councilwoman Gray reported on the first Ad-Hoc Recreation Committee and established dates when they would meet. Ms. Gray also reported on summer food service training that she performed for Summer Youth Initiative Staff and that Director Benjamin also held a training for the Inner Healing Ministries site volunteers. Councilwoman Gray reported on the upcoming town hall meetings to discuss city finances and that many residents don't know about the meeting and that she has delivered flyers to her neighborhood and discussed other venues to promote the meeting.
- Councilman Gelfand reported on the three upcoming town hall meetings to discuss city finances on June 19, June 27 and June 28 and that he will be distributing flyers and sending emails out to residents about the meetings. Mr. Gelfand discussed the upcoming Centennial celebration events next weekend.
- Councilman Russell reported on Senate Bill 331 that was struck down by a Franklin County Court because it included various items that were not subject to the actual legislation, including language that would have prohibited home rule municipalities from regulating small cell towers. Mr. Russell stated that the court ruling is a win for municipalities and that the American Planning Association Ohio Chapter is putting together draft legislation that communities can use.
- Council President Goodman reported on the small cell tower regulation issue and stated that the federal communications commission will probably pre-empt state laws.
- Councilman Frank reported on the upcoming centennial events and Rock the Block and discussed the upcoming town hall meetings to discuss city finances and that residents should attend the meeting to have a say in how their city is run. Council President Goodman requested that residents stay informed and active by reading the magazine and news articles, paying attention and discussing issues with their councilperson.
- Councilman Fiorelli scheduled a Finance Committee meeting for June 25 at 7 pm to discuss the city investment policy and reported on the upcoming centennial events including the Cleveland Pops Orchestra concert at 7 pm on Sunday. City Council scheduled a meeting for July 10 to discuss the non-discrimination ordinance.

Open Meeting

Chuck Turner, 4549 Lilac Road, stated that he would like to fully enjoy the rights that everyone else has in the community and that he has been attacked by the Police Chief and the city has not released public records he has requested. Mr. Turner stated to the law director that he knows what he wants and that he should do his job.

Adjourn to Executive Session for the purposes of discussing pending litigation

Action: Motion to Adjourn to Executive Session, **Moved by** Councilman Gelfand, **Seconded by** Councilman 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 Icove, Councilman Jason Russell, Council President Jane Goodman.

City Council adjourned to executive session at 9:31 pm.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Gelfand, **Seconded by** Councilman 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 Icove, Councilman Jason Russell, Council President Jane Goodman.

The Meeting Adjourned at 9:54 pm.

Attest:

Council President

Clerk of Council

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.

Approval of Minutes: Weds. April 12, 2017; April 24, 2017; May 8, 2017; & May 22, 2017

April 12, 2017

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

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 minutes have been approved.

April 24, 2017

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

Councilman Gelfand reported that he believes there are some issues with his statement in the minutes regarding the subject of the legislation passed by council last year concerning the potential of a merger of the municipal court. Clerk Benjamin stated that the minutes are summaries of comments and not verbatim. Council President Goodman requested that Clerk Benjamin review the minutes regarding Mr. Gelfand's concerns and that the minutes of the meeting be tabled until the next meeting. Motions were removed. Councilman Gelfand also requested that Clerk Benjamin make every attempt to have the minutes from the previous meeting available for approval at the next meeting. Mr. Benjamin acknowledged that he would work to do so.

May 8, 2017

Action: Motion to Approve Minutes, **Moved by** Councilman Joe Frank, **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 Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Councilman Jason Russell, Council President Jane Goodman.
The minutes have been approved.

May 22, 2017

Action: Motion to Approve Minutes, **Moved by** Councilman Marty Gelfand, **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 Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Icove, Council President Jane Goodman.
Abstain: Councilman Jason Russell.
The minutes have been approved.

Report of the Mayor

- Mayor Welo reported on the success of the centennial weekend events with Rock the Block and the Cleveland Pops Orchestra Concert at Notre Dame College.
- Mayor Welo presented a proclamation to Josh Kroy, an exchange student from Germany who spent the school year living in South Euclid with his host family and attending Brush High School.
- Mayor Welo reported that all directors are in attendance except for Chief Nietert, Engineer Blackley, Law Director Lograsso and Service Director Anderson. Attorney Mike Cicero is at the meeting as Acting Law Director as well as Assistant Police Chief Mays.
- Building Commissioner Macalla gave an update on several construction projects including the new Marc's Plaza at Mayfield and Green. The new building will also include Just a Buck and Great Clips. The developer anticipates that the old plaza will be demolished in mid-July. Mr. Macalla also reported that Season's Kosher Grocery broke ground at Oakwood Commons and site work for a retaining wall that is being constructed to prepare for a future tenant. A final inspection was held for the new home constructed at 1082 South Belvoir Blvd.
- Mayor Welo reported that the City Engineer and Service Director were completing the yearly street rating review and that thanks to the community's support of the road levy, there has been improvement citywide.
- Mayor Welo reported on meetings of the South Euclid Historical society and their new history book celebrating the City's centennial, along with a book of historical fiction put together by students at Notre Dame College.
- Mayor Welo reported that the City had its Financial Audit Exit Conference with the auditors and reported that the city once again has a clean audit for fiscal year 2016.

- Mayor Welo thanked the Centennial Committee, volunteers, residents, One South Euclid, St. John's Church and Notre Dame College for their support of the centennial events and reported on the availability of removable bumper stickers being sold celebrating the centennial.
- Mayor Welo thanked the Service and Safety Forces for their hard work and commended the work of the Fire Department and mutual aid communities for their work at a house fire on East Berwaid.

Report of Council Committees:

Zoning & Planning

Councilman Jason Russell reported that the committee met to discuss three pieces of legislation. Ordinance 01-17 revises the Building Code to add review and approval by the Architectural Review Board instead of City Architect and revises the makeup of the board. Ordinance 10-17 and 11-17 adds extra protections in cases of delinquent nuisance abatement fees with yearly rental permits and business certificates of occupancy.

Committee of the Whole

Council President Goodman reported that the committee met regarding changes to the city's investment policy and how assets are handled by separating the management of funds and custodian of funds. Ms. Goodman reported that the committee discussed the city's current financial condition and revenues and expenses are currently on track with what was budgets with a general fund balance of approximately \$3.1 million.

Finance Committee

Introduced by Goodman

Resolution 24-17

RESOLUTION

ADOPTING AN AMENDED INVESTMENT POLICY FOR THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

The legislation was placed on second reading.

Introduced by Goodman

Resolution 25-17

RESOLUTION

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A DISCRETIONARY INVESTMENT MANAGEMENT AGREEMENT FOR PROFESSIONAL MANAGEMENT OF VARIOUS CITY FUNDS. **SECOND READING.**

The legislation was placed on second reading.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 30-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND "POLICE/OTHER/RENTS/LEASES #101-1110-52318" FOR THE PURPOSE OF PROVIDING UPGRADED INTERNET ACCESS NECESSARY FOR COMMUNICATION WITH THE CONSOLIDATED EMERGENCY DISPATCH CENTER. **FIRST READING.**

- Assistant Police Chief Mays requested passage at the meeting as the funding is needed to provide expenses for the regional emergency dispatch center.
- Councilman Gelfand requested that the legislation be placed on first reading and additional information be provided as there is only one quote and is a new expense.
- Asst. Police Chief Mays stated that AT&T has fiber optic but is charging an additional \$1,000 more than WOW for a managed router. Council President Goodman stated that she spoke to the Chief and also AT&T speed is also slower and the point is to provide fast access to the regional dispatch center.
- Councilman Gelfand said the first he heard of this is when he picked up his packet and that the Police Chief did not say in his notice that it had to be done on first reading and get information regarding the comparisons and other options.
- Assistant Chief Mays stated the reason it needs to be done quickly is that it will take a minimum of 60 days to implement, so there is a tight time frame to the opening of the emergency dispatch center in October especially if there are issues.
- Councilman Fiorelli stated that he read the correspondence from Clerk Benjamin last Wednesday and also spoke with the Police Chief about the issue and that he says that we should honor what we need to do for the regional dispatch and pass the ordinance tonight.
- Mayor Welo stated that the faster speed will also improve issues the Police have with body worn cameras and mobile data terminals.
- Councilman Fiorelli read the email memo from Police Chief requesting passage which explains why it needs to be passed on an emergency basis and that the Assistant Police Chief would be at the meeting.
- Council President Goodman stated that she had emailed questions to the Chief about why it could not come out of current internet expense budget. Ms. Goodman stated that the Chief responded that the current budget is used to pay for security issues and that with a large scale projects like the creation of the regional dispatch center there are expenses that he did not see coming and accepts responsibility for that and that one of the assumptions the consultants made was that the city already had high speed internet. Ms. Goodman stated that nothing will change in the next two weeks.
- Councilman Gelfand stated he would like two weeks to look at the issue. Council President Goodman stated that the city has to pass the legislation anyway and Mayor Welo stated that the expense is an

approximately \$1,000 a month. Asst. Chief Mays stated that this would also cover all of city hall and increase speeds for all.

- Councilwoman Gray stated that what she has heard is that the city has substandard internet speeds and that we need to raise the bar if we want to be part of regional dispatch and is not rocket science and is part of doing business.
- Councilman Gelfand asked if anything needs to be cut from budget in order to do this. Mayor Welo responded that there does not.
- Council President Goodman stated that the Police Chief has gotten the message that every year or every other year they go through the issue of unanticipated and last minute expenses and this was known about in time to get the bids and prices, but would have been appreciated if it had gotten to them earlier and not last minute.
- Councilman Gelfand stated that it's fine to get emails, but the printed packet is what he looks at and if the Chief feels he needs to get something passed on first reading, he should reach out to the Chairman of the Safety Committee to discuss. Council President Goodman stated that it is a money issue and the Chief did reach out to the Finance Committee Chair.
- Councilman Russell stated that this is a three-year contract and they do not have a copy of the agreement and that he would have liked to have seen a comparison of expenses and also what the current internet costs are now. Mayor Welo stated that this would be an additional \$12,000 a year.
- Clerk Benjamin stated that there is a contract remaining with XO for the remainder of the year. Finance Director Wendt stated that that expense with XO would have to remain until the contract runs out and the current phones are replaced.

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 = 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.

Communications of City Council

- Councilman Fiorelli reported on the success of centennial weekend and spoke with dozens of people about the Rock the Block and Cleveland Pops Orchestra event and everyone had a great time. Mr. Fiorelli reported that he represented the Mayor to deliver a proclamation to a teacher that was retiring from the Sacred Heart School.
- Councilman Frank discussed the success of Rock the Block and the events are something the community can continue to build on. Mr. Frank appreciated the Mayor's update on the street construction and street ratings.
- Councilwoman Gray stated that she was glad to hear about the success of Rock the Block, but could not make it because an Aunt passed away. Ms. Gray stated that her aunt had cancer and medical marijuana tablets were part of her treatment and helped her and the city made a good decision with the passage of the medical marijuana regulations. Councilwoman Gray reported that Salisbury Road held their annual block party on Saturday.
- Councilman Gelfand reported that there was a National League of Cities meeting in Cleveland last week and that he is on their national safety committee and that they discussed many federal issues that impact Ohio and our local communities in regards to the budget, HUD policies, CDBG and sanctuary city issues. Mr. Gelfand reported that Rock the Block was a great event.
- Councilman Russell encouraged residents to keep an eye on what is happening with the Ohio budget process as more cuts are being proposed to local cities and that the Columbus Dispatch has very good coverage of the state budget process. Mr. Russell stated that the state legislature has cut local government funding and cut taxes that citizens pay and that the additional taxes that residents are going to have to pay to local cities are basically offset by the reductions in state taxes. Councilman Russell stated that what is changing is which government entity residents pay taxes to. Mayor Welo stated that the Northeast Ohio Mayors and Managers including republican Mayor Hruby have been leading the charge to try to prevent further state cuts and that the cuts hurt not just municipalities, but also the schools, libraries and public transit.
- Council President Goodman reported that she and Councilman Gelfand attended the Cuyahoga Arts and Culture Breakfast and is thankful that the city was a beneficiary for the first time of the cigarette tax money that funds the levy. Ms. Goodman discussed the National League of Cities meeting in Cleveland and serves on the energy and environmental resources committee and networked with many other city officials from across the nation and many of them are facing the same issues we are. Council President Goodman reported that she is working with Councilman Russell and Clerk Benjamin on new ways to better communicate with residents utilizing technology, smart phones and text messaging services.

Open Meeting

- Sue Mastrodonato, 1585 Maplegrove, stated that she is a 31 year resident of South Euclid and reported that her and other cars were vandalized by someone throwing rocks from the Community Garden at Bexley Park and damages were nearly \$5,000. Ms. Mastrodonato said that some women reported that they saw a couple of kids take the rocks from the garden and that she also spoke with the police and Mayor about the issue and requested that the rocks be removed. Council President Goodman stated that the rocks are needed for drainage, but maybe they can be a smaller size and Service Department will look at the issue.

- Paul Weiner, 2081 Ternblethurst Road, spoke about the community garden issue and suggested that chicken wire be placed over the rocks. Mr. Weiner also spoke about the upcoming Town Hall Meetings on Finance and that the presentation emailed to city council by Councilmembers Russell and Frank was worthless and council should be embarrassed about the presentation and is one of the worst documents he has seen and stated that it shows that the Police and Fire eat up 51% of City expenses, but the City's expense for those services has gone down because of the Safety Levy. Council President Goodman stated that they saw Mr. Weiner's email on the issue and that what he's looking at was a very rough first draft that was sent to council and that it is not final and asked where he got a copy. Mr. Weiner stated that he got the presentation from the city's website days earlier. Webmaster Geyman stated that the presentation was just posted to the website earlier in the day. Councilman Icove stated that the fact that the presentation was sent out via email is a blatant violation of the open meeting law. Council President Goodman stated that it is not and that council receives information all the time and that Councilman Icove is out of order.
- Chuck Turner, 4549 Lilac Road, stated that once again the minutes of the meetings were not presented with the copies as he has previously requested. Mr. Turner stated that he has not received the public records he has requested many times regarding the rape victim and also requested the GPS of the police vehicle that harassed him when he walking his dog. Mr. Turner also stated that he was harassed by Mayor Welo's neighbor when he was protesting and that he sent an email to city council regarding a sexual predator being allowed at the high school.
- Sara Continenza, 4222 Bexley Blvd, stated that she has spoken with many youth and high school students over the past months and the youth have discussed that they have nothing to do in the community and that the students have stated that they are getting kicked out of Bexley Park for loitering. Ms. Continenza stated that they need more recreational activities in the park like basketball and she understands that the old tennis court area will not work because it is so close to the Playground of Possibilities, but was wondering about the area by the Bicycle Pump Track. Ms. Continenza stated that the community youth have experiences and insight and that maybe the Recreation Committee can look at the utilization of public spaces and have the proper security measures so youth have a place to go and rocks are not taken and bikes stolen. Councilwoman Gray asked why are youth being kicked out of the park just because they are sitting and that the city needs to look at the behavior of the youth in making their decision and it is not loitering if they are not breaking the law, as youth have a right to assemble and socializing is not breaking the law and is discrimination. Councilman Fiorelli stated that based on his experience, youth are asked to leave the pavilion area and not the park. Councilwoman Gray stated that she does not agree with that either. Mayor Welo stated that youth are only asked to leave if they are fighting or displaying agitated behavior. Councilman Icove stated that it sounds like an arbitrary standard. Council President Goodman stated that sometimes it does get very loud and crude language is used by some youth and that we have to look for solutions as the park is there for all youth. Councilwoman Gray stated that this is the reason why the concept of community policing is very important because when you have auxiliary police or park guards and they reinforce what the rules are and what we expect in the park and follow those rules.

Adjourn

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

The Meeting Adjourned at 9:28 pm.

Attest:

Council President

Clerk of Council

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 10-17
INTRODUCED BY: Goodman
REQUESTED BY: Russell

June 12, 2017
Amended in Zoning & Planning Committee:
June 26, 2017

AN ORDINANCE

AMENDING SECTION 1607.02 "CERTIFICATE ISSUANCE; CONTENTS, TERMS AND REVOCATION" OF CHAPTER 1607 "CERTIFICATE OF BUSINESS OCCUPANCY" OF PART SIXTEEN "BUSINESS MAINTENANCE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 1607.02 "Certificate Issuance; Contents, Terms and Revocation" of Chapter 1607 "Certificate of Business Occupancy" of Part Sixteen "Business Maintenance Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

1607.02 CERTIFICATE ISSUANCE; CONTENTS, TERM AND REVOCATION.

(a) Application for a certificate of business occupancy required by the provisions of this Code shall be made annually by supplying the information and data to determine compliance with applicable laws, ordinances, rules and regulations for the existing use or occupancy or the intended use or occupancy on forms supplied by the Building Commissioner.

(b) The Commissioner may require the submission of an affidavit stating such information, and he may cause a general inspection of the structure or premises to be made.

(c) If it is found that a building or other structure is in compliance with the provisions of this Code, and all other laws, ordinances, rules and regulations applicable thereto, the Commissioner shall issue a certificate of business occupancy for such building or structure, which shall contain the following information:

- (1) The street address or other identifying characteristics of the building or other structure.
- (2) The name and address of the occupant of the building or structure.
- (3) The exact nature and extent of the use or occupancy authorized.
- (4) The period for which such certificate of business occupancy is effective.

Such certificate shall not be valid beyond December 31 of the calendar year for which the certificate is issued.

(d) The Commissioner shall have the power to revoke a certificate of business occupancy if any false statement is made by the applicant in connection with the issuance of such certificate, or for noncompliance of a structure or its use with the requirements of this Code, **or subject property has a certified delinquent property tax balance or delinquent in fees owed to the City, including, but not limited to nuisance abatement fees** or if the owner, agent or person in charge of a structure refuses to comply with any applicable provision of this Code. **In the case of property tax delinquency, a occupancy permit shall not be issued unless the property owner or agent-in-charge provides documentation of being in good standing on a County payment plan.**

Section 2: That is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017.

Jane Goodman, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 11-17
INTRODUCED BY: Goodman
REQUESTED BY: Russell

June 12, 2017
Amended in Zoning & Planning Committee:
June 26, 2017

AN ORDINANCE

AMENDING SECTION 1409.01 "CERTIFICATE OF OCCUPANCY REQUIRED" OF CHAPTER 1409 "CERTIFICATE OF OCCUPANCY" OF PART FOURTEEN "HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 1409.01 "Certificate of Occupancy Required" of Chapter 1409 "Certificate of Occupancy" of Part Fourteen "Housing Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

1409.01 CERTIFICATE OF OCCUPANCY REQUIRED.

On or after January 1, 1993, no person shall occupy, and no owner, agent or person in charge of any dwelling structure, shall permit a person to occupy a rental unit and/or multiple dwelling, unless the Building Commissioner has issued to the owner, agent or person in charge, a certificate of occupancy for the rental unit.

(a) Prior to obtaining a certificate of occupancy for rental property not currently registered in the City of South Euclid, the owner of the property is required to submit a completed application on forms provided by the Building Commissioner and the required fee as indicated in Section 1409.02 and 1409.05. Upon receipt of the application and fee by the Building Commissioner, a rental inspection shall be scheduled and occur within 30 days of the date of acceptance of the application. Upon completion of the rental inspection, any noted violations regarding life safety or sanitary conditions will be given a compliance date and must be corrected and approved prior to the issuance of the certificate of occupancy. If no violations or minor violations are noted from the inspection, a certificate of occupancy will be issued. If there are minor violations, a violation notice will be issued with the compliance dates for the correction of violations.

(b) Any rental property not currently registered by the City of South Euclid that is occupied prior to the issuance of a certificate of occupancy by the Building Commissioner shall be in violation of this Code. A penalty of not less than one hundred dollars (\$100.00) shall be charged in addition to the required fees as indicated in Section 1409.05. However, the payment of such penalty and fee shall not relieve any person from fully complying with the requirements of this Building Code or any other law of the State or ordinance of this City.

(c) Disapproval. Parcels with a certified delinquent property tax balance or **delinquent in fees owed to the City, including, but not limited to nuisance abatement fees**, shall not be issued a certificate of occupancy unless the property owner or agent-in-charge provides documentation of being **in good standing** on a County payment plan in ~~good standing~~ **in the case of a tax delinquency**.

Section 2: That is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017.

Jane Goodman, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 09-17
INTRODUCED BY: Goodman
REQUESTED BY: Goodman

May 22, 2017
Amended in Committee 6/12/17

AN ORDINANCE

CREATING NEW SECTION 147.29 "ELECTRIC CHARGING STATION PARKING RESTRICTIONS" OF CHAPTER 147 "PARKING GENERALLY" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the Council of the City of South Euclid and the Mayor recognize the value electric vehicle charging stations have in helping to showcase South Euclid as an environmentally friendly community; and

WHEREAS, the Council of the City of South Euclid and the Mayor recognize that in order for electric vehicle charging stations to be used for their intended purpose, restrictions should be in place to prevent non-electric and non-charging vehicles from using parking spaces which contain charging stations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 147.29 "Electric Charging Station Parking Restrictions" of Chapter 147 "Parking Generally" of Part One "Administrative Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby created to read as follows:

147.29 ELECTRIC CHARGING STATION PARKING RESTRICTIONS.

A. No person shall stop, stand, or park a vehicle other than an electric vehicle within any space marked or signed as reserved for "electric vehicle parking while charging only."

B. It is unlawful to park or permit to be parked any electric vehicle in a space with an electric vehicle charging station that is marked as "electric vehicle parking while charging only" if such electric vehicle is not in the process of charging.

C. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space. **Any vehicle parked illegally may be subject to towing pursuant to Section 147 "Parking Generally" of South Euclid's Administrative Code.**

D. For purposes of this Section, the following definitions apply:

1. "Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes:

a. Any "battery electric vehicle," defined as any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating;

b. Any "plug-in hybrid electric vehicle (PHEV)," defined as an electric vehicle that a) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; b) charges its battery primarily by connecting to the grid or other off-board electrical source;

c. may additionally be able to sustain battery charge using an on-board internal combustion-driven generator; and has the ability to travel powered by electricity;

2. "Electric vehicle charging station" means a public parking space that is served by

battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle, and that is 1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking), or 2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots).

3. "Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

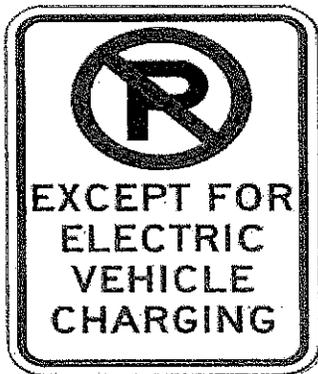
4. "Non-electric vehicle" means any motor vehicle that does not meet the definition of "electric vehicle".

147.99 PENALTY

Refer to Section 147.01(j) "Parking Infraction Fines"

147.01 (j) Parking infraction Fines: Amend Section 147.99 "Penalty" to reflect the fee schedule delineated below.

	If not paid within 10 days of the time notice is issued	After 10 days but within 30 days from the time notice issued	After 30 days, but prior to the time a civil complaint is issued.
147.28	\$15.00	\$30.00	\$45.00
147.29	\$15.00	\$30.00	\$45.00



To be added to sign:
 "Violator will be towed pursuant to Section 147"

Section 2: That is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017.

 Jane Goodman, President of Council

Attest:

Approved:

 Michael Love, Acting Clerk of Council

 Georgine Welo, Mayor

Approved as to form:

 Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 12-17
INTRODUCED BY: Goodman
REQUESTED BY: Mayor Welo

June 12, 2017

AN ORDINANCE

CREATING CHAPTER 552 "DISCRIMINATION PROHIBITED" OF PART FIVE "GENERAL OFFENSES CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO TO ENSURE THAT ALL PERSONS HAVE EQUAL ACCESS TO EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS AND EDUCATION.

WHEREAS, the City of South Euclid benefits from a diverse, open, and inclusive community; and

WHEREAS, no person should live in fear of discrimination based on their race, creed, color, religious belief, religion, sex, national origin, age, ancestry, handicap, disability, familial status, marital status, sexual preference, sexual orientation, gender identity, gender expression, recipient of public assistance, ethnic group, military status, or physical characteristic; and

WHEREAS, Mayor Welo and the Council of the City of South Euclid are committed to fostering an environment that is welcoming to people of all races, backgrounds, beliefs and identities; and

WHEREAS, ensuring that all employees, residents, patrons and visitors will be treated fairly and equally encourages economic development and helps to attract and retain families, workers, and businesses to South Euclid; and

WHEREAS, victims of discrimination should be provided with access to justice and an opportunity to be heard, without fear of retaliation; and

WHEREAS, whenever possible, complaints of discrimination should be resolved through conciliation to help foster mutual understanding and corrective action; and

WHEREAS, through passage of this ordinance, the City of South Euclid seeks to ensure that all persons within the city have equal access to employment, housing, and public accommodations; and

WHEREAS, Mayor Welo and the Council of the City of South Euclid wish to affirm the dignity and worth of all people and provide certainty to the residents and visitors of South Euclid that unlawful discrimination will not be tolerated in this City.

WHEREAS, it is the intent of the Mayor and City Council, in enacting this ordinance, to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination, including discrimination based on race, creed, color, religious belief, religion, sex, national origin, age, ancestry, handicap, disability, familial status, marital status, sexual preference, sexual orientation, gender identity, gender expression, recipient of public assistance, ethnic group, military status, or physical characteristic; and

WHEREAS, City Council's purpose in enacting this ordinance is to promote the public health and welfare of all persons who work, live or visit the City of South Euclid. It is important for the City of South Euclid to ensure that all persons within the city have equal access to employment, housing, public accommodations, and education.

BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1. That Chapter 552, Discrimination Prohibited, of the South Euclid Codified Ordinances, be enacted as follows:

CHAPTER 552 DISCRIMINATION PROHIBITED

DEFINITIONS.

(a) "Advertising" means to make, print, publish, advertise or otherwise disseminate any notice, statement or advertisement, with respect to any employment activity, any business activity, or any educational activity.

(b) "Age" means 18 years of age or older except as otherwise provided by law.

(c) "Business establishment" means any entity, however organized, which furnishes goods, services or accommodations to the general public. An otherwise qualifying establishment which has membership requirements is considered to furnish services to the general public if its membership requirements consist only of payment of fees or consist only of requirements under which a substantial portion of the residents of the city could qualify.

(d) "Disability" or "disabled" means, with respect to an individual, a physical or mental impairment, a record of such an impairment, or being perceived or regarded as having such impairment. For purposes of this chapter discrimination on the basis of disability means that no covered entity shall discriminate against a qualified individual with a disability because of that individual's disability. The term "qualified individual with a disability" shall mean an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment positions that the individual holds or desires.

(e) "Discriminate, discrimination or discriminatory" means any act, policy or practice that, regardless of intent, has the effect of subjecting any person to differential treatment as a result of that person's race, color, creed, religion, national origin, ancestry, disability, marital status, gender, gender identity or expression, sexual orientation, or physical characteristic.

(f) "Educational institution" means any public or private educational institution including an academy, college, elementary or secondary school, kindergarten, pre-school, nursery school, university, and any business, nursing, professional, secretarial, technical or vocational school.

(g) "Employee" means any individual employed or seeking employment from an employer.

(h) "Employer" means any person who, for compensation, regularly employs four (4) or more individuals, not including the employer's parents, spouse or children. For purposes of this chapter an employer "regularly" employs four (4) individuals when the employer employs four (4) or more individuals for each working day in any twenty or more calendar weeks in the current or previous calendar year. For purposes of this chapter an "employer" is also any person acting on behalf of an employer, directly or indirectly, or any employment agency.

(i) "Gender" means actual or perceived sex.

(j) "Gender identity or expression" means having or being perceived as having a gender identity or expression whether or not that gender identity or expression is different from that traditionally associated with the sex assigned to that individual at birth.

(l) "Labor organization" means any organization that exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection on behalf of employees.

(m) "Person" means a natural person, firm, corporation, partnership or other organization, association or group of persons however arranged.

(n) "Physical characteristic" means a bodily condition or bodily characteristic of any person that is from birth, accident, or disease, or from any natural physical development, including individual physical mannerisms including but not limited to height and weight. Physical characteristic shall not relate to those situations where a bodily condition or characteristic will present a danger to the health, welfare or safety of any individual.

(o) "Place of public accommodation" means inns, taverns, hotels, motels, restaurants, wholesale outlets, retail outlets, banks, savings and loan associations, other financial institutions, credit information bureaus, insurance companies, dispensaries, clinics, hospitals, theaters, recreational parks and facilities, trailer camps, garages, public halls, and all other establishments which offers goods, services, accommodations and entertainment to the public within the City. A place of public accommodation does not include any institution, club or other place of accommodation, which by its nature is distinctly private.

(p) "Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality.

(q) "Transaction in real estate" means the exhibiting, listing, advertising, negotiating, agreeing to transfer or transferring, whether by sale, lease, sublease, rent, assignment or other agreement, of any interest in real property or improvements thereon.

552.01 PROHIBITED ACTS OF DISCRIMINATION RELATING TO EMPLOYMENT.

(a) With regard to employment, it shall be unlawful for any employers or labor organizations to engage in any of the following acts, wholly or partially for a discriminatory reason:

(b) To fail to hire, refuse to hire or discharge an individual;

(c) To discriminate against any individual, with respect to compensation, terms, conditions, or privileges of employment, including promotion. Nothing in this section shall be construed to require any employer to provide benefits, such as insurance, to individuals not employed by the employer;

(d) To limit, segregate, or classify employees in any way which would deprive or tend to deprive any employee of employment opportunities, or which would otherwise tend to adversely affect his or her status as an employee;

(e) To fail or refuse to refer for employment any individual in such a manner that would deprive an individual of employment opportunities, that would limit an individual's employment opportunities or that

would otherwise adversely affect an individual's status as a prospective employee or as an applicant for employment;

(f) To discriminate against an individual in admission to, or employment in, any program established to provide apprenticeship or other job training, including an on-the-job training program;

(g) To print or publish, or cause to be printed or published, any discriminatory notice or advertisement relating to employment. This subsection shall not be construed so as to expose the person who prints or publishes the notice or advertisement, such as a newspaper, to liability;

(h) To discriminate in referring an individual for employment whether the referral is by an employment agency, labor organization or any other person.

552.02 PROHIBITED ACTS OF DISCRIMINATION RELATING TO HOUSING AND REAL ESTATE TRANSACTIONS.

(a) With regard to housing and real estate transactions, it shall be unlawful to engage in any of the following acts wholly or partially for a discriminatory reason:

(b) To discriminate by impeding, delaying, discouraging or otherwise limiting or restricting any transaction in real estate;

(c) To discriminate by imposing different terms on a real estate transaction;

(d) To represent falsely that an interest in real estate is not available for transaction;

(e) To include in the terms or conditions of a real estate transaction any discriminatory clause, condition or restriction;

(f) To discriminate in performing, or refusing to perform, any act necessary to determine an individual's financial ability to engage in a real estate transaction;

For a property manager to discriminate by refusing to provide equal treatment of, or services to, occupants of any real estate which he or she manages;

(g) To make, print or publish, or cause to be made, printed or published any discriminatory notice, statement, or advertisement with respect to a real estate transaction or proposed real estate transaction, or financing relating thereto. This subsection shall not be construed to prohibit advertising directed to physically disabled persons or persons over the age of 55 for the purpose of calling to their attention the existence or absence of housing accommodations or services for the physically disabled or elderly;

(h) To discriminate in any financial transaction involving real estate, on account of the location of the real estate be it residential or non-residential ("red-lining");

(i) For a real estate operator, a real estate broker, a real estate salesperson, a financial institution, an employee of any of these, or any other person, for the purposes of inducing a real estate transaction from which such person may benefit financially to represent that a change has occurred or will or may occur in the composition with respect to race, creed, color, religious belief, religion, sex, national origin, age, ancestry, handicap, disability, familial status, marital status, sexual preference, sexual orientation, gender identity, gender expression, recipient of public assistance, ethnic group, military status, or physical characteristic of the owners or occupants in the block, neighborhood or area in which the real property is located or to represent that this change will or may result in the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools in the block, neighborhood or area in which the real property is located ("block-busting");

(j) Notwithstanding the provisions of subsections (a) through (h), it shall not be an unlawful discriminatory practice for an owner to limit occupancy on the basis of a person's low-income, age over 55 years or disability status in accordance with federal or state law;

(k) Notwithstanding the provisions of subsections (a) through (h), it shall not be an unlawful discriminatory practice for an owner, lessor or renter to refuse to rent, lease or sublease a portion of a single family dwelling unit to a person as a tenant, roomer or boarder where it is anticipated that the owner, lessor or renter will be occupying any portion of the single-family dwelling or to refuse to rent, lease or sublease where it is anticipated that the owner, lessor or renter will be sharing either a kitchen or a bathroom with the tenant, roomer or boarder.

552.03 PROHIBITED ACTS OF DISCRIMINATION RELATING TO BUSINESS ESTABLISHMENTS OR PUBLIC ACCOMMODATIONS.

(a) It shall be unlawful for a business establishment or place of public accommodation to engage in any of the following acts wholly or partially for a discriminatory reason:

i. To deny, directly or indirectly, any person the full enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any business establishment or place of public accommodation;

ii. To print, publish, circulate, post, or mail, directly or indirectly, a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a business establishment or place of public accommodation will be unlawfully refused, withheld from or denied an individual, or which indicates that an individual's patronage of, or presence at, the business establishment or place of public accommodation is

objectionable, unwelcome, unacceptable or undesirable.

552.04 PROHIBITED ACTS OF DISCRIMINATION RELATING TO EDUCATIONAL INSTITUTIONS.

It shall be unlawful for an educational institution to engage in any of the following acts wholly or partially for a discriminatory reason:

- (a) To deny, restrict, abridge or condition the use of, or access to, any educational facilities or educational services to any person otherwise qualified;
- (b) Notwithstanding the provisions of subsection (a) it shall not be an unlawful discriminatory practice to limit attendance in classes or programs conducted by an educational institution based upon a reasonable educational objective, except where to do so would otherwise violate a duty imposed upon the institution by federal or state law to provide reasonable accommodation;
- (c) Notwithstanding the provisions of subsection (a), it shall not be an unlawful discriminatory practice for an educational institution operated by a religious or denominational institution, or established for a bona fide religious purpose, to admit students or program attendees on the basis of that student's or attendee's religious or denominational affiliation or preference.

552.05 CITY SERVICES, FACILITIES, TRANSACTIONS AND CONTRACTS.

The City shall be bound by the provisions of this chapter to the same extent as private individuals. All contractors proposing to, or currently doing business with the City, shall abide by this ordinance.

552.06 GENERAL EXCEPTIONS

- (a) Any practice which has a discriminatory effect and which would otherwise be prohibited by this chapter shall not be deemed unlawful if it can be established that the practice is not intentionally devised to contravene the prohibitions of this chapter and there exists no less discriminatory means of satisfying a business purpose.
- (b) Unless otherwise prohibited by law, nothing contained in this chapter shall be construed to prohibit promotional activities such as senior citizen discounts and other similar practices designed primarily to encourage participation by protected group.
- (c) It shall not be an unlawful discriminatory practice for an employer to observe the conditions of a bona fide seniority system or a bona fide employee benefit system such as a retirement, pension or insurance plan which is not a subterfuge or pretext to evade the purposes of this chapter.
- (d) It shall not be an unlawful discriminatory practice for any person to carry out an affirmative action plan. An affirmative action plan is any plan devised to effectuate remedial or corrective action taken in response to past discriminatory practices, or as otherwise required by state or federal law.
- (e) Nothing contained in this chapter shall be deemed to prohibit selection or rejection based solely upon a bona fide occupational qualification or a bona fide physical requirement. Nothing contained in this chapter shall be deemed to prohibit a religious or denominational institution from selecting or rejecting applicants and employees for non-secular positions on the basis of the applicant's or employee's conformance with the institution's religious or denominational principles. If a party asserts that an otherwise unlawful practice is justified as a permissible bona fide occupational qualification, or a permissible bona fide physical requirement, that party shall have the burden of proving:
 - i. That the discrimination is in fact a necessary result of such a bona fide condition; and;
 - ii. That there exists no less discriminatory means of satisfying the bona fide requirement.
- (f) If a party asserts that an otherwise unlawful practice is justified as a permissible bona fide religious or denominational preference, that party shall have the burden of proving that the discrimination is in fact a necessary result of such a bona fide condition.

552.07 POSTING OF NOTICES.

Every employer or institution subject to this chapter shall post and keep posted in a conspicuous location where business or activity is customarily conducted or negotiated, a notice, the language and form of which has been prepared by the City, setting forth excerpts from or summaries of the pertinent provisions of this chapter and information pertinent to the enforcement of rights hereunder. The notice shall be in both English and Spanish. If over ten percent of an employer's employees speak, as their native language, a language other than English or Spanish, notices at that employer's place of business shall be posted in that language. At the request of the employer or institution, notices required by this section shall be provided by the City. Notices shall be posted within ten days after the receipt from the City.

552.08 CORRECTION OR RETALIATION.

(a) It shall be an unlawful discriminatory practice to coerce, threaten, retaliate against or interfere with any person in the exercise of, or on account of having exercised, or on account of having aided or encouraged any other person in the exercise of, any right granted or protected under this ordinance, or on account of having expressed opposition to any practice prohibited by this ordinance.

(b) It shall be an unlawful discriminatory practice for any person to require, request, or suggest that a person retaliate against, interfere with, intimidate or discriminate against a person, because that person has opposed any practice made unlawful by this ordinance, or because that person has made a charge, or because that person has testified, assisted or participated in any manner in an investigation, proceeding or hearing authorized under this ordinance.

(c) It shall be an unlawful discriminatory practice for any person to cause or coerce, or attempt to cause or coerce, directly or indirectly, any person in order to prevent that person from complying with the provisions of this ordinance.

552.09 PRESERVATION OF BUSINESS RECORDS.

Where a complaint of discrimination has been filed against a person under this ordinance, such person shall preserve all records relevant to the complaint, until a final disposition of the complaint.

552.10 HUMAN RIGHTS COMMISSION.

(a) There is hereby created the City of South Euclid Human Rights Commission, hereafter referred to as "the Commission," to be comprised of three (3) members. One member shall be the Director of Community Services or his or her designee for the City who is trained and/or certified in diversity management practices. The second member shall be appointed by the mayor. The third member shall be appointed by majority vote of council. Each member of the Commission shall serve a term of three years and until his or her successor has been appointed and qualified for office. With the exception of Director of Community Services or his or her designee, members of the Commission shall be ineligible to be reappointed to succeed themselves for more than one additional three-year term, unless the member is completing a term for which he or she was appointed to fill a mid-term vacancy. Every member shall have been a resident of the City for at least one year prior to appointment and shall continue to be a resident so long as he or she shall serve as a member of the Commission. In the event of a vacancy a replacement will be chosen by the appropriate appointing authority of that seat and will serve out the remainder of the vacant term.

(b) The Commission may create and modify rules regarding its meetings and procedures. The Commission may create and appoint task forces and committees it deems appropriate to carry out its functions.

(c) The work of the Commission shall be managed by the Department of Community Services.

(d) The responsibilities of the Department of Community Services include managing Commission records and accounts, developing public education programs as needed, providing training for Commission members, managing citizen complaints, facilitating Commission scheduling and communication, and any other tasks needed to effectuate the functions of the Commission.

(e) In addition, the Commission may use the services of attorneys, hearing examiners, clerks and other employees and agents who are city government employees, except in those cases in which the city government is a party, and in which case the Commission may seek the city attorney's approval to engage appropriate counsel. In the enforcement of this chapter, the Commission shall have the following powers and duties:

- i. To receive, initiate, investigate, seek to conciliate, hold hearings on and pass upon complaints alleging violations of this chapter;
- ii. To cooperate with relevant federal and state authorities;
- iii. To present an annual report to the mayor and city council setting forth the number of complaints received during the prior year, as well as the disposition of the complaints, and the number of convictions for violation. The Commission shall publish this report and make it available in some format to the general public;
- iv. To require answers to interrogatories, compel the attendance of witnesses, examine witnesses under oath or affirmation in person by deposition and require the production of documents relevant to the complaint. The Commission may make rules authorizing or designating any member or individual to exercise these powers in the performance of official duties;
- v. To cooperate with community, professional, civic and religious organizations, as well as state and federal agencies, in the development of public education programs regarding compliance with the provisions of this chapter and equal opportunity and treatment of all individuals;
- vi. To conduct tests to ascertain the availability of housing, both in sales and also in rentals of real property;
- vii. To make available for the City's website information on this chapter, grievance procedures, the Commission's annual report and any other information that would further the purposes and intentions of this chapter.

552.11 COMPLAINTS – CONSIDERATION BY THE COMMISSION.

(a) A person claiming to be aggrieved by a discriminatory practice, or a member of the Commission, may file with the Commission a written sworn complaint stating that a discriminatory practice has been committed, setting forth the facts sufficient to enable the Commission to identify the persons charged (hereinafter the respondent).

(b) Within 14 days after receipt of the complaint, the Commission shall serve on the complainant a notice acknowledging the filing of the complaint and informing the complainant of the respondent's time limits.

(c) The Commission shall, within 14 days of the filing of the complaint, furnish the respondent with a copy of the complaint and a notice advising the respondent of the respondent's procedural rights and obligations under this chapter.

(d) The complaint must be filed within one year after the commission of the alleged discriminatory practice.

(e) The Commission shall commence an investigation of the complaint within 30 days after the filing of the complaint. The Commission, or designee, shall promptly investigate the matter to determine whether the discriminatory practice exists.

(f) If it is determined that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Commission shall furnish a copy of the order to the complainant, the respondent and such public officers and persons as the Commission deems proper.

(g) The complainant, within 30 days after receiving a copy of the order dismissing the complaint, may file with the Commission an application for reconsideration of the order.

(h) Upon such application, the Commission shall review the original investigation and make a determination within 30 days whether there is reasonable cause to believe that the respondent has engaged in a discriminatory practice.

(i) If it is determined that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Commission shall issue an order dismissing the complaint after reconsideration and furnish a copy of the order to the complainant, the respondent and such public officers and persons as the Commission deems proper.

552.12 CONCILIATION AGREEMENTS.

(a) If the Commission determines after investigation that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Commission shall endeavor to eliminate the alleged discriminatory practices by conference, conciliation and persuasion.

(b) The terms of a conciliation agreement reached with a respondent shall require the respondent to refrain from discriminatory practices in the future and shall make such further provisions as may be agreed upon between the Commission or its assigned staff and the respondent.

(c) If a conciliation agreement is entered into, the Commission shall issue and serve on the complainant an order stating its terms. A copy of the order shall be delivered to the respondent and such public officers and persons, as the Commission deems proper.

(d) Except for the terms of the conciliation agreement, the Commission shall not make public, without the written consent of the complainant and the respondent, information concerning efforts in a particular case to eliminate discriminatory practice by conference, conciliation or persuasion, whether or not there is a determination of reasonable cause or a conciliation agreement. The conciliation agreement itself shall not be made public unless the complainant and the respondent otherwise agree and the Commission also determines that disclosure is not required to further the purposes of this chapter.

(e) At the expiration of one year from the date of a conciliation agreement, and at other times in its reasonable discretion, the Commission or its staff may investigate whether the respondent is following the terms of the agreement.

(f) If a finding is made that the respondent is not complying with the terms of the agreement, the Commission shall take such action as it deems appropriate to assure compliance.

552.13 HEARINGS.

(a) If a conciliation agreement has not been reached within 90 days after an administrative determination of reasonable cause to believe that discrimination took place, the Commission shall serve on the respondent by mail or in person a written notice, together with a copy of the complaint as it may have been amended, or a copy of the letter of determination, requiring the respondent to answer the allegation(s) of the complaint at a hearing before the Commission or another individual pursuant to its rules, at a time and place specified by the hearing examiner or examiners after conference with the parties or their attorneys. A copy of the notice shall be furnished to the complainant and such public officers and persons as the Commission deems proper.

(b) A member of the Commission who filed the complaint or endeavored to eliminate the alleged discriminatory practice by conference, conciliation or persuasion shall not participate in the hearing or in the

subsequent deliberation of the Commission. In the case where a member of the Commission filed a complaint and a hearing or subsequent deliberation of the Commission is required, a temporary Commissioner shall be appointed by the City Law Director.

(c) The respondent may file an answer with the Commission by registered or certified mail in accordance with the rules of the Commission before the hearing date. The respondent may amend an answer at any time prior to the issuance of an order based on the complaint, but no order shall be issued unless the respondent has had an opportunity of a hearing on the complaint or amendment on which the order is based.

(d) A respondent, who has filed an answer or whose default in answering has been set aside for good cause shown, may appear at the hearing with or without representation, may examine and cross-examine witnesses and the complainant and may offer evidence.

(e) The complainant, and, in the discretion of the Commission, any person may intervene, examine and cross-examine witnesses and present evidence.

(f) If the respondent fails to answer the complaint, the Commission may find the respondent in default. Unless the default is set-aside for good cause shown, the hearing may proceed on the evidence in support of the complaint.

(g) Efforts at conference, conciliation and persuasion shall not be received in evidence.

(h) Testimony taken at the hearing shall be under oath and recorded. If the testimony is not taken before the Commission, the record shall be transmitted to the Commission.

(i) In a proceeding under this chapter, the production of a written, printed or visual communication, advertisement or other form of publication, or a written inquiry, or record, or other document purporting to have been made by a person shall be prima facie evidence that it was authorized by the person.

(j) All hearings conducted under this section shall be conducted in accordance with Chapter 119 of the Ohio Revised Code.

552.14 FINDINGS AND ORDERS.

(a) If the Commission determines that the respondent has not engaged in a discriminatory practice, the Commission shall state its findings of fact and conclusions of law and shall issue an order dismissing the complaint. A copy of the order shall be delivered to the complainant, the respondent and such public officers and persons as the Commission deems proper.

(b) If the Commission determines that the respondent has engaged in a discriminatory practice, the Commission shall state its findings of fact and conclusions of law and shall issue an order requiring the respondent to cease and desist from the discriminatory practice and to take such affirmative action as in the judgment of the Commission will carry out the purposes of this chapter. A copy of the order shall be delivered to the respondent, the complainant and to such public officers and persons as the Commission deems proper.

552.15 REMEDIES.

(a) Affirmative action ordered under this section may include, but is not limited to:

- i. Hiring, reinstatement or upgrading of employees with or without back pay. Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable;
- ii. Admission or restoration of individuals to union membership, admission to or participation in, a guidance program, apprenticeship, training program, on-the-job training program, or other occupational training or retraining program, and the utilization of objective criteria in the admission of individuals to such programs;
- iii. Admission of individuals to a place of public accommodation;
- iv. The extension to all individuals of the full and equal enjoyment of the advantages, facilities, privileges and services of the respondent;
- v. Reporting as to the manner of compliance;
- vi. Posting notices in conspicuous places in the respondent's place of business in the form prescribed by the Commission and inclusion of such notices in advertising material;
- vii. Payment to the complainant of damages for an injury, including humiliation and embarrassment, caused by the discriminatory practice, and costs, including reasonable attorney fees;
- viii. Payment to the Commission of a \$500 fine for each violation. Each day on which a continuing violation occurs shall constitute a new and separate violation of this ordinance. Fines collected pursuant to this section will be used to establish a fund to educate the community about nondiscrimination practices and to promote nondiscrimination in the City;
- ix. Such other remedies as shall be necessary and proper to eliminate all the discrimination identified by the evidence submitted at the hearing or in the record.

(b) The Commission may publish, or cause to be published, the names of persons who have been determined to have engaged in a discriminatory practice.

552.16 JUDICIAL REVIEW.

A complainant or respondent aggrieved by an order of the Commission, including an order dismissing a complaint or stating the terms of a conciliation agreement, may obtain judicial review in accordance with applicable law.

552.17 SUBPOENAS.

(a) Upon written application to the Commission, a party to a proceeding is entitled as of right to the issuance of subpoenas for deposition or hearing in the name of the Commission by an individual designated pursuant to its rules requiring attendance and the giving of testimony by witnesses and the production of documents.

(b) A subpoena so issued shall show on its face the name and address of the party at whose request the subpoena is directed.

(c) On petition of the person to whom the subpoena is directed and notice to the requesting party, the Commission or an individual designated pursuant to its rules may vacate or modify the subpoena.

(d) Any depositions of witnesses shall be taken as prescribed by the Ohio Rules of Civil Procedure.

(e) Witnesses whose depositions are taken, or who are summoned before the Commission or its agents, will be entitled to the same witness and mileage fees as are paid to the witnesses subpoenaed in municipal court.

(f) If a person fails to comply with a subpoena issued by the Commission, the municipal court may issue an order requiring compliance. In any proceeding brought under this section, the court may modify or set aside the subpoena.

552.18 RESISTANCE TO, OBSTRUCTION, ETC., OF COMMISSION.

Any person who willfully resists, prevents, impedes or interferes with the Commission, its members, agents or agencies in the performance of duties pursuant to this Act, or violates any order of the Commission shall be subject to a fine of not more than five hundred dollars in addition to such order or decree that may be issued.

552.19 STATE/FEDERAL REMEDIES.

(a) The remedies provided for in this chapter are in addition to, not in lieu of, those provided for by state and federal law. This chapter shall therefore not be construed so as to limit a person's right to file complaint with any state or federal agency, board, tribunal or court vested with jurisdiction to receive, review and act upon complaints of discrimination. This chapter shall not be construed as limiting the right of any person to seek remedies in courts of competent jurisdiction pursuant to state or federal law which grant private rights of action to persons aggrieved by discriminatory acts of the type prohibited by this chapter. There is no requirement that an aggrieved person file a complaint with the City pursuant to this chapter before seeking any other federal, state or other remedy available to the person.

(b) A person's election to seek remedies provided for in this chapter shall not operate to toll any statute of limitation set forth in state or federal law for pursuing remedies under state or federal law for acts of discrimination of the type prohibited by this chapter.

552.20 SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this chapter, or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

552.21 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree.

552.22 EQUAL OPPORTUNITY.

No person shall be denied the right to purchase or lease a condominium unit in the City because of race, creed, color, religious belief, religion, sex, national origin, age, ancestry, handicap, disability, familial status, marital status, sexual preference, sexual orientation, gender identity, gender expression, recipient of public assistance, ethnic group, military status, or physical characteristic.

552.23 ESTABLISHMENT; PURPOSE.

The South Euclid Community Relations Advisory Commission is hereby established to serve in an advisory capacity for the purpose of educating, informing and making recommendations to City officials, departments, boards and commissions on matters relating to community relations within the City of South Euclid in an effort to advance:

- (a) Respect for diversity: Acknowledge we live in a dynamic community with an ever- changing variety of group and individual experiences, and affirm values derived from the understanding of our differences (whether based on race, creed, color, religious belief, religion, sex, national origin, age, ancestry, handicap, disability, familial status, marital status, sexual preference, sexual orientation, gender identity, gender expression, recipient of public assistance, ethnic group, military status, or physical characteristic).
- (b) Bonds of mutuality: Recognize the interdependence of our different interests as we work toward serving the common good, and ensure community relations have substantive meaning by acknowledging, as Martin Luther King Jr. stated, "Whatever affects one directly affects all indirectly."
- (c) Equity: Affirm our commitment to social justice, and assure all groups and individuals have the opportunity to participate fully in civic affairs with equal access to employment, community resources, and decision-making processes.

552.24 INTIMIDATION.

(a) No person shall violate Section 537.05, 537.051, 537.06, 537.10(a)(3), (4) or (5), 541.03 or 541.04 by reason of race, creed, color, religious belief, religion, sex, national origin, age, ancestry, handicap, disability, familial status, marital status, sexual preference, sexual orientation, gender identity, gender expression, recipient of public assistance, ethnic group, military status, or physical characteristic.

(b) Whoever violates subsection (a) hereof is guilty of intimidation. A violation of intimidation under subsection (a) is an offense of the next higher degree than the offense the commission of which is a necessary element of intimidation. In case of an offense that is a misdemeanor of the first degree, whoever violates this section may be prosecuted under Ohio R.C. 2927.12.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety for the reason that the functions of the various departments of the municipal government are immediately affected hereby. Wherefore, this Ordinance shall take effect upon passage and approval and the signature of the Mayor.

Passed this _____ day of _____, 2017.

Jane Goodman, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 31-17
INTRODUCED BY: Goodman
REQUESTED BY: Russell

July 10, 2017

A RESOLUTION

DIRECTING THE MAYOR TO SOLICIT PROPOSALS FOR AND A CONDUCT STUDY OF CREATING A REGIONAL BUILDING DEPARTMENT WITH THE AIM TO MERGE THE SOUTH EUCLID BUILDING DEPARTMENT WITH NEIGHBORING BUILDING DEPARTMENTS TO CREATE GREATER EFFICIENCIES AND ADVANCE THE GOAL OF REGIONALISM.

WHEREAS, the Council of the City of South Euclid is responsible for managing the financial resources of the City in the manner that best serves the residents of South Euclid while providing building inspection services to it's residents and businesses.

WHEREAS, between 1970 and 2010, the population of the City of South Euclid has decreased by over 7,000 residents, and was estimated to fall below 22,000 residents in 2014; and

WHEREAS, the financial records of the City indicate that, since 2012, the City has expended \$163,918 from the General Fund in order to supplement the operating expenses of the Building Department; and

WHEREAS, the City and neighboring communities have had difficulty identifying and hiring qualified individuals in a variety inspection positions

WHEREAS, Ohio Administrative Code (OAC) 4101:7-2-01(B)(4) allows municipalities to contract with an outside entity to satisfy the requirements of OAC 4101:7-3-01.

WHEREAS, A regional certified building department could provide multiple cities the ability to satisfy OAC 4101:7-3-01, while also providing efficiency and flexibility to go where the work is.

WHEREAS, due to continued and ongoing budgetary concerns and out of concern for quality customer service and efficient inspections, it would be fiscally and operationally prudent to explore the creation of a regional building department: to maximize fiscal and personnel resources and benefit the citizens and businesses of South Euclid.

WHEREAS, the City of South Euclid has long been a proponent of and participant in regionalization of services, including South Euclid-Lyndhurst Recreation (SELREC,) Northeast Ohio Risk Management Association (NORMA,) Eastside Departments Group Enforcement SWAT team (EDGE,) Northeast Ohio Public energy Council (NOPEC) and many other partnerships; and

WHEREAS, in 2012 the City of South Euclid authored a successful grant application to look at the regional consolidation of our emergency dispatch center with neighboring communities. In 2016 the City expects the regionalization of the emergency dispatch center to commence operations; and

WHEREAS, these collaborations have proven to be both financially and operationally advantageous to the City and its residents and stakeholders; and

WHEREAS, the Council of the City of South Euclid recognizes the benefits of regionalization and the sharing of limited public resources; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of South Euclid authorizes and directs the Mayor of South Euclid to issue a request for proposals to conduct a feasibility study for the creation of a regional building department. Upon receipt, the Mayor shall authorize the selected firm to conduct aforementioned study.

Section 1: That the City of South Euclid will appropriate the necessary funds for the study of the feasibility and shall provide all necessary documents and information requested by selected firm during the course of the feasibility study.

Section 2: That the Council of the City of South Euclid hereby requests that the Clerk of Council forward a certified copy of this Resolution to Mayors, City Managers and Council Presidents of the following municipalities: Beachwood, Cleveland Heights, Euclid, Highland Heights, Lyndhurst, Mayfield Heights, Richmond Heights, Shaker Heights and University Heights. A enclosed note, should encourage them to pass similar resolutions and join our feasibility study.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: Wherefore, this Resolution shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017.

Jane Goodman, President of Council

Approved:

Attest:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law