

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 homes 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 gun shots 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 send 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 Icove, 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.

Motion: , **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 resident 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 Icové, 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 Icové, Councilman Jason Russell, Council President Jane Goodman.

The Meeting Adjourned at 9:54 pm.

Council President

Attest:

Clerk of Council