

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: July 24, 2017

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

Vote: Motion passed (**summary:** Yes = 5, No = 0, Abstain = 2).

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

Abstain: Councilman Joe Frank, Councilwoman Ruth Gray.

The Minutes have been approved.

Report of the Mayor

- Council President Goodman reported that Mayor Welo had a death in her family and is not in attendance at the meeting.
- City Engineer Andy Blackley provided updates on road and infrastructure projects including the Grosvenor Road reconstruction project and water main work on Parkside. Mr. Blackley reported that Dominion Gas is beginning work on South Belvoir between Bluestone and Mayfield Roads and on Birchwood. Any tree lawns that are disturbed will be replaced and hydro seeded when complete to restore the lawns.
- Councilman Icove reported that there was a disturbance on Wrenford Road on September 8 where college students were having a party. Mr. Icove requested that the President of Council communicate to the Police Chief that he would appreciate a response to his request for information and that all council members be copied on the response.

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:

- Karen Gordon, 4380 Adrian Road, stated that she supports the proposed legislation banning the use of pesticides in South Euclid. Ms. Gordon stated that pesticides have been banned for years in Ontario, Canada and that a recent study reported that the streams in Toronto were 97% free of pesticides, and in the USA, there are two chemical companies predominantly responsible for providing pesticides to the marketplace.
- Marcella Soukup, 1771 South Green Road, stated that she is in favor of banning pesticides on city properties and public right of ways and that both agricultural and residential use of pesticides end up in our region's jewel, Lake Erie.
- Eva Winninger, 4202 Wyncote, stated that she supports the ban on use of pesticides and explained how the runoff from our grass feeds into our creeks like Euclid Creek and also our children and pets walk and play in our residential areas and that choosing to have pesticide free grass is the right thing to do.
- Harriet Slive, 1549 Novicky Ct, stated that she is concerned about the health issues associated with the use of pesticides and we have to make a choice between our health and good looking grass, and urged Council to make a choice for health. Ms. Slive stated that just because something is approved by the EPA, does not mean it is healthy.

Report of Council Committees:

Committee of the Whole: Council President Goodman reported that the committee met and had its second meeting to discuss the proposed non-discrimination ordinance. Another meeting will be scheduled to continue discussion and deliberation.

Planning and Zoning Committee: Councilman Russell reported that the committee met to discuss Resolution 37-17 regarding the potential for creating regional building departments and undertaking a study with other interested communities. Another meeting will be scheduled to continue discussion.

Legislation Requested by City Council

Introduced by Goodman

Ordinance 21-17

ORDINANCE

AMENDING SECTION 726.05 "WALLS AND FENCES" OF CHAPTER 762 "PROCEDURES" OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Councilman Gelfand stated that the proposed ordinance would require a permit and thirty-day notice to adjacent properties to construct or remove a fence. The legislation was placed on first reading and referred to the Zoning and Planning Committee for discussion and review.

Introduced by Goodman

Ordinance 22-17

ORDINANCE

PROHIBITING THE USE OF PESTICIDES IN SOUTH EUCLID PARKS, OPEN SPACE PARCELS AND PUBLIC RIGHTS OF WAY. FIRST READING.

Councilman Gelfand stated that the legislation dates back to committee meetings he scheduled several years ago to discuss banning of pesticides on public properties, and even though the city currently does not use pesticides on public property, he supports legislation regulating its use to protect us in the future. Mr. Gelfand noted that the scope of the legislation is limited to city-owned properties and would not apply to private property, including schools and libraries. The legislation was placed on first reading and referred to the Committee of the Whole for discussion and review.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 33-17

RESOLUTION

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

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

Councilman Fiorelli stated that the legislation recommends rates already in existence.

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 34-17

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE FOLLOWING FUND: "SAFETY LEVY FUND" IN ORDER TO FUND EXPENSES ASSOCIATED WITH THE APPORTIONMENT OF TAXES MADE FOR CUYAHOGA COUNTY'S SECOND HALF CITY REAL ESTATE SETTLEMENT FOR FISCAL YEAR 2016. 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

Ordinance 19-17

ORDINANCE

AMENDING SECTION 171.0501, OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, TITLE NINE "MUNICIPAL INCOME TAX," BY INCREASING THE RATE OF MUNICIPAL INCOME TAX TO _____ (%) PROVIDING FOR SUBMISSION OF THE AMENDMENT TO THE ELECTORS OF THE CITY OF SOUTH EUCLID; AND DECLARING AN EMERGENCY. FIRST READING.

Placed on First Reading and referred to COW.

Council President Goodman stated that this and the following piece of legislation relate to discussions of city council over the last year regarding the need to raise revenue and also reflect discussions at community meetings held with residents in June. Ms. Goodman stated that council is not acting on the legislation at this time, but introducing it into the record for discussion. The legislation was placed on first reading and referred to the Committee of the Whole.

Introduced by Goodman

Ordinance 20-17

ORDINANCE

AMENDING ORDINANCE 171.1901 "SOUTH EUCLID RESIDENT SUBJECT TO INCOME TAX IN OTHER MUNICIPALITY" OF SECTION 171, "MUNICIPAL INCOME TAX" OF PART ONE "ADMINISTRATIVE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

The legislation was placed on first reading and referred to the Committee of the Whole.

Communications of City Council

- Councilwoman Gray shared her appreciation and gratitude for the support she received regarding the recent passing of her mother-in-law. Ms. Gray reported that the annual Ward One meeting will be held on September 19, 2017 at 6 pm at South Euclid City Hall.
- Councilman Gelfand reported on the success of the annual Harvest Fest event at Quarry Park and also the opening of the newly renovated Cleveland Heights High School, which looks beautiful and is a wonderful facility for South Euclid residents that attend the Cleveland Heights–University Heights schools.
- Councilman Fiorelli asked for a moment of silence to in honor friends and families that have recently passed away, and also for those impacted by the recent hurricanes in Texas and Houston. Councilwoman Gray also asked for a moment of silence for the victims of 9/11.
- Councilman Russell acknowledged and thanked the service department staff for their work assisting with sewer backups that resulted from recent heavy rains. Mr. Russell stated that the service department provides a service for \$100 to snake the sanitary lines from homes to the street for \$100, which is much cheaper than if a private company was hired.

- Councilman Frank stated that it is great to be back from council recess and reported on an upcoming Planning Commission Public Hearing on September 14 at 7 pm regarding the proposed school district bus garage to be constructed on district owned property off of Mayfield and Dorsh Roads.
- Councilwoman Goodman reported on a recent trip to Washington DC, where she serves on the Advocacy Committee for the National League of Cities. In D.C., Ms. Goodman reported that she met with members of congress and their staff on many subjects including keeping tax exemptions for municipal bonds and advocate to keep mortgage interest deductions for homeowners. Ms. Goodman stated that our Congresswoman, Marcia Fudge is on our side, but residents should contact other members of congress to let them know their opinions. Councilwoman Goodman reported that a Ward 4 Community Meeting has been scheduled for October 10 at 6 pm at the community center.

Open Meeting

- Susan Hoicowitz, 4221 Wyncote Road, stated that she has been a resident of Wyncote for 21 years and stated that she has unfairly received grass cutting abatements by the housing department for tall grass. Ms. Hoicowitz reported that there have been two instances this summer, the first one in May after three-weeks of rain and her lawn mower was at the repair shop, and again in August when she came home to find her lawn had been mowed and edged. Ms. Hoicowitz stated that her grass had already been mowed and she requested photos from the housing department to provide proof, but has not received them. Ms. Hoicowitz stated that she has been charged \$60 for each abatement and hardworking taxpayers should not have to pay when there are circumstances preventing them from mowing their lawn, including when only a portion of the lawn is long because of weeds. Council President Goodman reported that this is an issue that needs discussion and Councilman Gelfand stated that he has received a complaint from another neighbor about this issue.
- George Martin, 1832 South Green Road, reported that years ago he was approached by the Mayor to serve on the senior citizens advisory board and he has worked ever since to help improve the quality of life of our seniors, and while there is a lot of good happening, there is room for improvement. Mr. Martin stated that there were many great programs initiated by the city to promote regionalism, but we have also hurt our neighboring communities in Cleveland Heights and University Heights by taking business away from them. Mr. Martin stated that as a region we are in this together and we have to take into account the larger community and those around us, and noted how there are not any empty storefronts on Chagrin Blvd in Beachwood and we should go back to regionalism to work to solve the problems or they will come back and haunt us.
- Keevin Berman, 943 Stuart Drive, stated that he has resided in South Euclid for over 30 years and raised four children in the community. Mr. Berman discussed his concern with the deer population in South Euclid and that the abundance of deer also creates issues with fleas and ticks and potential health issues like Lyme disease. Mr. Berman stated that the deer have destroyed his garden and yard and he has invested over \$4,000 in landscaping and is afraid to let his grandchildren play in the yard because of the potential for ticks and that he does not want to put up an electric fence. Mr. Berman stated that the deer are not safe, are unsanitary and we would not allow rats to run around like we do the deer.
- Chris Canfield, 4672 Anderson, stated that he had read about the proposed non-discrimination ordinance and he is confused about the legislation and issues regarding LGBTQ and transgendered people and asked what how the law would effect cases where a transgendered person uses a bathroom. Mr. Canfield asked if he would have to employ a man if that person wanted to wear a mini-skirt and would he be punished if that person feels discriminated against? Council President Goodman stated that the legislation is in committee and that comments are welcome.
- Eva Winninger, 4202 Wyncote Road, reported on issues on Wyncote where she has lived for 28 years. She stated that the noise is a nuisance and discussed issues with people turning on their car security alarms at all hours and that renters are causing a lot of chaos.
- Charles Turner, 4549 Lilac Road, stated that he is speaking about ethics violations and that he sympathizes with Mayor Welo and Councilwoman Gray's recent losses. Mr. Turner stated that City Council has received an indication from him that Mayor Welo is violating the law by owning a part of the True Value Hardware store and that he has received from the Small Business Administration documents that provide evidence and were sent to them at the Mayor and her husband's home on Victory Drive. Mr. Turner stated that the documents seem to indicate an ownership and a violation of interest and that this is collusion, violation of ethics, loan fraud and election fraud. Mr. Turner stated that the Mayor is not at the meeting, and isn't it time for Council to ask the mayor to step down and save the mayor a lot of trouble. Mr. Turner stated that the Inspector General of the SBA has been informed of everything and that "I do hope we can avoid sending her to prison".
- Council President Goodman schedule a Committee of the Whole Meeting for October 9 at 7 pm to discuss the non-discrimination ordinance, a Service Committee Meeting on October 9 at 6 pm to discuss the sidewalk and grass abatement code and Committee of the Whole Meeting on October 23 to discuss pesticides.

Adjourn to Executive Session for the purposes of discussing collective bargaining agreements.

Action: Motion to Adjourn to Executive Session, **Moved by** Councilman Joe Frank, **Seconded by** Councilman Marty Gelfand.

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

Yes: Council President Pro Tem Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Ruth Gray, Councilman Ed Ilove, Councilman Jason Russell, Council President Jane Goodman.
Council Adjourned to Executive Session at 9:01 pm.

Adjourn

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

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

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

The Meeting Adjourned at 9:42 pm.

Council President

Attest:

Clerk of Council