

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 Icové, Councilman Jason Russell, Council President Jane Goodman.

Report of the Mayor

- Mayor Welo reported that she attended a meeting at the request of the Akron Board of Realtors and heard good news that there is not enough inventory in South Euclid and that it is becoming a sellers' market. Ms. Welo discussed many community events including the Holiday Lighting Ceremony, Pets Light Up Our Lives and also reported on the impact of new legislation from the State that will negatively impact our inner-ring suburban schools and suburbs.
- Building Commissioner Macalla reported that 17 large commercial projects and certificate of occupancies were issued in 2017 and that there are already nine project in the pipeline for 2018. Mr. Macalla discussed the ongoing construction of the Season's Kosher Grocery at Oakwood Commons.
- Police Chief Nietert discussed legislation on the agenda including Resolution 60-17 and Resolution 61-17 which are both expense neutral.
- Economic Development Director Love requested Council consideration of Resolution 55-17 regarding the transfer of foreclosed property to One South Euclid.
- Engineer Blackley reported that the watermain work by the City of Cleveland on South Belvoir Blvd is projected to be completed by the end of the year and that additional work on the project may close the foreclosure of Neville Road. Mr. Blackley reported on additional projects being proposed for 2018, in addition to legislation presented renewing Hovancek and Associates contract for 2018.
- Mayor Welo reported that she will not be able to be at the next City Council meeting, which will be Councilman Icové's last meeting as a member of City Council. Ms. Welo thanked Mr. Icové for his over 28 years of service to the community and all of his work to promote the community, its redevelopment and his work during the recession and housing crisis to save people from their homes. Mayor Welo presented Councilman Icové with a Key to the City in honor and appreciation of his work on behalf of the residents of South Euclid.

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:

- There were no comments.

Report of Council Committees:

Council President Goodman stated that two Committee of the Whole Meetings were held earlier in the evening. The first meeting was regarding the legislation that would prohibit the use of pesticide on city property. The second meeting was held regarding the proposed non-discrimination ordinance.

Legislation Requested by the Mayor and Administration

Introduced by Goodman

Resolution 54-17

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIOBIZ, LLC TO FURTHER DEVELOP AND MAINTAIN THE WORLD WIDE WEBSITE FOR THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

The legislation was placed on first reading for discussion and review.

Introduced by Goodman

Resolution 55-17

RESOLUTION

AUTHORIZING THE MAYOR TO CONVEY CERTAIN REAL PROPERTY OF THE CITY OF SOUTH EUCLID, OHIO TO ONE SOUTH EUCLID. FIRST READING.

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

The legislation has been approved.

Introduced by Goodman

Resolution 56-17

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2018 MANHOLE SEPARATION PROJECT 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.

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 legislation has been approved.

Introduced by Goodman

Resolution 57-17

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE WHITEHALL-HILLROCK INFRASTRUCTURE IMPROVEMENT PROJECT, PHASE 1 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.

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

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

The legislation has been approved.

Introduced by Goodman

Resolution 58-17

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2018 WATER MAIN RENEWAL 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** Councilman Marty Gelfand.

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

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

The legislation has been approved.

Introduced by Goodman

Resolution 59-17

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2018 STREET 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** 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 Icove, Councilman Jason Russell, Council President Jane Goodman.

The legislation has been approved.

Introduced by Goodman

Resolution 60-17

RESOLUTION

AMENDING RESOLUTION 37-17, AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS FROM THE "GENERAL FUND-POLICE DEPARTMENT-DISPATCHERS-PERSONAL SERVICES #101-1130" TO THE "GENERAL FUND-POLICE DEPARTMENT-DISPATCHERS-CONTRACTUAL SERVICES-REGIONAL DISPATCH #101-1130-52369." FIRST READING.

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

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

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

The legislation has been approved.

Introduced by Goodman

Resolution 61-17

RESOLUTION

AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS FROM THE "GENERAL FUND-POLICE DEPARTMENT- PERSONAL SERVICES #101-1110" TO THE "GENERAL FUND-POLICE DEPARTMENT-DISPATCHERS-CONTRACTUAL SERVICES-REGIONAL DISPATCH #101-1130-52369." 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 = 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 26-17

ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENDING THE ENGINEERING SERVICES FOR STEPHEN HOVANCSEK & ASSOCIATES, INC. FOR A PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2018. 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 = 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 27-17

ORDINANCE

AMENDING SECTION 933.07, FEES FOR USE, AS CONTAINED IN CHAPTER 933, MUNICIPAL SWIMMING POOLS OF PART NINE STREETS AND PUBLIC SERVICES CODE OF THE CITY OF SOUTH EUCLID; SETTING ADMISSION FEES, SEASON PASSES, SPECIAL PROGRAMS, AND RECIPROCITY WITH THE CITY OF LYNTHURST FOR THE USE OF THE MUNICIPAL SWIMMING POOLS AND SPLASH PARK BY RESIDENTS OF THE CITY.

The legislation was placed on First Reading and referred to the Recreation Committee for review.

Communications of City Council

- Councilwoman Gray discussed the efforts of the ad-hoc citizen's recreation committee and invited residents to attend several upcoming events including the swearing-in of Judge Gayle Williams Byers, the retirement celebration for Councilman Ed Icove on December 28 and her swearing-in resident appreciation ceremony on January 2 at Inner Healing Ministries Church.
- Councilman Gelfand wished everyone a happy Hanukah and merry Christmas.
- Councilman Russell scheduled a Zoning and Planning Committee Meeting for January 8, 2018 at 6 pm to discuss the implementation strategy for the comprehensive plan.
- Councilman Icove stated that we need to remember that life is short and reported on that friend and longtime RTA Board Member Jesse Anderson had passed away and asked for a moment of silence in his memory.
- Councilman Fiorelli wished everyone a happy holiday season and stated that as the Mayor has stated we need to reach out to one another and see the good in our neighbors.
- Councilman Frank wished everyone happy holidays and stated that he loved seeing the room filled with neighbors expressing their views.
- Council President Goodman wished everyone happy holidays and reported on events including the Hillcrest Council of Councils and swearing-in ceremonies for the new Mayor of University Heights and Judge for the Lyndhurst courts.

Open Meeting

- Luke Macik, 1545 South Green Road, stated that he is the Headmaster of Lyceum School and that he is against the non-discrimination ordinance as the US Constitution protects the freedom of religion and that a letter from the United States Department of Justice from 2016 brings to light matters of gender and gender identity and that the non-discrimination ordinances supporting rights of LGBT individuals is dangerous ground.
- Dee Shedlow, 4553 Golfway Road, spoke in favor of the non-discrimination ordinance, thanked City Council for considering this legislation and stated that it is appalling to her that in the State of Ohio an individual could be denied service because of assumptions someone makes about appearance. Ms. Shedlow stated that she was born Catholic and was taught to do unto others as they would do unto you.
- Rev. Kris Eggert, 1876 Langerdale Road, spoke in favor of the non-discrimination ordinance, commended City Council for taking on this issue and stated that the city is doing the right thing. Rev. Eggert stated that she speaks as a follower of Jesus and she recognizes that not all people find God through the same means as she does and spoke of South Euclid's diversity as something positive. Ms. Eggert stated that she does not have the right for her faith to deny anyone fair housing, fair employment or accommodations and that everyone should have the same privileges that she has.
- Ross McDonald, 3090 Corydon Road, in Cleveland Heights, spoke against the non-discrimination ordinance, and stated that the new law would discriminate against the church in preventing them to operate the way they need to be presented and asked council to talk to god and you'll know what to do.
- Rico Dancy, 17500 Euclid, stated that he is the President of the National Deaf Advocate and stated that he has been involved in cases of discrimination against deaf people and that police are not trained to deal with deaf people and he has called city hall several times and people hang up and the ADA states that the city must provide access for people who are deaf. Mr. Dancy stated that it happened several times today. Mr. Dancy spoke about the need to provide interpreters for city council meetings and stated that he just bought a house in South Euclid and wants great service and access for the people in South Euclid.
- Hank Drake and Daniel Ferrer – 1272 South Belvoir, expressed their condolences to the city on the recent loss of police dog K9 Ocktane. Mr. Drake spoke in favor of the non-discrimination ordinance stated that at the beginning of the meeting we all pledged allegiance and stated that the word "under God" has not always been part of the pledge and was added in the 1950s and that the most important part of the pledge is the phrase "with liberty and justice for all". Mr. Drake stated that he is a hardworking, tax paying citizen of South Euclid and he and his partner support the non-discrimination ordinance. Mr. Drake stated that he was taken aback by emails and posts from a Cleveland area Right to Life coalition that is an example of bullying. Mr. Drake asked if /there is an epidemic of gay people beating up Christians and Catholics and asked who's being the real bully?
- Rob Rivera, 2329 Grandview Road in Cleveland Heights, spoke in favor of the non-discrimination ordinance and stated that as a gay man, he was the first to have a marriage license issued when it was legalized in

Ohio and that on that day, he and his partner, could have lost their jobs because protections for members of the LGBT community are not protected. Mr. Rivera stated that he loves South Euclid and he spends his money where his money is welcome and supports the legislation. Mr. Rivera stated that City Council has an opportunity to fill the void and do the right thing and stated that Councilwoman Gray's words spoke to we have to make sure that history does not repeat itself and asked for Council to do the right thing.

- Peter Gilbert, 2032 Campus Road and teacher at Lyceum School spoke against the non-discrimination ordinance and stated that the Catholic Church believes that gay marriage is not fine, as do Orthodox Jews and that there has been bullying of people because of their religious beliefs and discussed an issue in Michigan where a farmer was unable to sell his produce because he expressed his opinion and that this ordinance amounts to something like that issue. Mr. Gilbert stated that this ordinance is zeroing in on the Catholic Church.
- Eileen Mersek, 1342 Victory Drive, spoke against the non-discrimination ordinance and stated that she and her husband have lived in South Euclid for almost 24 years and she believes that LGBTQ people have rights, but should not take over the safety of the children and is against the legislation. Ms. Mersek stated that she read about the issue and City Council needs to protect the rights of the children who could be harmed by the legislation and asked that City Council not take away the rights of freedom of speech and please protect our children.
- Kevin Burke, 3299 Waterford Way, Avon, Ohio, stated that he is legal counsel representing the Catholic Diocese and Sacred Heart of Jesus Church in South Euclid. Mr. Burke stated that he has expressed his concerns about the proposed ordinance and that it does little to protect religious liberty and much can be done to improve the legislation. Mr. Burke stated that City Council has a duty to protect people of unjust discrimination including for people of faith. Mr. Burke stated that he is not here to threaten anyone, but is here to dialogue and continue working for better legislation.
- Richard Cherney, 9943 Woodruff Lane in Newberry Ohio, spoke against the non-discrimination ordinance, and stated that no one in the room wants discrimination and that no legislation is every going to protect every single group. Mr. Cherney stated that the non-discrimination legislation caters to a specific group of people and is controversial and should be put to a vote of the people.
- Alana Jochum, stated that she is the Executive Director of Equality Ohio and stated that what City Council is doing is courageous. Ms. Jochum thanked Kevin Burke from the Catholic Diocese and stated that some of his suggestions are acceptable and that religious freedom and protection are already a protected class. Ms. Jochum stated that one of the key issues with the Catholic Diocese proposal is that it legally sanctions each person to become a law unto itself and that these exceptions could discriminate also against race or gender. Ms. Jochum provided her written statement for the record of the meeting minutes and stated that she looks forward to working with council members on this issue.
- Susan Shener, 2518 Belvoir Blvd, in Cleveland, spoke in favor of the non-discrimination ordinance and stated that she is shocked to hear from religious people who have hitched their horse to Donald Trump because he will protect them and their religious beliefs. Ms. Shener stated that there are pro-choice Catholics and pro-gay Catholics and that it is unbelievable in this day and age that religion is being used to discriminate against people.
- Alan Mercek, 1342 Victory Drive, spoke against the non-discrimination ordinance and stated that there has been a lot of commentary about this issue and requested that the latest redline draft provided by the diocese be provided for comment and response and that he agrees with what Councilman Ilove said in the earlier meeting that City Council should wait until the Supreme Court rules on this issue and that he hopes City Council makes the right decision.
- Linda Pagan, 684 Parkside Road, commended City Council for taking on a very difficult issue and commented that the issue of bathrooms could be resolved if businesses adopted unisex bathrooms. Ms. Pagan stated that she sees lots of opportunities.
- Michael Rodriguez, 6900 Bridge Creek Drive in Concord Township, spoke against the non-discrimination ordinance and stated that he has eight children and ninth on the way and has two daughters that attend the Lyceum School. Mr. Rodriguez stated that the proposed non-discrimination ordinances has a clear number of points that are inconsistent with the Constitution and stated that as a parent he gets to choose how to educate his kids and he doesn't need a City Council to tell his school who is with his kids.
- Christy Raynor, 5168 Edenhurst in Lyndhurst Ohio, spoke against the non-discrimination ordinance and stated that as a mother of six children she wears many hats including those of Lyndhurst resident in a sister community. Ms. Rainer stated that the legislation makes a special class of people and that we are all sensitive and need unity and the legislation is divisive and not needed. Ms. Rainer stated that we need to be more loving and maybe need to have a game night to bring people together.
- Alexandra Martinez, 1379 Victory Drive, spoke in favor of the non-discrimination ordinance and stated that as a straight woman, she is an ally of the LGBTQ community and believes that everyone should be treated fairly and justly. Ms. Martinez stated that everyone should be treated by the content of their character and job performance and stated that as a person with a disability, she knows what it feels like to be discriminated against.
- Kahlil Seren, 2352 Demington Drive stated that he is a City Councilman in Cleveland Heights and that his city has already passed similar legislation protecting the rights of LGBTQ individuals. Mr. Seren spoke of his family history, growing up in East Cleveland and being raised by two lesbian moms. Mr. Seren stated that he supports the legislation being proposed and that it has been his experience in Cleveland Heights that it is the right thing to do.
- Marcy Ronen, 4182 Wyncotte Road, spoke in favor of the non-discrimination ordinance, wrote a letter to submit for the record and spoke in support of the non-discrimination ordinance. Ms. Ronan stated that we

need to love thy neighbor and come together. Ms. Ronan stated that she is not Catholic, but accepts their right to practice.

- Paula Wilson, 2669 Wrenford Road in Shaker Heights, spoke against the non-discrimination ordinance and wanted to confirm what she heard in the earlier Committee of the Whole meeting on the issue. Ms. Wilson asked Director Benjamin if the ordinance now exempts schools, educational and religious institutions. Mr. Benjamin affirmed that it does. Ms. Wilson stated that if she heard those things correctly, then progress has been made. Ms. Wilson thanked Council for listening and considering all options.
- Chuck Turner, 4549 Lilac Road, wished everyone happy holidays and new year. Mr. Turner stated that some members of City Council will return next year. Mr. Turner stated that it is illegal for the Mayor to own a business in South Euclid by putting up as security a \$500,000 loan on her house.
- Council President Goodman stated that there were several letters that Council and the City have received regarding the non-discrimination legislation and asked that those letters be made part of the record of the meeting minutes.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilman Marty Gelfand, **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 9:47 pm

Council President

Attest:

Clerk of Council