

**REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL**

Council President Dennis Fiorelli called the meeting to order and the Pledge of Allegiance was recited.

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**Roll Call**

**Present:** Councilwoman Sara Continenza, Council President Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Council President Pro Tem Jason Russell.

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**Minutes of Meetings** January 28, 2019

**Action:** Approve Minutes, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilwoman Sara Continenza.

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

**Yes:** Councilwoman Sara Continenza, Council President Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Jane Goodman, Council President Pro Tem Jason Russell.

**Absent:** Councilwoman Ruth Gray (*Clerk note: Ms. Gray was out of the room at the time of vote.*)  
The minutes have been approved.

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**Report of Mayor & Department Heads**

- Mayor Welo congratulated Councilman Russell on his engagement.
- Housing Director Martin reported that the yearly door-to-door exterior housing inspection letters have been mailed and the list of streets are in council packets.
- Fire Chief Stefko recommended council consideration of Ordinances 30-18 and 01-19 regarding the city's Fire Code.
- Mayor Welo reported that the County has notified the City that we have been approved for a 50/50 match for the Monticello Road resurfacing program from South Belvoir to the east corporation line.
- City Engineer Blackley discussed the 2019 Road Repair Program and that Trax Construction was the lowest and best bid for the Shirley Road project and Ronyak Construction received the bid for the 2019 Road Program. The bids must still be accepted by the Board of Control. The Mayor reported that work on the resurfacing of Cedar Road is scheduled to begin on April 1<sup>st</sup>. Mr. Blackley discussed water main replacement projects this year on Mayfield Road to be performed by Cleveland Water. Councilwoman Goodman discussed the difference between lowest and best bids and Councilwoman Gray stated that the lowest bid is not always the best bid. Mr. Blackley discussed that the county is considering replacing the bridge at Green and Anderson Roads in 2020 and the City will be asked to participate in the cost.

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**Report of Law Director** no report

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**Report of School District**

Cassandra Jones, a member of the South Euclid Lyndhurst Board of Education discussed many of the student achievements and activities over the past several months including a collaboration with the National Endowment of the Arts and the Maltz Museum of Jewish Heritage with Brush High School, open-mic poetry nights, and other events including the Brown & Gold Casino Night fundraiser. Ms. Jones reported that the school district is in the middle of a financial audit to help determine how much longer the district can continue without going to voters for another levy, which will probably be in 2020, but they will try to hold off as long as possible. Ms. Jones stated that the district would not extend the placement time of a levy on the ballot if it means cutting people and programming.

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**Public Hearings (Open Meeting) Related to Agenda Items** There were no speakers.

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**Report of Committees**

Zoning & Planning: Councilman Russell reported that the committee met to discuss legislation regarding abandoned shopping carts and the implementation of new requirements to abate nuisances associated with abandoned shopping carts.

## Committee of the Whole

Council President Fiorelli reported that the committee met to discuss Ordinance 31-18 regarding the reduction in the tax credit and that discussions will continue.

## Safety Committee

Introduced by Fiorelli

Ordinance 30-18

## ORDINANCE

AMENDING SECTION ~~1510.01, "ADOPTION OF OHIO FIRE CODE" OF CHAPTER 1510 "CITY OF SOUTH EUCLID FIRE PREVENTION CODE";~~ **1530.04 "OPEN BURNING REGULATIONS IN RESIDENTIAL SETTINGS"; 1530.05 "PROHIBITED OPEN BURNING" AND 1530.06 "PERMISSION TO INDIVIDUALS AND NOTIFICATION TO THE FIRE DEPARTMENT AND OHIO EPA"** OF CHAPTER 1530 "OPEN BURNING" OF PART FIFTEEN "FIRE PREVENTION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

**Action:** Approve, **Moved by** Councilman Marty Gelfand, **Seconded by** Council President Pro Tem Jason Russell.

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

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

The legislation has been approved.

Introduced by Fiorelli

Ordinance 01-19

## ORDINANCE

AMENDING SECTION 1510.01, "ADOPTION OF OHIO FIRE CODE" OF CHAPTER 1510 "CITY OF SOUTH EUCLID FIRE PREVENTION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO. **FIRST READING.**

**Action:** Approve, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilwoman Jane Goodman.

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

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

The legislation has been approved.

**Legislation Requested of City Council**

Introduced by Fiorelli

Resolution 02-19

## RESOLUTION

URGING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO IMMEDIATELY RESTORE THE SERVICES AND FUNDING FOR THE FEDERAL GOVERNMENT **TO CEASE AND DESIST FROM USING GOVERNMENT SHUTDOWNS AS A POLICY NEGOTIATING TOOL IN THE FUTURE** AND SIMULTANEOUSLY WORK TOGETHER TO FIND ADEQUATE AND APPROPRIATE METHODS AND POLICIES TO CONTROL THE BORDERS OF THE UNITED STATES. **SECOND READING.**

**Action:** Approve, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilwoman Ruth Gray.

Councilwoman Goodman requested that the legislation be amended to remove the paragraph quoting Deuteronomy because it is religious in nature and should not be included in a government resolution. Mr. Gelfand stated that the quote has to do with paying workers fair pay for their work and goes back at least 250 years and is a reference that many people highly regard. Ms. Goodman stated that she does not think it belongs in the resolution.

**Action:** Motion to Amend the legislation to remove the referenced Whereas, **Moved by** Councilwoman Jane Goodman, **Seconded by** Councilman Joe Frank.

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

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

**No:** Councilwoman Sara Continenza, Councilman Marty Gelfand.

**Vote to Approve Resolution as Amended:** Motion carried by unanimous roll call vote (summary: Yes = 7).

**Yes:** Councilwoman Sara Continenza, Council President Dennis Fiorelli, Councilman Joe Frank, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Council President Pro Tem Jason Russell.  
The legislation has been approved as amended.

### Legislation Requested by the Mayor & Administration

Introduced by Fiorelli

Resolution 03-19

#### RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2019 CONCRETE STREET REPAIR PROGRAM IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

**Action:** Approve, **Moved By** Councilwoman Jane Goodman, **Seconded By** Councilman Joe Frank.

**Vote:** Motion Carried By Unanimous Roll Call Vote (**Summary:** Yes = 7).

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

Introduced by Fiorelli

Resolution 04-19

#### RESOLUTION

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT. FIRST READING.

The legislation was placed on first reading.

Introduced by Fiorelli

Ordinance 02-19

#### ORDINANCE

AN ORDINANCE AMENDING SECTION 537.16 "ILLEGAL DISTRIBUTION OF CIGARETTES OR OTHER TOBACCO PRODUCTS TO MINORS" OF CHAPTER 537 "OFFENSES AGAINST PERSONS" OF PART FIVE "GENERAL OFFENSES 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 Safety Committee.

Introduced by Fiorelli

Ordinance 03-19

#### ORDINANCE

AN ORDINANCE AMENDING SECTION 537.161 "ILLEGAL DISTRIBUTION OF CIGARETTES" OF CHAPTER 537 "OFFENSES AGAINST PERSON" OF PART FIVE "GENERAL OFFENSE 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 Safety Committee.

### Public Hearings (Open Meeting) Related to Open Business

- Dennis Silsby, 4428 Greenway Road, read a statement regarding the income tax and revenue issue and said that he has attended almost every meeting for years and stated that City Council needs to have a sense of urgency and that they have been talking about the city's financial issues for over two years without making a decision and that in his opinion, the tax credit should be at zero and then see how the city is doing and maybe adjust it to give credit back. Mr. Silsby said that the sooner city council makes a decision, the sooner funds will be coming in and said that the longer the city waits to make a decision, the longer buildings and cars deteriorate and there needs to be a decision soon. Mr. Silsby stated that the era for residents not paying for garbage is also over and that most cities now require that residents pay for garbage. Mr. Silsby said that there is no longer funding from the state and federal government and that it's reality check time.
- Steve Silber, 4186 Stonehaven Road spoke regarding the finance and tax credit issue and said that he is concerned that residents recently shot down the request for an income tax increase and that eliminating the tax credit will be a huge step increase for people and stated that it was a 60% increase in taxes. Mr. Silber asked if the city had looked at issuing municipal bonds as an option to raise funds and that it should not be off the table.

- Charles Turner, 4549 Lilac Road, stated that most everyone knows that he pokes fun of the corrupt government and that over the years he has left some people out like County Councilwoman Sunny Simon who is having a fundraiser soon. Mr. Turner stated that Ms. Simon did nothing when he was assaulted by a police car at the direction of Police Chief Kevin Nietert and he asked the County Councilwoman to intervene and she did nothing. Mr. Turner asked the members of Council when they are going to start doing their jobs and referenced that he asked Law Director Lograsso last week for direction on where he can stand to protest and did not hear back from him.
- Linda Pagon, 684 Parkside Road, stated that she supports council setting the income tax credit to zero because the City needs the money now for critical repairs and services, and that there will be collateral damage and safety issues if the city delays repairs any longer. Ms. Pagon spoke regarding the abandoned shopping cart legislation and stated that many people who use the carts take RTA and need to get the carts to the nearest bus stop and they should be permitted to take the carts to the street and that many older people and people with disabilities use the carts to help with mobility.

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#### Communications of City Council

- Council President Fiorelli scheduled a Committee of the Whole Meeting for February 18<sup>th</sup> at 6 pm to discuss the income tax credit, which will replace the scheduled budget hearings.
- Councilman Gelfand scheduled a Safety Committee Meeting for March 11 at 7 pm to discuss Ordinances 02-19 & 03-19 regarding alternative cigarette products like vaping. Mr. Gelfand reported on his attendance at a meeting held by County Administrative Judge Russo regarding the state of the Justice Center and that the facility is in bad shape and is reminiscent of the situation South Euclid is facing with its facilities. Mr. Gelfand discussed several other events including a series of luncheon speakers which included Leon Bib and upcoming events including the Heights Hillcrest Chamber of Commerce Night at the Races Fundraiser and the Cleveland Heights University Heights State of the Schools event scheduled for February 26.
- Councilwoman Continenza reported that the Bexley Bash Event Committee will be meeting this Thursday at 6 pm and all residents are welcome to come to the planning meetings.
- Councilman Frank reported that Brush High School once again has won the Academic Challenge, which is the third year in a row for the award.
- Councilwoman Goodman reported that she will be attending the National League of Cities Meeting in Washington the week of March 11<sup>th</sup>, so will be absent at the council meeting on the 11<sup>th</sup>. Ms. Goodman stated that she is going to DC for the "Great Lakes Days" and meeting with members of congress and to let her know if there are any communications to our representatives.
- Council President Fiorelli thanked council for their efforts to reduce the legislative items on Council's docket, which is now down to one-page front and back.

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#### Adjourn

**Action:** Adjourn Meeting of Council, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilman Marty Gelfand.

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

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

The Meeting Adjourned at 9:05 pm.

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Council President

Attest:

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Clerk of Council