

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

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

Roll Call

Present: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

Approval of Minutes

July 8, 2019

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

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

July 22, 2019

Action: Approve, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilwoman Jane Goodman.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Councilwoman Sara Continenza, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

Abstain: Councilman Joe Frank.

July 29, 2019 (special meeting)

Action: Approve, **Moved by** Councilwoman Ruth Gray, **Seconded by** Councilwoman Jane Goodman.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

Abstain: Councilwoman Sara Continenza.

August 20, 2019 (special meeting)

Action: Approve, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Justin Tisdale.

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

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

Report of Mayor & Department Heads

- City Engineer Andy Blackley reported that the 2019 Road Programs is complete, and the Shirley Road and Westdale Road infrastructure projects continue through the fall. Mr. Blackley requested council consideration of Res. 42-19 regarding the renewal of the contract with ODOT for the maintenance of bridges in the city.
- Economic Development Director Michael Love requested council consideration of Resolution 38-19 conveying property to One South Euclid. Mr. Love also reported on successful community events including HarvestFest, the Browns Tailgate Party and gave an update on businesses opening in the community.
- Poet Laureate Doc Janning recited a poem titled "Wind Song".

Report of Law Director

Law Director Lograsso discussed Resolution 41-19 regarding the settlement of a moral claim, which had been previously discussed by city council. Mr. Lograsso stated that Councilman Tisdale was not on council during the discussions and can abstain from voting on the legislation.

Public Hearings (Open Meeting) Related to Agenda Items

Althea Bufford, 2250 Park Lane in Willoughby Hills, stated that she is the owner of ACT Cares, LLC, which is an adult day care facility proposing to open at 4141 Mayfield Road. Ms. Bufford stated that the center works with many adults with disabilities and have outgrown their current space in Shaker Heights. Ms., Bufford stated that they have received all of their inspections and approvals and hope that City Council will consider the resolution on the agenda approving their conditional use permit.

Report of Committees**Safety Committee**

Councilman Gelfand discussed Ord. 12-19 regarding an update to the operation of party centers and that the ordinance is being updated in committee and will meet again in the next month to discuss.

Finance Committee

Council Frank reported that the committee met to discuss Ord. 11-19 regarding ensuring the collection of wages on construction projects and that the committee will continue discussions.

Legislation Requested by the Planning Commission

Introduced by Fiorelli

Resolution 37-19

RESOLUTION

GRANTING A CONDITIONAL USE PERMIT FOR "ACT CARES, LLC. ADULT DAY PROGRAM" LOCATED AT 4141 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Action: Approve, **Moved by** Councilman Joe Frank, **Seconded by** Councilwoman Sara Continenza.

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

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The legislation has been approved.

Legislation Requested by the Mayor & Administration

Introduced by Fiorelli

Resolution 38-19

RESOLUTION

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

Action: Approve, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilwoman Jane Goodman.

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

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The legislation has been approved.

Introduced by Fiorelli

Resolution 39-19

RESOLUTION

REQUESTING FROM THE COUNTY AUDITOR A TAX ADVANCE FROM THE PROCEEDS OF THE 2019 TAX YEAR COLLECTION; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The legislation has been approved.

Introduced by Fiorelli

Resolution 40-19

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

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

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The legislation has been approved.

Introduced by Fiorelli

Resolution 41-19

RESOLUTION

PROVIDING FOR THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE MORAL CLAIMS FUND OF THE CITY OF SOUTH EUCLID TO COVER THE COST OF SETTLING LITIGATION REGARDING THE ESTATE OF PATRICIA CERAOLO, ET AL V. SOUTH EUCLID, CUYAHOGA COUNTY COURT OF COMMON PLEAS CASE NO. CV-13-799847 IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00). FIRST READING.

Motion to Amend

Action: Amend, **Moved by** Councilman Joe Frank, **Seconded by** Councilwoman Sara Continenza.

Vote: Motion Passed (**Summary:** Yes = 6, No = 0, Abstain = 1).

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

Abstain: Councilman Justin Tisdale.

The motion has been approved.

Action: Approve, **Moved by** Councilman Joe Frank, **Seconded by** Councilwoman Ruth Gray.

Vote: Motion Passed (**Summary:** Yes = 5, No = 1, Abstain = 1).

Yes: Councilwoman Sara Continenza, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Ruth Gray.

No: Councilwoman Jane Goodman.

Abstain: Councilman Justin Tisdale.

The legislation has been approved.

Introduced by Fiorelli

Resolution 42-19

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PERFORMANCE OF BRIDGE INSPECTION SERVICES IN THE CITY OF SOUTH EUCLID, OHIO. 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, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The legislation has been approved.

Introduced by Fiorelli

Resolution 43-19

RESOLUTION

IN RECOGNITION OF ~~GLOBAL CLEVELAND'S~~ **NATIONAL** WELCOMING WEEK. FIRST READING.

Motion to Amend with an additional paragraph that City Council has previously passed legislation that South Euclid is a "Welcoming City" and that the title should state "National Welcoming Week"

Action: Amend, **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, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

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, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The legislation has been approved.

Public Hearings (Open Meeting) Related to Open Business

- Lois Koenig and family at 4505 Shirley Drive addressed the issue on Shirley Drive related to flooding to their home which occurred as a result of construction by TRAX construction and that the Mayor stated that since the family has hired an attorney to represent them they must now go through the city's attorney. Council President Fiorelli stated in the Mayor's absence that she does support them and the law director and city are doing what they can within the law to be supportive and help the family with the issue. Law Director Lograsso stated that he has had conversations with the family's attorney Ken Fisher who is a very good lawyer and will represent them well and will continue to have conversation with him on how the city can help mediate the issue which is between the construction company and the family. Councilwoman Gray stated that in the meantime, can the city assist if there are any issues with mold in the home and if the building department can go to the home to assess the damage.
- Charles Turner, 4549 Lilac Road, stated that next Saturday is the South Euclid School's appreciation day at Legacy Village and warned that he will be there with his sign and should not be removed. Mr. Turner stated that council is probably already aware of a second lawsuit filed by the Judge and that Law Director Lograsso attempted to "shut up the Judge" and Justice Maureen O'Connor denied it. Mr. Turner stated that contrary to opinions, the mayor filed a petition to become mayor and shortly after that the petition was rejected and it is still going on. Mr. Turner stated that the Chief of Police perjured himself on the stand at Mr. Turner's court hearing.

Communications of City Council

- Councilwoman Gray thanked the Service Department and Director Anderson for taking care of an issue with Cleveland Water regarding a watermain break on Freemont and being so responsive. Ms. Gray stated that she was asked to speak on the wage gap between men and woman and testified at the Statehouse on a bill introduced.
- Councilman Gelfand reported on several successful community events including the Commission on Aging's Taste of Cedar Center, a school supply drive and a meeting to introduce the Elizabeth Kirby the new superintendent of the Cleveland Heights University Heights Schools. Mr. Gelfand reported on the Bexley Bash events and Haywood Drive block party.
- Councilman Tisdale stated that it was great seeing the community out at events over the summer and discussed upcoming events including Pumpkins in the Park on October 24th.
- Councilwoman Continenza thanked all of the residents for coming out to the Bexley Bash events this summer and that they are getting better with each event. Ms. Continenza invited all residents to get involved in planning next year's events and that they meet the first Tuesday of each month at 7 pm at the Community Center.
- Councilman Frank reported on the many block parties this summer and it was great seeing the community come together.
- Councilwoman Goodman gave an update on an Urban Canopy Tree Grant Program from the Cuyahoga County Planning Commission.
- Council President Fiorelli scheduled a meeting for September 23rd at 6:30 pm regarding the proposed Burger King Conditional Use Permit. Mr. Fiorelli reported on the history and nature tours of South Euclid being conducted by resident Carol Johnson and that information about the tours can be found on the One South Euclid website.

Adjourn

Action: Adjourn, **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, Councilman Joe Frank, Council President Dennis Fiorelli, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale.

The Meeting Adjourned at 9:18 pm.

Attest:

Council President

Clerk of Council

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