

REGULAR MEETING OF SOUTH EUCLID CITY COUNCIL

Council President Dennis Fiorelli called the meeting to order and the Pledge of Allegiance was recited. Mr. Fiorelli reported that Councilwoman Gray has a work engagement and Councilwoman Goodman has a family emergency and are absent.

Roll Call

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

Report of Mayor

- Council President Fiorelli reported that the Mayor is in Columbus and that all directors are in attendance except City Engineer Blackley and Housing Director Martin, who are excused.
- Economic Development Director Love gave an update on Economic Development initiatives.
- Community Services Director Benjamin discussed several pieces of legislation on the agenda for council consideration including the refunding of municipal bonds and several proposed major road reconstruction project applications for South Green Road, Cedar Road and a CDBG Application for Hinsdale Road.
- Fire Chief Stefko discussed legislation related to the acceptance of grant funds and going out to bid for a self-contained breathing apparatus fill station.
- Doc Janning, South Euclid's Poet Laureate recited a poem.

Report of Law Director: none.

Report of School District: none

Public Hearings (Open Meeting) Related to Agenda Items

- Gary Rouse stated that he is the site engineer for the proposed Burger King, which is on Council's agenda for consideration of a conditional use permit for a drive thru. Mr. Rouse stated that they recognize that if Council approves the 12 conditions, the developer will still have to go to the Board of Zoning Appeals for approval of several items.

Report of Committees

Finance Chairman Joe Frank reported that the Finance Committee met to discuss the proposed wage enforcement ordinance and that representatives from the carpenters union and Ohio Association of Contractors attended the meeting to give an overview of best practices. The committee will meet again to continue discussions.

Committee of the Whole

Introduced by Fiorelli

Resolution 20-19

RESOLUTION

GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU FOR "BURGER KING" AT 4525 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID, OHIO. **SECOND READING.**

Council President Fiorelli stated that several public hearings and meetings were held on this issue by the Planning Commission and City Council and if the Burger King project is to move forward they must meet 12 specific conditions spelled out in the ordinance and get approvals from the Board of Zoning Appeals to meet the conditions set forth in the legislation.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.
The legislation has been approved.

Legislation Requested by the Administration

Introduced by Fiorelli

Ordinance 19-19

ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A MEMBER COMMUNITY INFRASTRUCTURE GRANT AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR THE GREEN ROAD SIDE HILL STRUCTURE SEWER PROJECT. FIRST READING.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been approved.

Introduced by Fiorelli

Ordinance 20-19

ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF REAL ESTATE ACQUISITION AND URBAN REDEVELOPMENT GENERAL OBLIGATION REFUNDING (LIMITED TAX) BONDS OF THE CITY OF SOUTH EUCLID, OHIO, IN A PRINCIPAL NOT TO EXCEED \$12,900,000 TO ADVANCE REFUND CERTAIN BONDS ISSUED FOR REAL ESTATE ACQUISITION AND URBAN REDEVELOPMENT, AND DECLARING AN EMERGENCY. FIRST READING.

Councilman Frank stated that the re-bonding of the current debt will save over \$2 million over the lifetime of the bond.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been approved.

Introduced by Fiorelli

Resolution 44-19

RESOLUTION

PROVIDING A DATE AND TIME LIMITS FOR THE HALLOWEEN OBSERVANCE UPON THE STREETS AND OUT OF DOORS FOR THE YEAR 2019. FIRST READING.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been approved.

Introduced by Fiorelli

Resolution 45-19

RESOLUTION

AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$56,644 FROM THE GENERAL FUND TO THE FIRE DEPARTMENT FUND # 101-1120-52490 FOR THE PURCHASE OF EQUIPMENT TO BE REIMBURSED BY A FEMA GRANT. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Joe Frank.

Following discussion, **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been approved.

Introduced by Fiorelli

Resolution 46-19

RESOLUTION

AUTHORIZING THE MAYOR AND FIRE CHIEF TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF A "SELF CONTAINED BREATHING APPARATUS (SCBA) FILL STATION. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand, **Seconded by** Councilman Joe Frank.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been approved.

Introduced by Fiorelli

Resolution 47-19

RESOLUTION

AUTHORIZING THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE SAFETY FORCES LEVY FUND #410 IN AN AMOUNT OF \$138,000 FOR SAFETY SERVICE EXPENDITURES. FIRST READING.

Amend

Action: Motion to Amend Legislation to change the amount from \$148,000 to \$138,000,

Moved by Councilman Marty Gelfand, **Seconded by** Councilman Joe Frank.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been amended.

Action: Motion to Approve Legislation, **Moved by** Councilman Marty Gelfand,

Seconded by Councilman Justin Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been amended.

Introduced by Fiorelli

Resolution 48-19

RESOLUTION

AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS FROM THE "GENERAL FUND-YOUTH PROGRAMS-MISCELLANEOUS" TO "GENERAL FUND-YOUTH PROGRAMS-SERVICES" IN THE AMOUNT OF \$9,000 TO COVER COSTS ASSOCIATED WITH GRANT FUNDED YOUTH PROGRAM SERVICES IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Sara Continenza,

Seconded by Council President Dennis Fiorelli.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been amended.

Introduced by Fiorelli

Resolution 49-19

RESOLUTION

AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE PUBLIC WORKS PROGRAM TO FUND CEDAR ROAD (FROM MIRAMAR BOULEVARD TO GREEN ROAD) RESURFACING PROJECT. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Dennis Fiorelli,

Seconded by Councilman Marty Gelfand.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The legislation has been approved.

Introduced by Fiorelli

Resolution 50-19

RESOLUTION

AUTHORIZING THE MAYOR TO SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE PUBLIC WORKS PROGRAM TO FUND THE GREEN ROAD (CR14) BRIDGE 07.47 & ROADWAY IMPROVEMENTS PROJECT. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Council President Dennis Fiorelli,

Seconded by Councilman Justin Tisdale.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.
The legislation has been approved.

Introduced by Fiorelli

Resolution 51-19

RESOLUTION

AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO APPLY FOR A GRANT UNDER THE CUYAHOGA COUNTY "COMPETITIVE MUNICIPAL PROGRAM" 2019 COMMUNITY BLOCK GRANT FUND; AND DECLARING AN EMERGENCY. FIRST READING.

Director Benjamin reported that the legislation must be placed on First Reading pending a public hearing as required by Housing & Urban Development and Cuyahoga County guidelines. The legislation was placed on First Reading.

Introduced by Fiorelli

Resolution 52-19

RESOLUTION

REQUESTING THAT THE SOUTH EUCLID MUNICIPAL COURT REMIT \$134,245.29 IN UNCLAIMED COURT FUNDS AS REQUIRED BY OHIO REVISED CODE SECTION 1901.31 TO THE CITY OF SOUTH EUCLID FINANCE DEPARTMENT; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilman Joe Frank, **Seconded by** Councilman Marty Gelfand.

Law Director Lograsso stated that on April 1st of each year the Court is required by Ohio Revised Code to submit any unclaimed funds to the City, which has not happened for several years and that in June of this year the Ohio State Auditor provided the City with a report detailing over \$134,000 in unclaimed funds. Councilman Gelfand stated that the Judge has provided a memo just prior to the meeting stating that the funds are only around \$7,000 and only identified traffic and criminal issues and not civil and small claims funds so which report is accurate? Law Director Lograsso stated that, pending revisions from the State Auditor, that is the number that should be worked from. Councilman Frank explained that the unclaimed funds are supposed to be transferred to the City, which is then beholden to give the many back to any claimants and that the Court should have given the funds to the city and complied with statutory requirements. Councilman Gelfand asked if the money is kept in an escrow account if they are received. Finance Director Wendt responded that funds within five years go into an escrow account and after five years is transferred to the General Fund.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.
The legislation has been approved.

Public Hearings (Open Meeting) Related to Open Business

- Charles Turner: 4549 Lilac Road, stated that he is the owner of car on the street with the "Mayor Welo allows police brutality sign" and that he has been carrying signs and cited by police officers on several occasions, twice by the Police Chief. Mr. Turner stated that on September 30th he was at the South Euclid Court and called under the Mayor's new rules and policies and practices and five cases against him have been thrown out going up to the supreme court. Mr. Turner stated that the Law Director and Police Chief should redirect activities instead of chasing people they don't like.

Communications of City Council

- Councilman Tisdale discussed the Pumpkins in the Park event and the grand opening of Nothing Bundt Cake at Cedar Center.
- Councilwoman Continenza reported that the rescheduled Ward 3 meeting will take place on October 29 in the Community Room and discussed the efforts of the Bexley Community Group and providing activities for teens.
- Councilman Frank reported that October 17th is the One South Euclid Fundraiser Mingle at the Mansion at 6 pm at the Telling Mansion. Mr. Frank also reported on a meeting with Dorsh Road residents regarding the condition of their streets and support for the upcoming Safety Levy and that it's not an increase or new tax.

- Councilman Gelfand reported that the South Euclid Bike Coalition will have a bike ride on Sunday, October 20 at 8:30 am at 9 am and that the coalition is part of the Heights Bike Coalition.
- Councilman Fiorelli reported on the condition of the parks, which are looking good and that Quarry Park was full of youth playing softball and at the Playground of Possibilities. Councilman Fiorelli offered prayers to Councilwoman Goodman's sister who has fallen ill.

Adjourn

Action: Motion to Adjourn, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilman Marty Gelfand.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Absent: Councilwoman Jane Goodman, Councilwoman Ruth Gray.

The Meeting Adjourned at 8:49 pm.

Council President

Attest:

Clerk of Council