

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

Amend Agenda to include Executive Session and Swearing-In Ceremony of Police Officer

Action: Motion to Amend Agenda, **Moved by** Council President Dennis Fiorelli, **Seconded by** Councilman Justin Tisdale.

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

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

The Agenda has been amended

Minutes of Meetings: November 11, 2019 & November 25, 2019

November 11, 2019 Minutes

Action: Motion to Approve Minutes of Previous Meetings, **Moved by** Councilman Joe Frank, **Seconded by** Councilwoman Ruth Gray.

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

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

The Minutes have been approved.

November 25, 2019 Minutes

Action: Motion to Approve Minutes, **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, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale, Council President Dennis Fiorelli.

The Minutes have been approved.

Swearing-In Ceremony:

Andrew D'Eusanio was sworn-in as a new South Euclid Police Officer.

Report of Mayor

- Doc Janning, South Euclid's Poet Laureate recited the poem "Year's End Game".
- Mayor Welo reported that all directors are in attendance except Housing Director Sally Martin and Fire Chief Doug Stefko.
- Mayor Welo acknowledged the following at the meeting: County Councilwoman Sunny Simon and One South Euclid Board Members Lisa Mack, Moe Romeo, Yvonne Sanderson, Jim O'Toole and Carol Fiorelli.
- Economic Development Director Mike Love requested Council's support for Ordinance 23-19 regarding Rochling Glastic's request for a CRA incentive for their expansion project that will create 26 new full time jobs. Mr. Love also requested consideration of a resolution transferring vacant property to One South Euclid.
- City Engineer Andy Blackley reported that 2019 Road Projects are wrapping up and some work will resume in the spring to restore tree lawns. Mr. Blackley reported on the progress of the Cuyahoga County Green Road Bridge Project which is scheduled for 2021 and requested consideration of several resolutions to go out to bid for 2020 road and infrastructure projects.
- Mayor Welo requested Council consideration of the Resolution 71-19 renewing webmaster Mark Geyman's contract for 2020 and Resolution 76-19 renewing the City Engineer's contract for 2020.

- Mayor Welo reported on a delegation from China that visited South Euclid last week through the efforts of the City and One South Euclid and wished everyone a happy holiday season.

Report of Law Director & Department Heads – No report.

Public Hearings (Open Meeting) Related to Agenda Items

- Charles Turner, 4549 Lilac Road, spoke regarding the Resolution confirming Law Director Mike Lograsso and said that Mr. Lograsso has had issues with the IRS and falsely claimed to be a sub-contractor and recommended that he not be re-confirmed and needs to go.
 - Sheldon Berns, stated that he is at the meeting on behalf of both the Yeshiva and Catholic Diocese for the proposed Conditional Use Permit for the new Jewish Day School to be located on Sacred Heart of Jesus Property. Mr. Berns stated that the Planning Commission unanimously recommended approval of the conditional use for the new School which will be located in the property where St. Gregory the Great's School used to be.
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Report of Committees

Utilities Committee

Councilwoman Sara Continenza that a meeting was held earlier in the evening to discuss a resolution recommending goals for meeting 100% Renewable Energy in the community. Another meeting will be scheduled to continue discussions.

Committee of the Whole

Council President Fiorelli reported that the Committee held their monthly finance meeting and revenues are coming in close to budget and disbursements are under budget with a current General Fund balance of approximately \$4.3 million.

Legislation Requested by City Council

Introduced by Fiorelli

Resolution 80-19

RESOLUTION

IN APPRECIATION TO DENNIS FIORELLI FOR HIS YEARS OF DILIGENT SERVICE ON SOUTH EUCLID'S CITY COUNCIL AND TO THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Action: Motion to Approve Legislation, **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, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale, Council President Dennis Fiorelli.

The legislation has been approved.

County Councilwoman Sunny Simon also presented Council President Fiorelli with a Proclamation from County Council.

Introduced by Fiorelli

Ordinance 23-19

ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT TO GRANT A PROPERTY TAX ABATEMENT TO ROCHLING GLASTIC COMPOSITES LP PER CODIFIED ORDINANCE 1330. FIRST READING.

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

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

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

The legislation has been approved.

Legislation Requested by the Planning Commission

Introduced by Fiorelli

Resolution 79-19

RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO "YESHIVA DERECH HATORAH SCHOOL" LOCATED AT 4478 RUSHTON ROAD IN THE CITY OF SOUTH EUCLID, OHIO. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilman Justin Tisdale.

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

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

The legislation has been approved.

Legislation Requested by the Administration

Introduced by Fiorelli

Resolution 69-19

RESOLUTION

EXCUSING COUNCIL MEMBERS' ABSENCE FROM COUNCIL MEETINGS DURING 2019. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilman Justin Tisdale.

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

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

The legislation has been approved.

Introduced by Fiorelli

Resolution 70-19

RESOLUTION

SETTING THE DATE FOR THE FIST REGULARLY SCHEDULED MEETING OF THE CITY COUNCIL OF THE CITY OF SOUTH EUCLID, OHIO IN 2020. 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 = 7).

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

The legislation has been approved.

Introduced by Fiorelli

Resolution 71-19

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.

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

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

The legislation has been approved.

Introduced by Fiorelli

Resolution 72-19

RESOLUTION

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

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

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

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

The legislation has been approved.

Introduced by Fiorelli

Resolution 73-19

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE 2020 STREET RESURFACING PROGRAM IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **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, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale, Council President Dennis Fiorelli.

The legislation has been approved.

Introduced by Fiorelli

Resolution 74-19

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE MAYWOOD ROAD INFRASTRUCTURE IMPROVEMENT PROJECT IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **Moved by** Councilwoman Sara Continenza, **Seconded by** Councilwoman Ruth Gray.

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

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

The legislation has been approved.

Introduced by Fiorelli

Resolution 75-19

RESOLUTION

AUTHORIZING THE CITY ENGINEER TO PREPARE THE NECESSARY PLANS, SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE 2020 WATER MAIN RENEWAL PROGRAM IN THE CITY OF SOUTH EUCLID, OHIO; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

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

The legislation has been approved.

Introduced by Fiorelli

Resolution 76-19

RESOLUTION

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENDING THE ENGINEERING SERVICES FOR STEPHEN HOVANCSEK & ASSOCIATES, INC. FOR A PERIOD OF JANUARY 1, 2020 THROUGH DECEMBER 31, 2020; AND DECLARING AN EMERGENCY. FIRST READING.

Action: Motion to Approve Legislation, **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, Councilman Marty Gelfand, Councilwoman Jane Goodman, Councilwoman Ruth Gray, Councilman Justin Tisdale, Council President Dennis Fiorelli.

The legislation has been approved.

Introduced by Fiorelli

Resolution 77-19

RESOLUTION

IN ACCORDANCE WITH ARTICLE V "ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS" OF SECTION 1 "GENERAL PROVISIONS" OF THE CHARTER OF THE CITY OF SOUTH EUCLID HEREBY CONFIRMS MICHAEL P. LOGRASSO AS DIRECTOR OF LAW. 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 = 7).

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

The legislation has been approved.

Adjourn to Executive Session For the purposes of discussion Pending Litigation.

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 = 7).

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

City Council adjourned to Executive Session at 9:15 pm.

Adjourn from City Council.

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

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

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

Absent: Councilwoman Jane Goodman.

City Council came back into regular session at 9:52 pm

Introduced by Fiorelli

Ordinance 24-19

ORDINANCE

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF SOUTH EUCLID, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019; AND DECLARING AN EMERGENCY. FIRST READING.

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

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

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

Absent: Councilwoman Jane Goodman.

The legislation has been approved.

Introduced by Fiorelli

Resolution 78-19

RESOLUTION

PROVIDING FOR THE APPROPRIATION OF UNAPPROPRIATED FUNDS IN THE GENERAL FUND TO MUNICIPAL COURT/PERSONAL SERVICES IN THE AMOUNT OF \$57,070.00. FIRST READING.

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

- Councilman Frank stated that it is with certain apprehension that he is recommending that the ordinance be passed and that the Court's spending requests have not been reasonable or necessary and called it budgetary terrorism and that there has not been any accountability for the court and unknowns regarding the accounting for special project funds. Mr. Frank stated that council made the Mayor cut \$300,000 from her budget and stated that Council has no authority to hold the Court responsible for their spending and that it is the Ohio Supreme Court that needs to hold the Court liable and that the Supreme Court and the Ohio State Legislature have refused to take a look at the issues with the Court and there needs to be a resolution to this issue.
- Councilwoman Continenza stated that the City should stand up to this and that the Supreme Court needs to do a better job and that she regrettably supports the legislation.
- Councilwoman Gray stated that she agrees with her colleagues and that this kind of issue is unheard of, and that in her 14 years on city council. She has never had the occasion where the city, departments or courts would demand to write their own check and expect the city to pay the bill. Ms. Gray stated that government doesn't work like that on any level, and that this is why there is a legislative branch that sets the budget annually and that when Council sets the

budget, by law, all departments and the Court have to comply with the law. Councilwoman Gray stated that this is terrible and that the residents of South Euclid are ending up paying the price for this and that she is absolutely disappointed that the Judge she walked for and helped put into office did not even come to City Council and ask for help and that the finance director had to come to council to make sure that court staff got paid. Ms. Gray asked why can't we just work together and work past all the negativism and that as a councilperson, she must uphold the constitution and the charter and said that she is disappointed that council has to do this under duress and this is the Judge's responsibility, not city council.

- Councilman Gelfand stated that this legislation is a bailout and that the City is bailing out the court and that the city has an administrator of the court that is hiding behind the rope strings of the Supreme Court and that this is far from reasonable or necessary. Mr. Gelfand stated that the city is looking to the Ohio Supreme Court and State Legislature to reign in the unfairness and that South Euclid is right now the face of the inequity of a system that gives free reign to the court. Councilman Gelfand stated that it is the City that is making sure the court employees get paid and make no mistake about it that this is a bailout bill for an irresponsible court.
- Councilman Tisdale stated that he is new to City Council, but as a resident for 30 years, if the city continues to give and give then they have set up the future of the city and when does this stop. Mr. Tisdale stated that the court needs to be sustained and the city has to do the right things.
- Councilwoman Gray stated that she is requesting that with either passage or failure of the legislation, that the city submit another complaint to the Ohio Supreme Court about this issue. Councilman Frank concurred and stated that it should be specific to the Court's budget malfeasance and blatant disregard. Councilman Gelfand also requested action. Law Director Lograsso stated that by taking action on the legislation it protects the city from wage and hour complaints and lawsuits and that it protects both the city and court.
- Council President Fiorelli stated that he is disappointed and embarrassed that City Council is being asked to provide additional funds and that it's a sign of fiscal irresponsibility to be insubordinate, however, there are consequences to not appropriate the funds, which defeats the whole budget process.

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

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

Absent: Councilwoman Jane Goodman.

The legislation has been approved.

Public Hearings (Open Meeting) Related to Open Business

Susan Hardy, 1092 Plainfield Road, stated that she is looking forward to working with everyone as a new member of City Council.

Communications of City Council

- Councilman Tisdale thanked everyone that came to the Holiday Lighting Ceremony at City Hall and wished everyone safe and happy holidays.
- Councilman Gelfand wished everyone a happy Chanukah, Christmas, New Year and asked everyone to be safe.
- Councilwoman Gray thanked President Fiorelli for his service and leadership on City Council and that 2020 gives city council the opportunity for strategic planning efforts, recreation efforts, and moving forward with the deer issue. and wished everyone a great holiday and she is looking forward to working with incoming Councilmember Hardy.
- Councilman Frank thanked President Fiorelli for his service and scheduled a Finance Committee Meeting for January 13 to discuss the 2020 budget and Ordinance 11-19 regarding wage enforcement.
- Councilwoman Continenza thanked President Fiorelli for his service and welcomed Councilwoman-elect Hardy. Ms. Continenza reported that she is meeting with the County Solid Waste Management District to work on options for the upcoming trash contract and wished everyone happy holidays.

- Council President Fiorelli stated that he is very proud of City Council, Mayor Welo and the administration and that serving has been an amazing experience. Mr. Fiorelli asked residents to continue to be good neighbors, which makes a great community. Council President Fiorelli stated that serving has been a humbling experience and he has learned a lot and wished everyone good luck and success in the future.

Adjourn

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

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

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

Absent: Councilwoman Jane Goodman.

The Meeting Adjourned at 10:22 pm.

Council President

Attest:

Clerk of Council