

City of Olmsted Falls
Minutes of a Regular Council Meeting
Monday, November 7, 2016, at Olmsted Falls City Hall
26100 Bagley Road – Council Chambers, 7:30 p.m.

The Pledge of Allegiance was recited. Mayor Ann Marie Donegan called the meeting to order at 7:34 p.m. Roll call was conducted. Councilmen Jay Linn, Linda Garrity, Jim Haviland, Bob Sculac, Paul Stibich, Terry Duncan, and Kyle Miller were present.

Also in attendance: Gregory M. Sponseller, Law Director, Mike DeSan, Asst. Finance Director, and Joe Borczuch, Service Director. Audience: 2.

Approval of Minutes

Ms. Duncan moved to **approve** the minutes from the Regular Council Meeting of October 11, 2016; Mr. Haviland **seconded**. Ms. Duncan requested the removal of “the equipment to make” under her report. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Sculac moved to **approve** the minutes from the Finance Committee Meeting of October 24, 2016; Ms. Duncan **seconded**. Mr. Haviland indicated that he arrived late to the meeting and indicated he arrived at 7:25 p.m. Poll: 6 ayes; 0 nays; 1 abstain (Miller). **Motion carried.**

Mr. Stibich moved to **approve** the minutes from the Regular Council Meeting of October 24, 2016; Ms. Duncan **seconded**. Mr. Stibich indicated on Page 284, line 11, it reads “Mayor Donegan asked if Mr. Stibich explained to Mr. Fudale that there would be signs honoring achievements at another location.” The Clerk reviewed the recording and the actual language was “Mayor Donegan asked Mr. Stibich if he explained to Mr. Fudale that they are going up.” Mr. Miller indicated a typographical error on Page 281, line 45. Poll: 6 ayes; 0 nays; 1 abstain (Miller). **Motion carried.**

Mr. Miller apologized for not being in attendance at the Finance Committee meeting or the Regular Council meeting.

Consideration of Amendment to the Agenda – *None*

Mayor’s Report and Appointments

Mayor Donegan indicated that there are approximately 120 residents of Olmsted Falls that are currently serviced by Berea Water. Over the last 15 years those residents have voiced concerns with not only the quality of the water but the surcharges associated. She stated that in March she received an email from a resident who continued to complain about the quality and the surcharges. There are a couple of residents on Westlawn and West that have two people living in the home and on a quarterly basis their water bill is sometimes near \$400.00. The City is serviced by Cleveland Water and Rural Lorain, Mr. Peters serves on the Rural Lorain Board. We began some work in this area to determine if it would be a viable option to switch services. He stated that the City of Berea nor the City of Olmsted Falls cannot locate any records as to who installed the water lines, unfortunately that is not a surprise. The City of Berea responded to a public records request and also candidly and clearly relayed that they would not stand in the way of the City of Olmsted Falls moving these individuals to another

water system provided that they did not incur any charges, which is good news. She stated that 120 residents is not a lot of people but to her everyone is important. She stated that she, Mr. Borczuch and Mr. Sponseller have made this issue a priority. We met with both Rural Lorain Water and Cleveland Water and we will be entertaining proposals. She stated that she spoke with Mr. Linn on occasion regarding this issue and once those proposals are submitted she will turn them over to Mr. Linn, Chairman of Utilities Committee, to begin discussions regarding the pro's and con's to both proposals. The residents she spoke to with Berea Water and delighted regarding the steps to switch. Mr. Linn stated that he attended the Rural Lorain Water meeting and they seem almost ecstatic to have the opportunity to provide water service to these residents. He stated that as the Mayor previously stated these residents are unhappy with the quality of the water and they are livid about their rates. His personal water and sewer rates are approximately \$300 per quarter but these resident's bills are 25% higher. Mayor Donegan stated that she would encourage all of Council to attend the Utilities Committee in order to be informed.

Mayor Donegan stated that the Strategic plan will be reviewed on Wednesday during her staff meeting which has been updated. She stated that if Council would like a copy please contact the Clerk. If you would like input please contact her. This is a living, breathing document and each team member utilizes the document when making decisions on what to work on. In addition, it does become extremely critical when working on budgets.

Great Lakes Billing – Mayor Donegan stated that Resolution 66-2016 is a resolution to authorize an agreement with the Attorney General's office to collect delinquent EMS ambulance billings. For the record, this is something that has not been well monitored over the 13 plus years it has been in existence. In other words, since the City engaged Great Lakes Billing in 2003, and by the time she finally received an aging AR balance sheet from former Chief Munteanu in May of this past year she was aghast that the aging balance was over \$116,000. She thought of Council woman Garrity and the Allied Waste billing issue, and clearly there is no excuse. This has been an aging AR since 2003 with literally no effort to clean up, understand it, or do anything about it. No one managed it at all, and you do not go out for tax increases until you have done everything you can to understand any money that is under a rock. This aging AR balance is mostly non-resident debt that is owed to the City. She asked Council to turn to Exhibit "C" which is the service level agreement. We have theoretically agreed in principal, not to authorize the AG's office to add interest, obviously this is bad debt and people are having a difficult time paying and we did not want to add insult to injury; the right off period is 15 years; we will go back to 2013; so the money that was on the table from 2003 to 2010 we have just chosen, in theory, to write off; if the AG's office is unsuccessful in collections that amount will be written off; we will not add another collection agency or move forward with special counsel to collect. The current estimated amount for 2013, 2014 and 2015, not including 2016, is already \$63,000. This equates to a police officer, service guy, or two secretaries and is a lot of money for a community our size. It is hard to believe that after three years she is still coming across issues that did not necessarily have the attendance it should have.

Mr. Sculac asked how this was over looked and who was supposed to be monitoring this should it have been the Mayor or Fire Chief. Mayor Donegan stated that when she received the information in May what immediately came to mind was Ms. Garrity and collections of outstanding debt. She is not sure who should have been monitoring but we are now. She stated that as part of her one on one discussions with the executive team these are issues that are discussed, why it took 2 ½ years to get her the information she cannot answer. She did meet with Great Lakes and the contract, in the city's possession, states that we pay Great Lakes 10% but she remembered that amount was re-negotiated to

7%. Unfortunately we do not have a copy of that here and she was told by Great lakes that it is not unusual for a municipality but it is unusual for this municipality as we should have copies of all contracts. As the finance department works on an even more structured policy and procedures this is an issue that will not be overlooked again. Outstanding invoices will immediately go from Great Lakes, after a certain period of time, right to the attorney general's office. It is a shame that we have to right off about \$70,000 especially when those years were during the worst economic crisis we had been through.

Economic Development – Mayor Donegan stated that the city received word on Friday that we received another NOACA grant, the second one that we have ever received in the City of Olmsted Falls history and the second one in the same year. This grant is in the amount of \$180,000. This grant is dubbed the Downtown Vehicular & Pedestrian Enhancement Phase I. This is stamped concrete, wayfinding, signage, signature landscaping, lighting, business and is fabulous news. She stated that she, Ms. Jones, Mr. Smerigan, Mr. Sheehy, and Director Borczuch met almost a year ago to discuss these types of issues. We applied for three grants from NOACA and received two. We do more with less by continuing to aggressively go after the grants that are out there. This is a grant that will produce things you can see and will see before the end of fall 2017.

Mayor Donegan stated that on December 6th from 4:00 p.m. to 7:00 p.m. the Blue Ribbon Economic and Marketing Committee will be entertaining proposals from three vendors which will be part of what she will be requesting from Council for the Economic Development portion of the budget. She would encourage all of Council to come and listen. She stated that the three proposals include ThunderTech, Xcom and Stevens Strategies.

She met with the YMCA this past week to discuss bringing comprehensive recreational programming. There is a new CEO who comes from Saginaw, Michigan and has been with the Y for many years. We have a long history going back to her park and recreation days in the 1990's. We will be looking at some options and as Council puts together their meeting plans for next year keep this in mind.

She stated that Mr. Iafigliola, who is the project manager for Shirmer Construction, for the Bagley Road Bridge delivered Malley's Chocolates to all the affected residents. He understands this project will be inconvenient and the chocolate is a token of their appreciation, he also handed out Shirmer contact phone numbers. Mr. Linn indicated that he believes, so far, this project has been relatively smooth. Mayor Donegan stated that we have done some tweaking with input from the businesses and Ms. Jones was also involved. Mr. Linn stated that during the construction by his business the contractor had a "fix it" guy who would come by either once a day or once every other day and ask if they needed anything, could he help with anything, are we interfering with this or that, do you need more plates across your aprons. He would suggest asking to see if this could be done here as well. Mayor Donegan stated that she would contact Mr. Iafigliola. Mr. Linn stated that he personally had no issues he even contacted the Mayor of North Ridgeville and indicated that Terrace Construction was one of the best crews he had ever seen and there was minimal interruption to his business.

Mayor Donegan stated that there is legislation for Senior Transportation and would request that this not be adopted this evening as she was reviewing pricing. There are some issues with fuel and will take some time to resolve.

Mayor Donegan indicated that the city received the Monarch Certificate of Appreciation for the wayfinding station which will go up by the Monarch Butterfly. The city also received the Monarch

Plaque, which will be installed by the service department. This is something that Councilwoman Duncan brought to her attention and worked with Ms. Vrettos to accomplish including all the plantings.

Mayor Donegan distributed the initial flyers for Community Paramedicine. On the front of the flyer you will notice Olmsted Falls resident Betty Dougan as well as retired paramedic/firefighter John Karl. There are also pictures of senior's that visit the Jenkins Place daily and the program continues to grow. This brochure was put together by Ms. Vrettos and is the pilot program model. The city's partners are Southwest General, Eliza Jennings and PHASTAR.

She indicated that the city has also received a senior grant for two more additional years. She stated that the fact we received this grant over other cities is impressive and believes it is due to the city's commitment to community paramedicine along with the relationship with Eric Martin and the Division of Senior Services that has really put us on the map as municipalities continue to do more for this population.

She stated that a JEDD meeting was supposed to be held this evening at 7:00 p.m. and was essentially cancelled because records on different studies were unable to be located. These were studies that were completed and paid for by the City and Township but were not readily available, which concerns her. Again, she is cleaning up records here and Ms. Garrity is cleaning up records at the cemetery. She stated that her concern is that this continues to be the way it has always been people say "oh well so and so is the chairman and he has some of it and then somebody else has some of it" but there are new people on the Board and we do not have all the documents that we paid for over all these years. She is not sure if Chairman Engelmann should be contacted or Ms. Lippus or Mr. Thompson. These were studies that led us to spend money and these are the people's records. Mr. Sculac asked if there was a way to retrieve these from the township, if we cannot retrieve them from our people. Mayor Donegan stated that is why she is suggesting requesting the records from Ms. Lippus and whoever the secretary was. Even though Ms. Mancini transcribed the minutes she was not the record keeper and of course she did go to Ms. Mancini and ask her to find these records. She stated that Ms. Mancini took the time out of her day to go through the documents page by page because nothing is in order. For instance, the Riachi contract, she knows we paid \$50,000 or maybe \$75,000 and that should be in a file but it was hooked to bank statements. The only records it was located is because Ms. Mancini stopped what she was doing to try and go through these documents. Mr. Sculac asked if the Township had copies. Mayor Donegan replied no as they were looking to us and Mr. Engelmann and everyone else kept saying Olmsted Falls has them but we were never allowed to go through their files as they were kept separate. Since Mr. Engelmann is leaving she was to make sure the records are located so we are not in the same position. Mr. Haviland stated that as the secretary of the Board now he will work with the Mayor. He stated that watching the email threads go back and forth "is it at your house," "where is it," "does Ms. Mancini know where it is," it is very important significant initiative and we should be able to find them. He stated that we will gather it and consolidate them. Mayor Donegan asked Mr. Sponseller to send a letter to the secretary indicating if they have files that they did not turn over they need to turn them over.

Mayor Donegan stated that at the last council meeting Mr. Stibich read a letter from Mr. Joe Fudale into the record regarding the welcome sign. She sent a letter to Mr. Fudale, copied the Council President, and read into the record. She has known Mr. Fudale and his father actually taught band when she was a flag bearer. She stated that the concerns of this have not fallen on deaf ears even though service department has many many priorities but in the spirit of that request she would like to

ask Mr. Stibich take the lead to stepping to the plate and work with Service Director Borczuch to develop and recommend a plan to Council which then needs to be approved by ABR. We envision a “Wall of Fame” of sorts that creates a display which recognizes the achievements and accomplishments of all Olmsted Falls residents regardless of gender, or whether their achievement be in the Arts, Gardening, Athletic or Academic. If we stick within the City budget we would be more than happy to make certain that we not only have a sign that can be displayed with honor but that we would also have a mechanism in place so no one is missed.

Communications from Residents

Ann Reichle, 8155 Columbia Road, stated that she is so excited about the wayfinding grant and she would like to know if she has the Mayor’s permission to share the information at the membership meeting tomorrow. Mayor Donegan replied yes and that she would forward a copy to Ms. Reichle. Ms. Reichle stated that the membership packets for Downtown Olmsted Falls have been completed. The membership drive will begin tomorrow. At the board meeting last week she asked for comments from the area businesses concerning the bridge closure, the first two days were an absolute nightmare for everyone as was expected. She is very impressed with what has been done since then, she actually sat at the dog shop the other day and watched at 5:00 p.m. as the police closed off Mill Street to not allow any more traffic to hit Columbia Road which was already overloaded with traffic so they would not have to stop north bound traffic. She has really been impressed with them, she was almost hit the first day going east on Mill Street at the stop sign when a lady pulled right into the parking lane to turn right around her while she was trying to go straight. She has been alerted to the fact that this will change into a right turn lane and she is thrilled and believes it should stay that way personally. She thanked everyone for listening and analyzing everything for this project and she does know that things will change as the year goes on. She again thanked everyone for everything the city has done. Mayor Donegan stated that everyone thinks this is a city project, but it is not the city’s, it is a county project. She was almost hit twice on the first day as well. She thanked Ms. Reichle for her feedback.

Approval of Bills:

Ms. Duncan moved to **approve** Pay Ordinance 2016-20; Mr. Sculac **seconded**.

Mr. Sculac stated that he has noticed the city has utilized Olmsted Laserwash for car washing and asked if this was for police cruisers as he does not recall seeing these types of charges before. Mayor Donegan stated that the practice was we allowed the police to wash their own personal vehicles if they would wash the police vehicles. Then there was the argument that there were not enough police on the road. She then negotiated an agreement with Laserwash along with the development of a procedure. She then asked Mr. DeSan to obtain a copy of the procedure. This could be the first invoice the city received since the implementation of the contract and policy.

Mr. Sculac stated that he noticed there are additional payments to the law director of \$3,100 as well as payments to Mari Alice and asked if it is feasible, he would like to see the invoices and what these charges are attributed to. Mayor Donegan stated that if you recall she did have an extensive sheet that she brought to the last meeting which outlined for example, how much police reform has cost the city which is about \$100,000. Mr. Sculac stated that the city is on the downturn now. Mayor Donegan stated that \$100,000 was added to the law department budget and she was prepared to talk to Council about the additional charges but was informed that Council did not want to have a discussion. She

stated that she would bring the information to the finance committee meeting. She stated that the expenses were separated into categories, the Bowman case, the city charter, Swope litigation, former Chief Gilles, and OPBA. Mr. Sculac stated that he does understand. Poll: 7 ayes; 0 nays. **Motion carried.**

Officials Reports:

Joe Borczuch, Service Director

Mr. Borczuch stated that he has been working with the Ohio Department of Natural Resources, Division of Oil and Gas Resources Management and discovered that there is an orphaned well in a resident's front road on Brook Road. ODNR will be sealing and capping this well and installing vents that will run through the easement area. This will happen in November or the first part of December. The City will receive a week's notice and residents will be delivered flyers. Unfortunately, when this work begins the street will be blocked off for a week or longer due to the size of the equipment needed and close proximity to the home. The residents smelled gas and when the gas company arrived they shut off the gas and evacuated the home. Once they determined it was not a natural gas leak but an orphaned gas well under their property that is now leaking.

Ms. Garrity asked if Mr. Borczuch knew how old the gas well was. Mr. Borczuch stated that he was not informed of the age. From his understanding this happens a lot throughout areas. Ms. Garrity asked if this happened around here recently. Mr. Borczuch stated that not in the City but in the Ohio area it is prevalent. Ms. Garrity asked if the surrounding area was looked at to see if there were any other orphaned wells. Mr. Borczuch indicated that they do not know where all the wells are located. Mr. Linn stated that most of these wells are undocumented. He had one in the property he owned on Myrtle. He also contacted the gas company who located the well and within a couple of days the well was capped off. Mr. Borczuch that once he is notified of the work he will notify fire, police and the bus garage.

He stated that the third quarter report from SafeBuilt, indicates that the city's revenue is just over \$26,500 and total revenue for the year is close to \$100,000. As we move forward with budget discussions he will be strongly recommending that Gary Kopchak, the property and maintenance inspector, moves to a full time status. He has over 575 complaints, a lot of them are handled there are several that are court cases that he has to attend to. He has only walked 52 streets of the 99 dedicated streets and our intent is to walk all of them each year. Unfortunately this gets push to the side when he receives complaints from residents. He believes having Mr. Kopchak full time will be a contribution to his department as a whole. Mr. Linn stated that he hopes Council looks favorably on giving Mr. Kopchak a full time position. He interacts with Mr. Kopchak numerous times a week and Mr. Kopchak does not allow anything to be pushed until the next day he goes out and looks the same day you contact him and returns phone calls quickly. He is doing a wonderful job. Mr. Borczuch stated that with all the work that needs to be handled being in the department five hours a day makes it difficult. Mr. Linn stated that the extra couple of hours each day will make a difference. Mr. Borczuch believes it will and will also increase compliance issues with contractors that are not registered or performing work without permits which increases the revenue to the city. Mayor Donegan stated that we have talked to Mr. Presley and while we are keeping status quo in 75% of the areas when you look at the entire budget this is revenue we have to determine how we can use to get the best bang for our buck. She would also like Council to look at an effort to give something back to the residents. For example, during summer months offering 50% off the cost of permits. She is not

recommending that begin in 2017 but consideration after we watch the revenue to see how it stabilizes.

Mr. Borczuch stated that Joelle McNea is doing a fabulous job with the senior center. He receives all positive remarks from the seniors who regularly attend events, which is great for the City. He appreciates Ms. McNea who took over the roll last summer and the seniors love her. Mayor Donegan stated that with the additional two years of the grant it makes this area budget neutral.

Mr. Borczuch indicated that his department is on its third trip through the city picking up leaves. This will continue until November 30th at which time his department will make one last pickup. Ms. Garrity stated that because of the nice weather hardly any of her leaves have fallen off the trees and asked if there was any way to extend leave pickup for a week. Mr. Borczuch replied no and stated that the leaves will begin falling all at once. His issue, which seems to be an issue every year, is the residents getting their leaves out to the street in time. Unfortunately, with only four trucks he has to have them for snow removal and extending leave pick up is just not a viable option. Ms. Garrity asked how many days it takes to go through the city. Mr. Borczuch indicated that when the leaves are heavy it takes one to two weeks.

Mr. Borczuch indicated that he has a requisition for Columbia Fence. This will be installed along Tyndall Falls by Aces Depot. There have been numerous complaints regarding the chain link fence that is currently located in this area. Mayor Donegan stated that a clear demarcation is needed for businesses and residents so instead of planting more shrubs a fence would be more prudent. Mr. Borczuch indicated that a solid board on board fence will be installed so the headlight issue will no longer exist. He stated that a fence has also been installed at East River Park for those residents.

Mr. Miller **moved** to approve a requisition to Columbia Fence to install 338' of a 6' tall solid board fence and the removal of 150' of chain linked fence in an amount not to exceed \$6,860.00; Ms. Garrity **seconded**. Mr. Sculac asked if Columbia Fence would handle the installation. Mr. Borczuch replied yes and they will also remove the chain link fence. His department will remove the plantings and shrubbery. Poll: 7 ayes; 0 nays. **Motion carried**.

Mr. Borczuch stated that he also has a requisition for Tek Supply to purchase a canvas building that will be installed behind the service garage. He currently has two canvas buildings one is used for salt storage and the other stores the product he uses to mix with the salt. This building will be used for cold storage. He researched obtaining an enclosed trailer but is not possible at this time as this canvas building is more of a priority.

Mr. Linn **moved** to approve a requisition to Tek Supply for a fabric building kit with end wall in an amount not to exceed \$8,000.00; Mr. Haviland **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Mayor Donegan stated that the city is negotiating with the turnpike for an access road to be built behind the service department. Mr. Borczuch stated that he met with the turnpike and was informed that this is something that they want to build. He is also working with them regarding building a pole barn for the SERT, SEB and CERT to use for storage of equipment. This access road will be for emergency access only.

Mr. Sculac asked if the house next to the fire station still up for sale. Mr. Borczuch indicated that he believes the property is still for sale and the owner's daughter is living in the property. They have recently make corrections to building notices that they received for the exterior of the property.

Mike DeSan, Asst. Finance Director

Mr. DeSan stated that he and Mr. Presley are working on finalizing the budget this week. He stated that he is also finalizing the Ohio Checkbook with the treasurer's office. Mayor Donegan stated that the Ohio Checkbook will be roll out the city's data on the website on Thursday at 1:00 p.m. This data is not being released live to the public yet.

Councilman Kyle Miller, Ward IV

Mr. Miller stated that through the police department's daily duties he would like to make a special mention of them during Halloween. His daughter enjoyed meeting the police officers as they patrolled his neighborhood during Halloween as well as when the officer drops off his council packet. These officers are always more than generous with their time to talk with her and other members within his community.

Also, he had a family member at Southwest General a couple of weeks and he received great care. He understands that Ms. Garrity is on the board and he spoke with Bill Young, President of Southwest General, and he wants to make sure that everyone realizes what a gem we have within this community and what great care we have along with MetroHealth being at Discount Drug Mart.

As we are reviewing the budget, the Mayor previously mentioned looking at ways of giving back to the residents and he would highly suggest we consider additional money for the service department specifically roadway work. As Director Borczuch knows, the majority of the time he contacts him is because of pot holes or other types of road infrastructure improvements. He believes this is a great way for the government to get involved and is issues that all of us have up and down our streets that could be just a little bit better. If we are able to add just a little bit of extra money he believes we should definitely consider.

Councilman Jim Haviland, Council-at-Large

Mr. Haviland stated that he will work on the JEDD issues and apologizes for the cancellation of the meeting. As he mentioned before what is being proposed with Bricker and Eckler is a sound suggestion. He hopes to obtain all the materials needed in order for Bricker and Eckler to make a meaningful presentation.

Mr. Haviland would like to also commend the police department. He is aware of someone that was pulled over and issued a ticket on the alternate route through the downtown area. He thinks it is great that the police are monitoring speed through this area and making sure the residents being inconvenienced only have to deal with the inconvenience and not safety issues as well.

Mayor Donegan stated that there seems to be an increase in traffic and she will be sending a letter to residents in this area signed by Ms. Jones and Deputy Chief Rogers to caution them and instructing them to be careful through the downtown area as traffic patterns have changed. There was also a discussion regarding posting yard signs on Garfield since there are no speed limits signs.

Councilman Bob Sculac, Ward I

Mr. Sculac moved to **acknowledge** receipt of the Mayor's Court monthly report dated 11/03/2016; Ms. Duncan **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mayor Donegan indicated that Ms. Mancini has requested a new printer which will be taken out of the court fund.

Mr. Sculac moved to **acknowledge** receipt of the Statement of Cash position dated 10/31/2016 in the amount of \$1,865,432.04; Ms. Duncan **seconded**. Mr. Stibich indicated that the amount is \$1,865,423.04. Mr. Sculac apologized for his error. Voice Vote: 7 ayes; 0 nays. **Motion carried**.

Mr. Sculac reminded Council that there is a finance committee meeting next Tuesday beginning at 6:00 p.m. for budget purposes. Mayor Donegan indicated that she needs to meet with Mr. Presley regarding her budget and believes they have completed fire and police. She will present the service department budget during the budget meeting. Mr. Sculac requested that the budget be distributed to Council prior to Friday in order to give everyone time to review. Mayor Donegan stated that there will be additional funds in Council's budget as well as economic development and she has not reviewed the budget as of yet.

Mr. Sculac stated that Resolution 60-2016 regarding the contract with Juniper, it was indicated that this is a non-budgeted item. If this piece of legislation runs three readings can we wait until 2017 and include the amount in the budget rather than expending funds in 2016 since 2017 will start only a couple of weeks after the third reading. Mayor Donegan stated that the city has been approached by several developers and a couple weeks does not seem like a lot but it does end up being a little longer. She stated that Juniper is the result of her meeting with TeamNEO and helping us continue to coalesce a plan and making better decisions. She stated that Alex Russo is unable to do his job because she is unsure about the decisions that need to be made. She stated that perhaps she can engage Juniper and they will submit their invoice in 2017. She is concerned if we do not move on this with the developers who have been in contact with us for the last six months. She has previously mentioned that there would be additional funds added to economic development but obviously we were unaware that the legal costs would increase.

Mr. Haviland stated that this is an important next step. The master plan that was adopted is a road map for the city to know what opportunities exist in Olmsted Falls. One thing missing is the ability to perform a real estate assessment, which they will do, and that will tell us what the highest and best use of the land is and its value. It will also help the Mayor make decisions as to what is presented to Council and then Council as a body understanding what we have as far as the market value of our real estate and should it be residential, commercial or retail; what is that highest and best use. He believes this is another complimentary piece to help make sound decisions. We are now at a point, as the Mayor mentioned, that there is interest from others. He stated that for purposes of the budget, if the invoicing could be moved to 2017 that would be ideal. Mayor Donegan agreed and stated that she would speak with Mr. Burnside. Mr. Miller stated that the contract indicates a payment of half up front and the other half upon completion, which means the cost may would be \$3,750 now if the Mayor is unsuccessful in pushing this to 2017. Again, to the Mayor's point, he believes everyone would be in agreement to moving this to 2017 and adding it to the budget would be ideal. Mayor Donegan stated that is a good point and is well taken, she will contact Juniper and inform Council as to the decision.

Councilwoman Terry Duncan, Ward III

Ms. Duncan stated that the Park and Recreation Board members have concerns regarding Fortier Park and the vandalism that continues to occur. Again, there is graffiti under the covered bridge and the board is highly recommending that some of their funds be spent on surveillance cameras preferably ones that are live or can be monitored. There is electric at the bridge and down in the park. She would like this issue to be part of the budget discussions. Mayor Donegan stated that she will discuss this issue with Asst. Safety Director Trainee as he has looked into surveillance cameras previously. Mr. Borczuch stated that will try using deer cameras for now because the cameras will need fiber optic lines to allow for recordings which do not exist in the park currently. He stated that we could possibly purchase dummy cameras to install as well as signs to attempt to deter the vandalism. Mr. Linn asked if there were any phone lines in the area. Mr. Borczuch stated that there are no lines with fiber optics. Mr. Linn stated that the cameras he uses at his business are land line phones. Mr. Borczuch indicated that he had two main communication companies come out and both said that we would need fiber optic lines for surveillance. He then asked Mr. Linn to forward contact information to him for the company he utilizes. Ms. Duncan stated that at least one member of the park and recreation board is the Community Church and if anyone had fiber optic running and maybe they would be and the city could speak with them about a possibility of sharing.

Ms. Duncan stated that the park and recreation board is also discussing a possible dog watch so people who walk their dogs in the area will have a more specific area for them. She stated that on decorating the Village Green will return and take place on December 4th. The tree lighting will also return on that day. Mayor Donegan stated that there will not be a lot of lights at the Village Green because of the compromised electrical system so please keep that in mind; there is nothing worse than having all these lights and half are out.

Councilman Paul Stibich, Ward II

Mr. Stibich stated that he would like to address the Mayor's letter to Mr. Fudale. He spoke with Mr. Fudale about the letter and he was happy that the letter was sent. Mayor Donegan stated that Mr. Fudale stopped at City Hall and there is nothing like communication. Mr. Stibich stated that he feels very strongly that those signs belong to the people and was disappointed that she did what she did. He really believes there should be some way of fitting six or eight signs in there and rotating them to acknowledge the accomplishments of residents and the community and taking old ones out and retiring them after a certain amount of time, but, he does not feel that will happen. He would recommend that the Mayor form a citizens committee to find an appropriate way to acknowledge the residents accomplishments that way it would be the residents deciding what is proper.

Councilwoman Linda Garrity, Council Pro-Tempore

Ms. Garrity stated that last week she attended the County wide insurance meeting for participating cities. We have had been involved with the county plan for our city employees for three years and are coming up for renewal. The county looked at their risk loss ratios and redesigning the health care program. Unfortunately for us, because we are a city with less than 50 employees being insured the county program does not provide a benefit to Olmsted Falls any longer. The gentleman mentioned that we would have to have greater than 50 employees to find this program profitable. The County is not asking us to exit out of the program and we are welcome to stay but they understand if we choose to exit because of the increase. Mr. Presley indicated that the increase for 2017 was 24%. Mayor Donegan corrected Ms. Garrity and stated that the increase was for Olmsted Falls 38% and the average increase was 24%. Ms. Garrity stated that Mr. Presley feels this is too large of an increase and this program no longer fits our needs. The county suggested that we look into a community

insurance pool and Mr. Presley is looking at Aetna/Metro, which is his first pick. If this program works out the employees may not have to choose a new doctor. The part that bothers her the most, being in health care field, anytime you have to switch physicians there is a room for errors to occur in simple things like paperwork. For example, her husband's employer switched from Kaiser to HealthSpan and now we are with Aetna and her husband's prescriptions were denied. We had to spend hours on the telephone because he takes cardiac medication that he cannot just stop taking. Anytime you switch insurance companies or doctor's there is always paperwork then getting to know your doctor getting and your history, etc. She brought that point up to Mr. Presley but he of course is looking at it from a financial stand point too and what we can afford. She is hoping that Mr. Presley's preference of the Aetna/Metro program will work for us.

Mayor Donegan stated that under the collective bargaining agreements the insurance committee will need to be convened. Obviously, health care is one of the important benefits of working and the right of any American, having said that we are obtaining quotes from Aetna/Metro and Medical Mutual and some others. We will probably convene the insurance advisory committee the week of Thanksgiving in order to quickly turn this around. Ms. Garrity stated she sent an email to each of the representatives from fire, service, and police, informing them that she would let them know as soon as possible about the date of the meeting. Mayor Donegan stated that she would be interested in Mr. Miller's opinion as he is familiar with this issue. She also indicated that there is a meeting with Medical Mutual tomorrow and 4:00 p.m. and asked Ms. Garrity to attend.

Ms. Garrity indicated that the NOCCA meeting is Thursday and she would like someone from Council to attend. The topic is Arts and Culture of Cuyahoga County and there will be a live performance. Mayor Donegan stated that the city is researching submitting grants next year from this group for a version of Evening in the Falls and Vintage Market Place. There have been preliminary meetings regarding those grants as you do need a 501c3. We are researching using PHASTAR which is a public as well as health and wellness cultural open ended not for. Mr. Sculac stated that he happened to have the opportunity to attend their seminar last year and from his knowledge and what he heard you need to be very clear and pinpoint in terms of what you want the money for. Two years ago they scaled back the grants and became a little more particular in terms of what you need to do when applying.

Councilman Jay Linn, Council President

Mr. Linn stated that he and Ms. Garrity attended the senior's Halloween Party last week and it was a wonderful event. He stated that Ms. Reichle did a great job with the food. He stated that Ms. Mancini, the Mayor and Ms. McNea did a great job. They waited on the senior's hand and foot and the seniors were as happy as could be. He stated that you could of put letters on the senior's to indicate what community they were from but the important thing is that they all had fun and more than half of the senior's dressed up for the event. Mayor Donegan stated that Ms. McNea is doing a great job.

Gregory M. Sponseller, Law Director

Mr. Sponseller stated that Council, by motion, authorized the continuation and finalization of negotiations through Mr. Alex Russo with Unbroken Fitness. He is pleased to announce that two hours ago the final revisions were accepted by the perspective tenant and all revisions are consistent with the amended term sheet distributed to Council as the new Exhibit "A." Once Council adopts the legislation we will execute the lease in compliance with the terms. He is happy to move forward with this that particular exciting economic development.

Old Business

Resolution 44-2016

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR MUNICIPAL PROPERTY AND LIABILITY INSURANCE COVERAGE FOR A ONE (1) YEAR PERIOD AND DECLARING AN EMERGENCY **Tabled on Third Reading (10/11/2016)**

Mayor Donegan asked Mr. DeSan if he was aware of the name of the entity. Mr. DeSan indicated that he did not. Mr. Stibich suggested a special meeting prior to the expiration. Mayor Donegan stated that she will call a special council meeting prior to the finance committee meeting in order to adopt and asked Mr. DeSan to follow up with Mr. Presley.

Remained on table

Ordinance 49-2016

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY TO CHANGE THE ZONING CLASSIFICATION OF PERMANENT PARCEL NO. 281-14-001 CONSISTING OF APPROXIMATELY 53 ACRES AND LOCATED WEST OF MAPLEWAY DRIVE FROM I-2 "INDUSTRIAL MANUFACTURING DISTRICT," TO MUTND, "MIXED USE TRADITIONAL NEIGHBORHOOD DISTRICT" **Third Reading (referred to Planning Commission 09/27/2016)**

Remained on table

Resolution 51-2016

A RESOLUTION AUTHORIZING A CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT FOR THE PUBLIC HEALTH SERVICES TO BE RENDERED DURING THE YEAR 2017 AND TO DIRECT THE CUYAHOGA COUNTY FISCAL OFFICER TO CREDIT THE CONSIDERATION PAYABLE UNDER SAID CONTRACT AND TO DEDUCT EQUIVALENT SUMS FROM TAX SETTLEMENTS DUE THE CITY OF OLMSTED FALLS AND DECLARING AN EMERGENCY **Third Reading**

Ms. Garrity moved to **adopt**; Mr. Linn **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Resolution 52-2016

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CERTAIN LEASE AGREEMENT FOR A PORTION OF THE CITY OWNED PROPERTY LOCATED AT 8051 BROOKSIDE DRIVE (FORMER CITY SERVICE GARAGE), MAKING FINDINGS RELATED THERETO, ALL TO PROMOTE BUSINESS AND ECONOMIC DEVELOPMENT IN THE CITY **Third Reading**

Mr. Stibich moved to **adopt**; Mr. Linn **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Resolution 53-2016 (AMENDED)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A AGREEMENTS WITH AUTHORIZED HEALTH CARE INSURANCE PROVIDER(S) IN ORDER TO IMPLEMENT HEALTHCARE INSURANCE COVERAGE FOR ELIGIBLE EMPLOYEES OF THE CITY, AND DECLARING AN EMERGENCY **Third Reading**

Ms. Garrity moved to **table**; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Ordinance 54-2016

AN ORDINANCE AMENDING CHAPTER 1218, TREE PRESERVATION AND MANAGEMENT; AND SECTION 1232.06(C)(5) OF THE CITY'S PLANNING AND ZONING CODE TO PROVIDE FOR LANDSCAPING AND TREE PRESERVATION AND REPLACEMENT REQUIREMENTS IN THE CITY FOR CERTAIN DEVELOPMENT OF LANDS IN EXCESS OF TWO ACRES **Second Reading** (referred to Planning Commission and Shade Tree Commission on 10/24/16)

Mr. Linn indicated that he spoke with some of the Shade Tree Commission members and made them aware that he is open at any time to sit down with them to discuss these proposed changes. He would like to discuss the city's ultimate goals with these proposed changes. Mayor Donegan stated that she will attempt to schedule a special meeting with Planning Commission and Shade Tree. She will also request that Mr. Smerigan attend this meeting.

New Business

Ordinance 59-2016

AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OLMSTED FALLS, OHIO, FOR THE PERIOD COMMENCING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 AND DECLARING AN EMERGENCY **First Reading**

Resolution 60-2016

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH JUNIPER CRE SOLUTIONS FOR ECONOMIC DEVELOPMENT AND REAL ESTATE DEVELOPMENT MARKETING STRATEGY FOR THE CITY OF OLMSTED FALLS, OHIO, AND DECLARING AN EMERGENCY **First Reading**

Ordinance 61-2016

AN ORDINANCE CONSENTING TO A PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH CUYAHOGA COUNTY FOR THE REPLACEMENT OF THE LINDBERGH BOULEVARD CULVERT C-00.93, AND DECLARING AN EMERGENCY **First Reading**

Resolution 62-2016

AN RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT AND THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT FOR THE IMPLEMENTATION OF PUBLIC INVOLVEMENT AND PUBLIC EDUCATION (PIPE)

PROGRAM UNDER OHIO EPA MS4 PERMIT AND DECLARING AN EMERGENCY
First Reading

Mr. Linn moved to **suspend**; Mr. Stibich **seconded**. **Voice Vote**: 7 ayes; 0 nays. **Motion carried**. Mr. Linn moved to **waive** the reading in its entirety; Mr. Stibich **seconded**. **Voice Vote**: 7 ayes; 0 nays. **Motion carried**. Mr. Linn moved to **adopt**; Mr. Stibich **seconded**.

Ms. Duncan thanked Council as she did recommend this several months ago. She also stated that there is another program, she is unsure if it is part of this memorandum that looks at current storm water retention basins in the community. There are about 13 communities that do that and there are some educational pieces that you can have them do and the district will contact the residents directly if there are any issues with the storm water retention. The city engineer could get the list together and you can pick and choose which programs. She will forward the information she received from Mr. Bartley to the Mayor. Mayor Donegan asked her to also forward a copy to Don Sheehy. Poll: 7 ayes; 0 nays. **Motion carried**.

Mayor Donegan asked that a copy of the signed agreement be forwarded to Mr. Don Sheehy, City Engineer and the Environmental Protection Board.

Mr. Linn thanked Director Borczuch and the individuals in the building department who have kept him apprised over the last few weeks of some violations of the riparian zone which they also cited for. The department has done everything that is needed to make sure that our riparian zone is protected which is integral to our MS4 permit and is a requirement. It is important that the gentlemen in the building department understand it and he sees that they do which is wonderful and should have happened 10 years ago. Mr. Stibich would also like to say that he has experienced the same thing as Mr. Linn. He stated that Gary Kopchak has done a good job dealing with some residents regarding the riparian zone. Mayor Donegan stated that if she receives a complaint regarding Mr. Kopchak she knows that it is rooted in something else because his customer service skills are very good and is the kind of relationship we want to have with people.

Resolution 63-2016

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SENIOR TRANSPORTATION CONNECTION FOR THE PROVISION OF SENIOR TRANSPORTATION SERVICES AND DECLARING AN EMERGENCY **First Reading**

Resolution 64-2016

A RESOLUTION AUTHORIZING THE ADVERTISING AND TAKING OF BIDS FOR THE CONSTRUCTION OF THE PHASE V(a) (MAPLEWAY DRIVE) SANITARY SEWER PROJECT, AND DECLARING AN EMERGENCY **First Reading**

Mr. Haviland moved to **suspend**; Mr. Linn **seconded**. **Voice Vote**: 7 ayes; 0 nays. **Motion carried**. Mr. Haviland moved to **waive** the reading in its entirety; Mr. Linn **seconded**. **Voice Vote**: 7 ayes; 0 nays. **Motion carried**. Mr. Haviland moved to **adopt**; Mr. Linn **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Ordinance 65-2016

AN ORDINANCE AUTHORIZING, RATIFYING AND AFFIRMING THE MAYOR TO ENTER INTO ANY AND ALL AMENDMENTS TO, AND EXTENDING THE TERM OF

AGREEMENTS WITH THE CITY OF STRONGSVILLE FOR THE PROVISION OF REGIONAL DISPATCH SERVICES BY STRONGSVILLE FOR THE CITY OF OLMSTED FALLS, ALL TO PROVIDE FOR EMERGENCY DISPATCH SERVICES IN THE SOUTHWEST AREAS, REPEALING ALL LEGISLATION INCONSISTENT HEREWITH, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY **First Reading**

Mayor Donegan indicated that she has a meeting tomorrow morning at 10:00 a.m. to discuss the 1% increase.

Resolution 66-2016

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DELINQUENT DEBT COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR THE RECOVERY OF DELINQUENT EMS AND RELATED BILLINGS IN THE CITY AND DECLARING AN EMERGENCY **First Reading**

Mr. Linn moved to **suspend**; Mr. Stibich **seconded**.

Mr. Miller stated that the Mayor previously mentioned that these are not entirely residents and would like to know who exactly would be impacted by this. Mayor Donegan stated that the city has a soft billing for residents which is pretty standard in the industry. This is for delinquent bills for those who do not pay what is required for EMS/ambulance fees. For instance, we have a contract with Medicare, Medicaid, Anthem and there is one other, which pays their contracted amount. Mr. Haviland stated that if there was someone was injured at a job in Olmsted Falls but is not a resident they would be charged for ambulance services and would be considered a non-resident. Mr. Linn stated that there is an entirely different fee structure that surrounds the residency and non-residency issue and there are considerations for residents. Mayor Donegan stated that most communities have an EMS policy which we have and have not changed that policy but this would be for uncollected revenue that is due to the city for the services of an ambulance. Mr. Miller stated that the Mayor also previously had mentioned that we would not be going through an authorized debt collector afterwards. Mayor Donegan replied that was correct. There are many levels of debt collection; the Attorney General offers this service to a lot of municipalities and if the amount is still not collected we could choose to add interest but we are recommending that not take place. Mr. Miller replied that he believes that is wise. Mayor Donegan stated that we could continue to collect through a collection firm like Revenue Collection Group and then if they still did not pay the invoice we could go to an attorney but we have chosen not to do any of those steps. After the second effort is made to collect the city will write off the amount. Mr. Miller stated that essentially if someone does not pay for ambulance services they receive a bill from the attorney general and if they throw that away then they still do not have to pay. Mayor Donegan replied no, the Attorney General makes a lot of effort to collect on our behalf. Mr. Miller stated that this collection is more than a cursory effort by the Attorney General. Mayor Donegan replied absolutely because the Attorney General collects 10% of the fees.

Voice Vote: 7 ayes; 0 nays. **Motion carried.** Mr. Sculac moved to **waive** the reading in its entirety; Mr. Linn **seconded**. **Voice Vote:** 7 ayes; 0 nays. **Motion carried.** Mr. Linn moved to **adopt**; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Miscellaneous New Business - *None*

Such other business that may come before Council - *None*

Mr. Linn moved to **adjourn**; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

The meeting adjourned at 9:18 p.m.

Ann Marie Donegan, Mayor

Angela Mancini, Clerk of Council