

City of Olmsted Falls
Minutes of a Regular Council Meeting
Tuesday, March 14, 2017, 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 7:31 p.m. Roll call was conducted. Councilmen Linda Garrity, Jim Haviland (arrived at 7:33 p.m.), Bob Sculac, Paul Stibich, and Terry Duncan, were present. Kyle Miller was excused.

Mr. Miller sent an email to Mayor Donegan requesting that it be read into the record, which states “I apologize for missing and I look forward to working with the new Councilman Ed Gorski. Thanks and let me know how the meeting goes.”

Also in attendance: Gregory M. Sponseller, Law Director, Steve Presley, Finance Director, Mike DeSan, Asst. Finance Director, Chad Gluss, Fire Chief, Joe Borczuch, Service Director, Rosann Jones, Manager Business & Community Services, and William Traine, Asst. Safety Director. Audience: 40.

Mayor Donegan stated that this is a very exciting time for the City of Olmsted Falls. Earlier today a meeting was held with the business group and it is significant to note that Olmsted Falls is a dynamic and diverse organization. Having the first woman Mayor, having the very first African American on staff who works for Ms. Rosann Jones, and we will swear in our first openly gay Councilman which she believes is relevant to Equality Ohio and some issues that will be discussed this evening. She stated that she is excited for Mr. Gorski for his appointment to Council.

Mayor Donegan administered the Oath of Office to Mr. Edward Gorski as Councilmen for Ward I.

Approval of Minutes

Mr. Sculac moved to **approve** the minutes from the Council Public Hearing Meeting of February 27, 2017; Ms. Duncan **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Ms. Duncan moved to **approve** the minutes from the Regular Council Meeting of February 28, 2017, as amended; Ms. Garrity **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Consideration of Amendment to the Agenda - None

Mayor’s Report and Appointments

Mayor Donegan asked Chief Gluss to give Council an overview of his requisition request. Chief Gluss indicated that Engine 4 was sent in for service where it was determined that a new muffler, leaf springs and a control valve for the cab were needed.

Mr. Haviland moved to **approve** a requisition to W.W. Williams for repairs to engine 4 which includes a muffler, leaf spring pins & a control valve for the cab in an amount not to exceed \$3,549.43; Mr. Stibich **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

YMCA – Mayor Donegan stated that as Council is aware Olmsted Recreation is solely owned by the City of Olmsted Falls. We have a vibrant senior center and activities with youth activities the city continues to sponsor which include the Summer Arts Program and Bulldog Football. These programs are different than what has traditional been done in the past. The city size and budget prevent us from building a rec center. We are continuing with positive discussions with the YMCA and are completing a full community study and the viability of programs. If you remember in the late 90's and early 2000's the Park and Rec Board contracted with the YMCA to bring back programs and we are coming full circle. A conference call has been scheduled for later this month and she will forward the date and time to all of Council for those who want to participate. This conference call will give us the results of the study and determine what the city can do to bring in other programming into the city.

Christians in Action – She stated that this has been on and off Council's agenda for a number of years. The city has now secured a lease to house Christians in Action which is an unbelievable food pantry for the Olmsted community residents. They will lease space in the lower level of the building. This will be a 15 year lease and we are excited to house this organization. As we continue to look at the building including economic development on the second floor. The lease has been signed by Father Wally and she will sign and return. She stated that the city will be installing a bathroom and Christians in Action have agreed to pay for half of that modification. The entrance will be located in the back of the building rather than through the police department.

Safe Routes to School – She stated that this is an ODOT funding mechanism to add essentially sidewalks to the city in particular areas. She stated that sidewalks will decrease the need for so much busing and costs. The school system in general has not supported this issue. She stated that it would be helpful if the businesses and residents would help the city petition the school board to start supporting safe routes to school it would expand access to individuals, bring sidewalks to some areas, not all areas but in some. This is an issue that was discussed in Blue Ribbon Economic Development Committee and Mr. Brett Iafigliola, Planning & Zoning Chairman, has worked. The application deadline was March 3rd but clearly if we do not have school board support applying would not produce an outcome. This would have some long term implications in a positive financial way for the schools. We will continue to work on this but have not received positive feedback from the school system and is something that the business community could put on their agenda. If you look at the master plan that was revealed approximately nine months ago one of the core strategic initiatives is to make certain no matter where you live in the city you can get downtown either by walking or biking.

JEDD – Mayor Donegan indicated that she is continuing to get meeting dates that Brickler & Eckler would be available.

Phase V – Mayor Donegan stated that those impacted by this project may not be aware that the city has a legal obligation to make certain all affected property owners are notified especially when they are being notified of an assessment. Back in December the Olmsted Falls Post Office decided to take it upon themselves to sign residents certified letters, which essentially deemed the mailing invalid and has now delayed the project a little more. We do not know why this was done other than it was a busy Christmas season. This is obviously a violation of federal law but we have worked some details out with the post office including a free mailing. A new mailing has occurred and we are moving forward with the other legal requirements and the Board of Equalization. She wanted to let Council know that this project is now back on track. She did approach three individuals to serve on the Board of Equalization a year ago and will be reconnecting with those individuals.

Mayor Donegan stated that she continues to meet with businesses that are interested in the 2nd floor of the administration building. This is something that the city acknowledged would happen when the administration moved into the building 17 or 18 years ago. There has been positive movement in the last three years but the building is in need of a new roof. Recently we were informed that there was a makeshift roof put on to stop the water. There is also positive movement with businesses in the downtown area as well as the service garage. We should have something to report at future Council meetings.

She stated that she would like to respond to a letter received by Mr. Ed Dean regarding some of the tree removal issues. She stated that Mr. Dean's letter was addressed to the Mayor, Council, Shade Tree and neighbors. The letter was regarding the removal of trees in the city's right-of-way, which has occurred for 20 or 30 years. She stated that like Mr. Dean, she, Council and the administration takes great pride in the City of Olmsted Falls including our designation as Tree City USA, in fact we just received notice that we are the Tree City USA for the 27th or 28th year, which is significant. This is not a "fly by night" designation, we have a Shade Tree Commission that is energetic in the adherence to rules about trees. We have an arborist and care about our trees. In fact, Mr. Gerry Peters, the service manager, become a certified arborist. Often we receive phone calls when the tree trimming begins and it is important to note that the city trims the trees with great care and with the oversight of an arborist. She stated that it is refreshing and encouraging when residents take an active role in becoming involved with city government, schools and communities. Mr. Dean's specific years of past service are certainly appreciated. She stated that the removal of the trees on Mapleway was under the direction and auspices of the city's Shade Tree Commission, which was directed by the city service director. The trees were removed for several reasons, among them safety and elimination of dead and dying trees in the tree lawn. We generally, and it has not been the general practice in the entire history of Shade Tree Commission, to provide individuals with certifications as to the existence of the tree. It is certainly something the city will consider moving forward. Regarding the stump removal and grinding of the tree stumps the service department will certainly follow up as soon as spring arrives and complete with cleaning, soil and grass seed, etc. to make certain that the tree lawns are put back into repair acceptable to the city. Regarding activities of the Shade Tree Commission, we welcome Mr. Dean's input to provide information and comments to the Commission that better enhance the city's Shade Tree USA status. She stated that the Shade Tree Commission conducts regular meetings and a copy of the schedule can be obtained from the Clerk of Council and all those meetings are open to the public. As a city government we welcome comments, questions and input on any areas of concern that residents have regarding city matters. While we may disagree on the responsible and appropriate way to respond to questions and concerns you may have specifically we certainly agree that you have every right to express your opinions. It is important however, that in any democratic discussion and dialogue that all the facts be accurately presented so that a fair evaluation may be made and a fair conclusion drawn.

Equality Ohio – Mayor Donegan introduced Ms. Gwen Stenbridge who represents Equality Ohio and she will provide an overview of what has been covered. Mayor Donegan read the following statement: "earlier today, downtown Olmsted Falls Business Association held a meeting to discuss the potential impact of an ordinance expanding the protected classes to include gender identity and gender expression. This ordinance has been under consideration in this body since December, 2016, and actual discussions of this started to occur in 2014, when Equality Ohio was first on Council's agenda and presented the concept. Administration has an obligation as the executive branch of this government to engage in all kinds of discussions and because Council only meets twice a month and there are so many things that Council has to review. Equality Ohio first came to present in December

of 2016 and during the three and a half years of her administration she personally has worked very hard to build a bridge of understanding and respect between the business community, residents and city government. At times it has been a delicate balance. The administration has also prided itself and embraced the concept of customer service, we log in every call, log, complaint and email and are probably 99.9% accurate. Nothing gets missed or not responded to in most cases, documented and logged in order to understand the complaints that are generated from our constituency. In that spirit we listen and consider all stakeholders concerns and opinions in an effort to bring a resolution that impacts the community in a most favorable light. When a recent episode occurred that was indirectly related to the city, she personally received phone calls, emails, and quit counting at 150, which does not include what Council received, and these complaints were directly related to this incident. It is disheartening to receive phone calls from individuals who do not know this wonderful city that we live in and grow in that they will not spend money here because we are a bigoted community, and as a mayor that is not her community or who we are. This administration has always taken a stance to be business friendly and inclusive. We have done so by expanding our city government's role by creating a repurposing Ms. Jones who is an unbelievable resource and has institutional knowledge. We dedicated a department and given Ms. Jones an employee and that is significant along with financial resources dedicated to addressing the question regarding how to foster our businesses." She stated that this Council had such confidence in what the city was doing for the first time ever appropriated \$50,000 for an economic development budget to make certain we address the aspect of bringing businesses to the city to help with the taxes residents pay. This department is also dedicated to encouraging healthy dialogue with the business community. The ultimate goal is to build Olmsted Falls into an attractive, regional, destination where all businesses thrive. She stated that Ordinance 06-2017 has caused some issues and hopefully Ms. Stenbridge can help with those issues. Remember people did not like when the slaves were freed and think about that as we talk about what this legislation means. She feels that her administration's vision of business friendly environment and expanded services is normally not seen in municipal government. She stated that the city is launching a brand new product called Community Paramedicine which will give our paramedics the ability to make phone calls and deter people from going to the hospital and becoming a revenue generator for the community. Generally, you do not have Mayors who research what type of product can be developed to help offset the tax burden. Our city will be one of the first under the direction of Chief Gluss and others of being able to launch the very first Community Paramedicine program and we will be the 2nd in the state, which is significant for a small town like Olmsted Falls. To keep the dialogue healthy and vibrant we need to ask our community residents and businesses to be interact and remain engaged in our city. She encourages everyone to periodically check the city's website where Council's agenda and new legislation is posted. After reviewing new legislation she is available seven days a week, 24 hours a day to discuss any concerns. She is always assessable. She stated that Ms. Jones has the same commitment to this city and encourage businesses to reach out to either of them for any comments or concerns regardless of the issue.

Ms. Stenbridge thanked everyone for this opportunity and has been a pleasure getting to know Olmsted Falls and the residents living here. She has felt very welcomed every time she is here. She had the privilege of attending a meeting with some of the business leaders this morning to give a little bit of context for Ordinance 06-2017. She introduced herself and indicated that she is on staff at Equality Ohio and we are the statewide education and advocacy organization for the LGBTQ community. Our mission is to educate and advocate to achieve fair treatment and equal opportunities for all Ohioans regardless of their sexual orientation or gender identity or expression. To sum up, our goal is to make Ohio feel like home for everyone and to make sure that individuals feel welcome. As we discuss definitions we talk about sexual orientation versus gender identity versus gender

expression, some are familiar with the terms while others are not. The simple way to explain these definitions is: sexual orientation is who you love; gender identity is who you are; and gender expression is how you express that, whether it is what you wear or how you present. The acronym LGBTQ can sometimes be overwhelming for some so we simplify by saying sexual orientation or gender identity. She stated that the protections that exist are in the areas of employment, housing or public accommodations. Currently in Ohio it is perfectly legal to fire, deny housing or deny access to public accommodations to someone just simply based on who they are or whom they love. So, unrelated to their merit, work or qualifications for a job it is perfectly legal to fire someone just for those reasons. She stated that some people feel that is shocking in 2017 and ask how this can be done when there are protections that exist. When we talk about protections for different characteristics and the Civil Rights Act of 1964 offers protections based on race and a lot of other protective characteristics for example, national origin, age, and religion so those that could be discriminated based on any of these are protected. The protected classes that do not exist at the federal or state levels are those based on sexual orientation or gender identity and Ohio is one of the states that do not have these protections, but, other states do. Locally it would be ideal if our state legislatures would put forth a bill that would provide these protections to the community but we have not seen that yet nor are we can make this happen. As a statewide organization we work with individual cities and municipalities, like Olmsted Falls, to see what protections can be provided on a local level. There are 16 cities in Ohio that currently have these protections which include Athens, Bexley, Bowling Green, Cincinnati, Cleveland, Cleveland Heights, Columbus, Coshocton, Dayton, East Cleveland, Lakewood, Newark, Oxford, Toledo, Yellow Springs and Youngstown. She stated that individuals who want to move to Ohio or are coming back to live with family they can go to our website and review a map that will indicate which cities offer protections to the LGBTQ community, whether they have a family member who is a member of the LGBTQ community or a personal value they hold. In her work she has run into families that for example, the parents have protections through their employer but they want to be in a space where their children are not going to be discriminated against for having same gender parents and look for cities with these protections. She stated that discrimination is bad for business. For example, in North Carolina it cost the state about \$630 million dollars in lost business. You've heard about businesses pulling out or bands that have cancelled playing in North Carolina because of an incident there. We have seen that the business community is a strong force and can be influential in these situations. As we work to build support within the local municipalities and Olmsted Falls is an example of having some protections and considering to add the others, which she hopes you will, you are an example for other cities because as we continue to build on other cities statewide the hope is that we get to a tipping point where our state legislatures see that this many Ohioans believe that Ohio should be open for business, talent and open to anyone who wants to come and have their family here or their business. Currently we are a little less than 20% of Ohio that is covered with these 16 cities and the hope is that with every city this percentage increases. Data from the Small Business Majority, a non-partisan group that supports small businesses and entrepreneurs, collects data and have found that on the national level small businesses overall supports having these protections in place. In the areas of city employment Council previously adopted new legislation. We are now looking at private employment within the city, which means if someone was fired because they were gay, transgender, their sexual orientation or gender identity they would have the option to file a complaint with the city. In the areas of housing the city already has protections that already exist. As we talk about this these protections within city employment there are also already protections that exist in the areas of race, color, religion, sex, age, ancestry, disability, national origin, and family status, so anyone who feels they were discriminated against based on these have a recourse to file a complaint. Ordinance 06-2017 would just add these other protected classes. A lot of people have asked why add them if we do not have an issue with discrimination or if people aren't bringing these

issues up why do we need to do this. She stated that one example she uses is a young woman who was at the meeting this morning spoke about her experience of being fired from her job because she was transitioning and was fired from her job for that reason and had no recourse. This is a young person, who is bright and educated but because she is transgender was let go from her job. These protections are important for that reason. This also makes a statement to folks like her if she looked at the map and Olmsted Falls has these protections they have made a statement that there are open to the LGBTQ community and they value people in that way, people do notice those things. She believes that is an important part to realize even if the discrimination piece is not what gets it for you, being welcoming and open is something Olmsted Falls is already good at and this would just put it in the books. Another question was how does this impact businesses? In general there is not a lot that needs to change; there is no money involved and no building of facilities. This is simple treat people well and that is an important value that we all learn and that's all you have to do. Hire, fire and promote all employees based on merit of their work and be open to and serve all. There were questions regarding a need to change policies or procedures within individual businesses and the answer is this ordinance does not require that, while there are some best practices in policies and procedures and we would be happy to be a resource if that is helpful for businesses. Mayor Donegan asked if this was a bathroom bill. Ms. Stembridge replied no it is not.

Communications from Residents

James Graven, 9072 Devonshire Drive, stated that he lives in Olmsted Falls. Mayor Donegan asked Mr. Graven to speak into the podium in order to record his statements and address all comments to the Chair. Mr. Graven stated that for those who are not from Olmsted Falls, Saturday evening on Devonshire at approximately 9:00 p.m. there were two burglaries in the neighborhood. He is present to talk about crime and we started a block watch and he is the block watch captain. He also needs more than two minutes to speak as he is the spokesman for Devonshire and asked for more time and he will be quick. Council and Mayor, first of all he thinks their priorities are skewed as your number one priority should be safety. Madam Mayor you are the Safety Director and asked if she called any of the victims Monday to ask how they are doing. Mayor Donegan replied no as that is the job of the police department and there is an active investigation going on. Mr. Graven replied but you are the safety director. He asked the Mayor is she knew how the homes were broken into. Mayor Donegan replied that she does not know the details of the investigation but she will ask the police chief to respond. Mr. Graven, stated that the neighbor's front door was kicked down, stole a bunch of things and ran out the back. The other neighbor's glass sliding door was broken and stole a lot of things. For those who are not from Olmsted Falls he would like them to know that we are not a bigoted community, if it was he would not have moved here, which is why he believes our priorities should be on safety and crime right now, not on, he doesn't even know what gender identity or gender expression is, but we need to move to safety. He came up with a few ideas for safety he would ask that the city enact the following: (1) set up a citywide block watch program. He started one on Devonshire and believes the City needs one citywide as it is important. (2) implement a computer crime map and alert system, this online community crime map analyzes data, alerts all the citizens about crimes in the area but most importantly allows the police department to quickly alert the public about crimes as they occur. He stated that Mathews, North Carolina does this a town of 27,000 people. This information can be updated daily and hopefully if the city takes these actions we can help prevent crime. He would like to thank the police who responded Saturday night, they did a great job and were very professional, tonight when we are all safe in our homes they will be patrolling. Lastly, he wishes Council and the Mayor would go out into the community and speak

with the residents because 99% of us do not care about Tree City or gender identity or gender expression we care about safety and want to make sure that someone doesn't break into our house and murder one of our family members.

Assistant Safety Director Traine stated that the response to a serious crime in this city by the police is usually a minute or less and not many cities have that response time. The average police car on night shift or afternoon shift averages 65 miles of patrol on city streets, some have had as much as 116 miles, which means they are on the street patrolling looking for things. Our arrest record in this city are up 13% in the last 2 ½ months by the two new officers that work nights. He is aware that there were two burglaries on Devonshire as he was called and was the individual who authorized the detective to come in and process the crime scenes. Mayor Donegan asked if that happened prior to his involvement with the department. Asst. Safety Director Traine responded no. Mayor Donegan asked him to explain in order for residents to understand how important this city does take safety and the changes he has personally made. Asst. Safety Director indicated that prior to his involvement the department was more conscience of the dollars and cents of overtime and he is more conscience of putting bad guys away and solving crimes or preventing them. The police patrolling does prevent crimes. There has been special attentions to Devonshire. There is an away from home list that has been checked 31 times. He is very sympathetic to the victims and his department did more than reach out he sent an officer door to door to canvas the area to ask neighbors if they saw or heard anything and if they knew of anyone in the neighborhood that has been accused of using drugs that they would be suspicious of. This is an ongoing investigation.

Officer Brewer indicated that he reviewed the police activity for the last month and there were 21 or 22 incidents between traffic stops. An officer is on traffic detail on Devonshire and he informed the residents in attendance who live in Falls Pointe to slow down and stop at the stop sign. There have been vacant home checks and squad calls. He stated that Officer Saxer and Ovelgonne are on traffic detail and patrolling this area.

Mayor Donegan asked Ms. Garrity to discuss the historical issues with Devonshire and issues they struggled with when she was a member of Council. Ms. Garrity stated that when she was first elected to Council she did represent Ward III, which includes Falls Pointe. Her and her husband were the 4th home in Falls Pointe and are one of the original homeowners. In 2005 she was personally robbed and the police, including the detective, worked with her on ways to prevent robberies. The guilty individual was charged as there were multiple incidents in Falls Pointe. She stated that approximately four years there was a series of robberies on Lakeview and those residents did contact her and she worked with the homeowners directly. This family was robbed on multiple occasions and unsure as to why they were being targeted. In fact, this home now has lighting around its perimeter as a result of the robberies. She is unsure why certain areas are targeted. She would be happy to help any resident in the area or the police department to help. She stated that the family believed that because of the landscaping mounds there was an area of darkness near this home that made them a target. Officer Brewer stated that to the best of his recollection this was an internal family issue regarding these robberies. Mr. Graven asked if there was currently a block watch program. Ms. Garrity replied no but that program was discussed but there was no interest at that time, she would be happy to help begin a program. Asst. Safety Director Traine stated that a block watch is a good idea. The department will have an anonymous line where people can call in tips. He stated that lighting is wonderful with strong locks, dog, music is good but if they know you are not home they know you and they have all the time in the world. In one of the homes they must have been there for an hour which means they were sure that you were not coming home.

Lee Fenrich, 8893 Columbia Road, stated that he is present, along with the business community. They met this morning with Equality Ohio and was the first time we learned what the issues were about. He would encourage Council to listen to the stakeholders and let us get the information to the rest of the business community. As far as he is aware there is no one on the committee who is against the legislation, they just want more detailed information. This morning's meeting gave a lot of detailed information and he would like to pass that information along to the rest of the business community before Council votes. Therefore, they would respectfully ask that Council table this issue until the next meeting to give them an opportunity to pass information along. He stated that if this legislation is passed tonight and signed by the Mayor tomorrow morning every business in the area will be in violation as there are manuals that will probably need to be updated even though Equality Ohio says that they don't need to be rewritten. Mayor Donegan indicated that at the last Council meeting the city made the gesture known that Council would table the legislation to give the businesses time to gather information.

Mr. Sponseller stated that Mr. Fenrich's comments raise an important point that everyone should keep in mind, including Council and certainly the public and that is that the city currently has on the books laws that prohibit discrimination based on race, color, creed, sex, religious belief, national origin, etc. There is absolutely nothing in the legislation before Council that calls upon a business to adjust their accommodations or do anything differently, all the legislation does is expand the classification of protected persons to include sexual orientation, gender identity and gender expression. To be clear, he does not want anyone to leave with a misconception that this requires affirmative action on any businesses part.

Ed Dean, 7594 Mapleway Drive, stated that as the Mayor mentioned the city took down the trees, however, and he is stating on the record emphatically, that the trees were on personal property and not on the right-of-way, that's a fact. If we have to file in small claims court so be it. Mayor Donegan stated that a legal opinion was sought prior to the removal. Mr. Dean stated that it was on the owner's side. Mayor Donegan stated that she understands it is not in the tree lawn but, and the legal department ruled, that they were in the city right-of-way. Mr. Dean replied no its not. He stated that the city has an arborist on board as an employee of the city, he filed no papers to his knowledge in respect to show which trees are diseased and which are not. So, that was not followed because the trees were not in the right-of-way and he knows that for a fact. Mayor Donegan stated that the city does not go onto private property and start cutting down trees. Mr. Dean replied that they did in this case. Mayor Donegan indicated that what he is stating as fact is from his perspective and is not fact. Mr. Dean stated that as an instructor of law its fact. Further, the trees were cut down last summer and an undated letter was indicated that the tree stumps and tree stubble would be removed, it's been six months and it's not removed. it is unsightly and reflects negatively upon Tree City, reflects negatively upon Mapleway Drive, and nothing's been done and he is bringing it to everyone's attention again. So, he will hereby get additional information for Council concerning the legality of that which the people would never sign anything which is wrong, they should have been signed something and those trees which were "diseased" should have been indicated to the property owner for signature, that was not done. Second issue in regard to issue 06-2017 which is before you concerning what has been discussed, he has lived in the city himself since 1972, his wife was born and raised here, he has been involved with the community in a voluntary or paid capacity for over 30 years. He prides himself in the city as being a member of the community for the communication one has with another, meaning we work together. His point is this ordinance is overkill. There are regulations, there are situations on the books we don't need more regulations or laws lets work together as we have since he has been here as a community. There has been no adversarial

relationship we don't need more regulation. Plus, at the same time the regulation from my business perspective would be adversarial immediately or eventually to the business community, as a former economic person on Council the point is to attract businesses and have a responsive Council working with the business community. This would be adversarial and this legislation is not needed. Finally, this ordinance was declared an emergency and there is no valid reason why it should be declared an emergency. He recommends that further discussion be made and the ordinance be tabled for further discussion so a consensus of, not only Council but the business community and the people in the community are aware of the ramifications and the factual ramifications of this ordinance. What we are saying is this ordinance is not needed, its overkill and he requests that you table it for further discussion with the business community and people in the community.

Mr. Sponseller stated that prior to the trees being removed the Shade Tree Commission of the city directed the Service Director by a vote of the Commission to enhance the city's Tree City recognition and eliminate those trees for a couple of reasons. His understanding is safety issues arising as a result of dead or dying trees. Some of the trees were between the sidewalk and the street, which obviously is in the right-of-way, some of the trees were on the other side of the sidewalk on the house side but as he is sure Mr. Dean is aware the right-of-way includes not only the street but typically extending anywhere from twelve feet to either side of the sidewalk. His understanding is that all the trees were in the right-of-way and are not the property of the homeowner.

Mayor Donegan asked Director Borczuch to explain the fact that the practice of removing trees has been in existence for 10 or 15 years. Mr. Borczuch indicated that the trees that are in the city's right-of-way are not always located in the tree lawn sometimes they are on the other side of the sidewalk and the right-of-way may go from a couple of inches to a couple of feet passed the sidewalk depending on the layout of the road and the distance of the tree lawns themselves. The particular trees on Mapleway were anywhere from a few inches to a foot or foot and a half inside the right-of-way and therefore becomes a liability for the city. There have been a lot of instances with the Silver Maples where branches were broke out and dying sections within them. A lot of people do not notice the centers that die in them before the rest of the tree dies. The Silver Maples are problem trees, which everyone knows including anyone in the forestry department. Therefore, going through the Shade Tree Commission procedures and speaking with the law department along with the insurance liabilities the Commission deemed their removal.

Jayme Palker, stated that she owns Pinot's Palette in downtown Olmsted Falls. She was in attendance at this morning's meeting and is also the treasurer for the Downtown Olmsted Falls Business Association. She wrote down some questions which are basically for if and when the legislation passes as a business owner some of us work our whole lives to save up money and take out loans so we hold these businesses very nearly and dearly and everyone is always welcome. To give background on her she started a Gay/Straight alliance in college at a Christian school so she went up against some opposition and she totally get what needs to be done. However, when you look at the legislation there is a lot of gray areas and a lot of questions we do not have answers to. Since there is gray area and everything is not always black and white we definitely need to know the specifics on what that gray area could mean and as a result what would happen to a business if someone files a claim, what's the step by step process, and then what are all of the possible outcomes that could be, for example, is it a fine, a misdemeanor. All of those processes and what happens. Most importantly, what is the protection for the businesses because we need know that most people are good people just trying to make it in this world but we do know that there is always going to be maybe someone who files a false claim, so, what protections do we have for business owners, what rights do we have as

business owners in this new piece as well as any other piece. She understands that this will be tabled in order to obtain all of these answers, which she appreciates. Mayor Donegan stated that tabling is something that was verbalized two weeks ago. Ms. Palker stated that before Council votes she would like to know what protections for the businesses, what are the step by step process if someone files a claim for that individual as well as the businesses and then what are all the possible ramifications going from fines to a lawsuit. If there is a lawsuit what does that mean, could we lose our businesses. We know that sometimes you are convicted in a court of law and you will lose your business because everyone will boycott you for whatever reason. We know in Lakewood there was a barber shop where the owner stated when breastfeeding if a gentleman walks in would you mind going into the back in order to not make him uncomfortable and that blew up in the news media and it was probably an innocent mistake and he didn't mean anything by the comments. So, what are the protections for the businesses? Mayor Donegan reiterated that the City currently has certain discrimination of protected classes on the books, meaning someone could come in with a hijab and a business doesn't serve them that could be used as a religious discrimination. She stated that Ms. Jones could research and inform the businesses of laws that currently exist that they are unaware of.

Mayor Donegan then asked Mr. Sponseller to address these questions which are: what protections does this ordinance put into place for businesses and owners, which occurs now for any of those protected classes already on the books; what is the step by step process for claims, which could also occur today with race or family status; and what are all of the possible outcomes or penalties if a claim is filed and/or charged. Mr. Sponseller stated that this ordinance does not change any of the existing laws with respect to businesses. Again, all this does is expand the scope of classifications for protected persons to include gender identity and gender expression. The ordinance previously adopted by Council expanded the scope of protective classes to include these additional groups, beyond the existing groups, for city employment. This particular ordinance goes into the private sector but also deals with housing, both in single family housing, rental housing and condominiums. It expands the group of protected classes to include these additional groups. Depending on what section of the code you are reviewing this could be considered a crime. A crime is defined as that which is an act that's prohibited under the law for which a penalty exists that includes the possibility of jail. Section 1479.08 passed in 1979 which deals with equal opportunity with condominium housing. He stated that Council adopted the expansion of sexual harassment in Chapter 214 for city employment, this is not considered a crime but does subject a current city employee who after investigation is deemed to inappropriately sexual harassed an employee and subjects them to disciplinary action. This ordinance does not impose any addition obligations on businesses it only expands the group classifications in areas of housing and addressing ethnic intimidation as well. Frankly, as a practical matter if many of these other original protected classes, that is those classes that exist now from 1964 until today race, color, creed, religious belief, national origin, those are typically enforced in Ohio by the Ohio Civil Rights Commission or under federal law by EEOC or the justice department, if there are crimes involved they could be federal or state. In his opinion, he believes that we are looking for more than is here.

Ms. Stembridge stated that doing this work in cities across Ohio the incidents of these protections being used is very little. She asked members of Council earlier today if the protections that already exist had been used and the answer was largely no or not within anyone recollection. In cities that have added these protections we have not seen any increases in lawsuits. As Mr. Sponseller stated this is just an extension of what is currently on the books. Mr. Sponseller stated that a good example is 1479.08 which deals with equal opportunity in condominiums, there is a process spelled out if there is an aggrieved party and that law was initially adopted in 1979. To his knowledge it has never been

used in Olmsted Falls. Virtually every city has housing and anti-discrimination provisions and among the reasons for them are points for grant applications. Mayor Donegan stated that this is not for businesses but also residents and you will hear a gentleman speak about the struggles his daughter faced in our school system. Ms. Jones stated that the Community Development Block Grant is federally funded and the reason our laws are updated. We consistently update the fair housing ordinances because of the federal funds and is something they want to see when we apply for grants. Mayor Donegan stated that a CDBG grant is how we funded the rehab on the senior center.

Ann Reichle, 8155 Columbia Road, stated that her business is Angelina's Pizza and she has been here for 22 years. She is also Vice President of Downtown Olmsted Falls and thanked the Mayor for allowing them to hold the meeting at City Hall. She also thanked Ms. Stembbridge for explaining the ordinance they learned a lot this morning. She stated that after the meeting more questions developed. This meeting grew out of the last Council meeting when we asked for an explanation of what this ordinance meant and there were no answers so the Mayor suggested that Equality Ohio come in and talk to the businesses. She stated that they would still like some kind of answer from Council at some point before this is adopted because Equality Ohio will leave and we will be governed by our City Council. We want to make sure that the words coming from Council are the same words coming from Equality Ohio. She is concerned regarding 623.05(2) the last sentence states "or that such person is unwelcome, objectionable, or not acceptable, desired or unsolicited." If you pull this sentence apart that basically states that she cannot refuse service to any person. She spoke with her attorney today regarding this ordinance and she would like Council to reconsider this sentence, maybe it was read incorrectly or a typo and should say "and" but she does not agree with this line. She stated that during the last Council meeting the Mayor indicated that if the businesses needed more time she would consider tabling this ordinance and they did ask again this morning and she would respectfully ask that this ordinance be tabled, not because anyone is objecting we just would like some answers. There were a number of business owners that do have calls into their attorney's over this legislation to make sure they have the right things on their books and are doing the right things from the business owner's side, we are hearing that the law is not requiring but as business owners we have to look from our side and make sure we protect our businesses. Mayor Donegan indicated that she made this offer two weeks ago when Ms. Reichle and Mr. Henzey spoke. She stated that when she reached out to Mr. Henzey to set up the meeting with Equality Ohio she requested that the questions be forwarded to her as it is important to get those questions in order to be properly prepared. Ms. Reichle indicated that they did not have questions at the time which was the reason for meeting with Equality Ohio. Mayor Donegan indicated that Ms. Palker had specific questions this morning which could have been researched and answered.

Randy Webb, 8484 Forest View Drive, stated that he has lived in the city for 17 years. Congratulated Mr. Gorski for his new position and appreciates the opportunity to speak to Council this evening. He has two daughters, one graduated from Olmsted Falls and one still working her way through. As a parent of a LGBTQ person he knows the struggles of someone who spent years in and what that closet looks like and the self-harm that happens. The reality of the ordinance you are asking to adopt is for this class to have a fair chance just like everyone else, that's the crux of the matter, to remain fair like any other class that is evaluated as a class and this group is truly a class because they are discriminated as a class. As a business owner, it is his responsibility to pay attention to what the city's ordinances are and the city's rules and not for the city to come to him and explain everything but for him to pay attention to what the rules are just like a driver's license you have to pay attention to the laws of the road and the state for your driving privileges and any other licenses you may hold. It is important that businesses be involved and pay attention to those rules and he can appreciate the

concerns. As a business owner with 17 employees he knows how important change is to rules like this and can be very concerning but, the reality of this, with the exception of the most recent possible grammatical question, this doesn't change anything for the businesses locally other than including another class of people and that is the crux of it, if he is not mistaken. He would encourage you, as having been here four weeks ago, for your first conversation for three readings that you consider voting tonight and you have his support.

Approval of Bills:

Mr. Sculac moved to **approve** Pay Ordinance 2017-05; Mr. Stibich **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Officials Reports:

Rosann Jones, Manager Business & Community Services

Ms. Jones stated that she received information today that the Heritage Home Program Mayor's letter went out by the program. We have over 1,000 homes this year that are 50 years or older so, everyone's home that was built in 1967 or earlier qualifies for the program. She will hold an informational meeting on Thursday, April 6th at 6:30 p.m. The fact that we have over 1,000 homes that qualify is almost a third of our community. We are benefitting from the small amount of money that we pay as a city to get this potential benefit for so many residents. We also receive free benefits of experts coming out to your home to give information regarding colors and architecture. Mayor Donegan stated that a resident at the corner of Brookside and Mill benefitted from this program.

Joe Borczuch, Service Director

Mr. Borczuch stated that during the last week's windstorm the city lost two or three trees in the right-of-way's, which is great compared to other communities. He stated that two of the trees were Silver Maple's that split and came down. He stated that the first round of brush pick up will begin in April.

Mr. Borczuch indicated that bids were opened last week for edgeline/centerline pavement markings and street sweeping, he distributed copies of the requisitions prior to tonight's meeting and he is asking for approval of those.

Mr. Stibich moved to **approve** a requisition to Southwest Sweeping for the 2017 season in an amount not to exceed \$10,000; Ms. Duncan **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mr. Borczuch indicated that the price remained the same as last year. He also requested a motion for the 2017 edgeline/centerline pavement markings. He stated that the price increased \$426.00 from last year.

Mr. Stibich moved to **approve** a requisition to Aeromark for the 2017 edgeline/center pavement markings in an amount not to exceed \$16,088.00; Ms. Duncan **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mr. Borczuch indicated that he would also request approval of a requisition to Jakobsky Plumbing who will complete the initial work for the installation of the new bathroom in the lower level for Christians in Action. He also confirmed with Christians in Action that they will pay half the costs. He stated that they will need to bust through the concrete floor and run the proper plumbing to the

grinder pump. Mayor Donegan stated that there is excess space in this building and most of it will be income producing. She stated that the Christians in Action organization has been operating out of the old library but that will building is going to be repurposed and a new area for operations was needed. This is an unbelievable organization that helps so many of our residents and we have found room in the lower level. She stated that this requisition will begin the work but there could be another \$2,000 needed for the finalization of the work but the costs will be split 50/50. Mr. Stibich asked if the city's debt agreement required a certain amount of the building to be used for governmental or charitable purposes. Mayor Donegan stated that this will help with that particular situation. As she indicated previously, as we move to bring in for-profit entities upstairs there is a calculation that will be needed to work through. Mr. Stibich asked how long of a sewer line would be needed. Mr. Borczuch indicated that it is approximately 12 to 15 feet drop down into the boiler room and then brought up from the grinder pump approximately 25 feet. Mr. Stibich asked how many feet to the pump. Mr. Borczuch estimated about 15 to 20 feet. The longer distance is from the pump out and a vent is also needed which needs to run all the way to the roof and where a lot of the work will take place. Mr. Sculac stated that when the city met with the Christians in Action organization the reason for the restroom is to prevent anyone walking through the police department to access the main floor for a restroom. Mayor Donegan indicated that the organization has already begun fundraising with a Go Fund Me account.

Mr. Haviland asked since the city had limited trees that fell during the storms could that be attributed to our policies of checking diseased trees and removing them. Mr. Borczuch replied absolutely and we are aggressive on the trimming at times. Typically a 25% trim back into the trees is normal but we do more of 30% to 40% which allows for more air flow and we have great success with that with less and less damage.

Mr. Haviland moved to **approve** a requisition to Jakobsky Plumbing for the initial work for the installation of plumbing for a bathroom in the lower level of the administration building for Christians in Action; Ms. Garrity **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Steve Presley, Finance Director

Mr. Presley indicated that he is working on funding options for the roof project Mr. Sculac will discuss.

He stated that the he met with the software company that has the contract for the Open Gov last Tuesday and gave them additional information in order to review how the information would be reflective as part of the Open Checkbook. They did respond this morning and another meeting will be held next week. Mayor Donegan stated that this is an opportunity for the city to post all of our expenses for review back to 2006 so you can see what the city spends its money on.

Mike DeSan, Asst. Finance Director – No Report

Councilman Edward Gorski, Ward I

Mr. Gorski stated that this was his first day on the job and would like to thank the members of Council for considering him for this position and his appointment. He looks forward to working with them and the residents of Olmsted Falls.

Councilman Paul Stibich, Ward II

Mr. Stibich would like to make an observation, when Ms. Stembridge spoke for the LGBTQ legislation she was allowed to turn and address the audience but when Mr. Fenrich came up to speak he was instructed to address the chair. He would like to ask that she be fair to everyone. Mayor Donegan indicated that it was actually when Mr. Graven spoke.

Councilman Jim Haviland, Council Pro-Tempore

Mr. Haviland would like to welcome Mr. Gorski and stated that it will be a privilege to work with him.

He would also like to thank Equality Ohio and Ms. Stembridge for being in attendance as well as the business community stakeholders for their comments, they are valuable. He would like to commend the Mayor for her pro-active effort to expand existing non-discrimination protections in Olmsted Falls to include sexual orientation, gender identity and expression. He believes it is important to foster a community where differences are celebrated and all people are treated equally with dignity and respect. He sees 06-2017 as a positive for Olmsted Falls but, as we sit here today as your representatives, listening to the business stakeholders testimony we realize that there are questions, that perhaps have not been answered yet, and he will defer to his colleagues when this ordinance comes up that we may want to review those.

Councilman Bob Sculac, Council-at-Large

Mr. Sculac welcomed Mr. Gorski to Council. He spent seven years as the Ward I representative and believes Mr. Gorski will do as good of a job as he did, or even better. There were two candidates for the vacant position and it was a unanimous decision to appoint Mr. Gorski.

Mr. Sculac moved to **acknowledge** receipt of the Mayor's Court report for February, 2017; Ms. Garrity **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Mr. Sculac moved to **acknowledge** receipt of the Statement of Cash position dated February 28, 2017 in the amount of \$936,474.77; Mr. Stibich **seconded**.

Mr. Stibich asked what the cash balance was on January of 2014. Mr. Presley indicated that it was significantly higher and the reason for that is the city has not received its property tax revenues for 2017. He does not understand why there is a delay. Mr. Stibich asked if this was the first time the city had an end of the month balance less than a million dollars in that period of time. Mr. Presley replied yes. Mr. Stibich asked if he was worried about that fact. Mr. Presley indicated he was not due to the fact that the city did not receive the property tax payments until March but, the report only indicates the balance as of the end of February. Mayor Donegan asked if he was aware of the current balance. Mr. Presley replied he could not. Poll: 6 ayes; 0 nays. **Motion carried**.

Mr. Sculac stated that previously pictures were distributed to Council regarding the roof condition at the administration building. He stated that he, Mr. Borczuch and Mr. Presley met with Mr. O'Leary from the Garland Company regarding the roof replacement. As previously stated, this replacement is a necessity and not whether we want to or not. The current roof is more of a "nickel and dime job" and has lasted 17 years luckily. The guarantee on the replacement roof is 30 years. The quotes were opened and the one the city is reviewing is Terik Roofing, Incorporated in the amount of \$478,759.00. Mr. Presley will be working between now and the next Council meeting to determine financing options. He stated that it is his intent to request Council waive the reading and adopt the

legislation at the next Council meeting in order for this project to move forward. He stated that Garland is concerned about the project being postponed any further due to the fact that the contractors are looking for work. He stated that these contractors will begin receiving school facility work from around the county once the summer recess begins. Therefore, this needs to be approved and a contract signed before those work requests come in and does not delay the options of what could be done with the upstairs of this building. He would suggest that Council members go upstairs and look at the damage that the roof is causing. Mayor Donegan indicated that the good news is the city is making good on a promise that was made to the constituency 17 or 18 years ago when we moved into this building and that is putting business here, the bad news is there is a huge issue with the roof.

Mr. Stibich asked why Council would not suspend this evening. Mr. Sculac stated that the financing options have not been presented.

Councilwoman Terry Duncan, Ward III – No Report

Councilwoman Linda Garrity, Council President

Ms. Garrity reminded Council that the annual Open House will take place this Sunday, from 1:00 to 3:00 p.m. food provided by Shaker's IGA.

She also reminded Council that a fundraiser will be held at the end of the month and only one or two members have responded regarding sponsoring a raffle basket.

She stated that during the last windstorm both the old and new cemetery had branches down because we are not as aggressive with tree trimming so we suffered damage.

Lastly, as a board member of Northern Ohio City Council Association (NOCCA) she mentioned to Ms. Stembridge from Equality Ohio that there are other communities that are in preliminary stages also of reaching out to their organizations.

Gregory M. Sponseller, Law Director – No Report

Chad Gluss, Fire Chief – No Report

William Traine, Assistant Safety Director

Asst. Safety Director Traine indicated that his department is actively working on investigations, some major and some minor. The major ones he would prefer not discussing in an open forum.

Old Business

Ordinance 70-2016

AN ORDINANCE ADOPTING CHAPTER 1469 OF THE CODIFIED ORDINANCES OF THE CITY OF OLMSTED FALLS TO ESTABLISH EROSION AND SEDIMENT CONTROL AND DECLARING AN EMERGENCY **Tabled on Third Reading (01/10/17)**
(Referred to Planning & Zoning Commission – awaiting recommendation)

Remained on table

Ordinance 03-2017

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY TO CHANGE THE ZONING CLASSIFICATION OF PERMANENT PARCEL NO. 281-02-135 LOCATED ON ELM STREET FROM D-3 (“SINGLE FAMILY DWELLING DISTRICT”) TO P-2 (“PROFESSIONAL OFFICE/MULTI FAMILY DISTRICT”) **Tabled on Third Reading** (Referred to Planning & Zoning Commission – Received Recommendation on 02/17/2017 – Council public hearing – April 11, 2017)

Ordinance 06-2017

AN ORDINANCE AMENDING SECTIONS 214.01; 214.04(a); 214.06; 623.01; 623.02; 623.03(a) and (c); 623.04; 636.20(a); 636.21; 1479.08 OF THE CODIFIED ORDINANCES OF THE CITY TO EXPAND THE CLASSES OF PROTECTED PERSONS IN THE AREAS OF CITY EMPLOYMENT, FAIR HOUSING, AND ETHNIC INTIMIDATION TO INCLUDE SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION, AND TO ADD PROTECTIONS IN THE AREAS OF PRIVATE EMPLOYMENT AND PUBLIC ACCOMMODATIONS, AND DECLARING AN EMERGENCY **Third Reading**

Mr. Stibich moved to **table**; Ms. Duncan **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Resolution 07-2017

A RESOLUTION REQUESTING AND CONSENTING TO AN EMERGENCY ROAD MAINTENANCE PROJECT BY THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS FOR 2017 AND DECLARING AN EMERGENCY **Second Reading**

Resolution 09-2017

A RESOLUTION AUTHORIZING RATIFYING AND AFFIRMING THE MAYOR ENTERING INTO A CERTAIN LEASE AGREEMENT WITH ST. MARY OF THE FALLS PARISH (CHRISTIANS IN ACTION GROUP) FOR A LOWER LEVEL PORTION OF 26100 BAGLEY ROAD, AND MAKING FINDINGS RELATED THERETO **Second Reading**

Mr. Stibich moved to **suspend**; Mr. Haviland **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Stibich moved to **waive** the reading in its entirety; Ms. Duncan **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Stibich moved to **adopt**; Ms. Garrity **seconded**. Mr. Sponseller indicated that Council authorized the lease agreement by way of motion at its February 14th meeting and this ratify and affirms that authorization with the terms attached. Poll: 6 ayes; 0 nays. **Motion carried**.

New Business

Ordinance 10-2017

AN ORDINANCE AMENDING, RESTATING AND RECONSTITUTING ORDINANCE 07-2016 AS AMENDED BY ORDINANCE 68-2016 AND EXPANDING THE RANGE OF COMPENSATION FOR THE POSITIONS OF POLICE LIEUTENANT/DEPUTY CHIEF AND FIRE LIEUTENANT/ASST. FIRE CHIEF **First Reading**

Mr. Sculac moved to **suspend**; Mr. Gorski **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Sculac moved to **waive** the reading in its entirety; Ms. Garrity **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Sculac moved to **adopt**; Ms. Garrity **seconded**. Mr. Sponseller indicated that the change is due to the increase in range of compensation for the two positions as authorized by Council. This Ordinance consolidates, reconstitutes, and restates the previously adopted legislation that established the grid of non-union positions. This will allow for one piece of legislation to be utilized when looking for ranges in compensation. Additionally, the compensation is able to be paid to an employee within that range consist with that which is appropriated by Council. Mayor Donegan stated that before the administration moves on any particular salary a full discussion takes place between the Finance Director and Chairman of the Finance Committee. Poll: 6 ayes; 0 nays. **Motion carried**.

Resolution 11-2017

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MICHAEL MENTAL TO ORGANIZE AND RUN THE OLMSTED RECREATION YOUTH FLAG FOOTBALL PROGRAM FOR THE 2017 SEASON AT A RATE NOT TO EXCEED \$2,800.00 AND DECLARING AN EMERGENCY **First Reading**

Ms. Garrity moved to **suspend**; Mr. Haviland **seconded**. Mayor Donegan stated that the compensation has not increased in the last seven years, but, they are discussing some travel opportunities. This program is no longer associated with the NFL and will be the city's Bulldog Football program. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Stibich moved to **waive** the reading in its entirety; Mr. Gorski **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Stibich moved to **adopt**; Mr. Gorski **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Resolution 12-2017

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH JAYME PALKER (PINOT'S PALETTE) FOR SERVICES AS ARTS AND CRAFTS DIRECTOR FOR THE 2017 OLMSTED FALLS SUMMER ARTS AND CRAFTS RECREATION PROGRAM AND DECLARING AN EMERGENCY **First Reading**

Mayor Donegan indicated that the city previously hired an Olmsted Falls graduate who did programming from Baldwin Wallace. But, in Ms. Jones in her wisdom and always thinking about businesses suggested using a local business to run the summer art program. This is an opportunity to use a local business and get more people in the door.

Mr. Stibich moved to **suspend**; Ms. Garrity **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Stibich moved to **waive** the reading in its entirety; Ms. Garrity **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Ms. Garrity moved to **adopt**; Ms. Duncan **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Ordinance 13-2017

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DESIGN-BUILD SOLUTIONS, INC. (GARLAND) FOR THE REPAIR/REPLACEMENT OF THE CITY HALL BUILDING ROOF FOR MATERIALS AND SERVICES THROUGH THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE IN AN AMOUNT NOT TO EXCEED \$500,000.00, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY **First Reading**

Miscellaneous New Business

Mayor Donegan introduced Mr. Benny from Congressman Renacci's office. Mr. Benny stated that the Congressman is doing well. He stopped in to say hello to everyone and congratulate Mr. Gorski for taking on Councilman responsibilities.

Mr. Stibich asked if the requisition for Jakobsy Plumbing was moved by a specific individual. The clerk indicated that Mr. Haviland did make a motion seconded by Ms. Garrity.

Mr. Haviland stated that during the testimony of 06-2017 he heard that Ms. Palker and Ms. Reichle had lists of questions and asked if Council had a copy. Ms. Reichle indicated that they will be compiled and forwarded to Council. Mr. Haviland indicated that those will be important in order for Council to act on the legislation.

Mr. Sculac indicated that the finance committee meeting will not be held at the end of March but rather the second meeting in April.

Ms. Garrity stated that she is in favor of moving forward 06-2017 and believes that Council should be definitive about how long this remains on table in order for it not to be shuffled. She is willing to work with the businesses in order to advance the legislation. Ms. Reichle indicated that the broader business community is not aware of proposed. Mayor Donegan stated that this problem has historically existed which is why the city invested in Main Street Ohio and repurposed Ms. Jones. She stated that Ms. Jones does complete quarterly business and community services updates. When you have a small core staff you worry about safety, Bagley Road Bridge, all the grants. One of the things the businesses need to be aware of is that the city invested in Juniper who provided the city with a list of even more businesses. The administration will do its best to keep you updated, but, it is incumbent upon the businesses to also keep themselves apprised.

Ms. Garrity stated that Council can multi-task and she does not want the audience to think that we are not considering safety. We can look at multiple issues at the same time.

Mayor Donegan stated that the Devonshire issue was brought before the Safety Committee approximately six or seven years ago and they wouldn't approve lights on private streets and we argued for those lights, which we did finally get. We have an unbelievable police department who are paying attention to details and provides the extra customer service we strive for.

Such other business that may come before Council – None

Mr. Sculac moved to **adjourn into executive session** to discuss matters of economic development pursuant to ORC 121.22(G)(8) and pending and/or threatened litigation pursuant to ORC 121.22(G)(3); Ms. Garrity **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

The meeting adjourned at 9:37 p.m.

Mr. Sculac moved to **adjourn into regular session**; Mr. Stibich **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Mr. Stibich moved to **adjourn**; Mr. Haviland **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

The meeting adjourned at 10:23 p.m.

Ann Marie Donegan, Mayor

Angela Mancini, Clerk of Council