

*City of Olmsted Falls*  
**Minutes of a Regular Council Meeting**  
**Tuesday, September 26, 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 7:32 p.m. Roll call was conducted. Councilmen Linda Garrity, Jim Haviland, Bob Sculac, Ed Gorski, Paul Stibich, Terry Duncan, and Kyle Miller were present.

Also in attendance: Gregory Sponseller, Law Director, Steve Presley, Finance Director, Mike DeSan, Asst. Finance Director, William Traine, Assistant Safety Director, Chad Gluss, Fire Chief, Rosann Jones, Manager Business & Community Services, and Joe Borczuch, Service Director Audience: 8.

**Approval of Minutes**

Mr. Sculac moved to **approve** the minutes from the Regular Council Meeting of September 12, 2017; Ms. Duncan **seconded**. Mr. Stibich indicated a typographical error. Poll: 6 ayes; 0 nays; 1 abstain (Stibich). **Motion carried.**

**Consideration of Amendment to the Agenda - None**

**Mayor's Report and Appointments**

Mayor Donegan introduced Chris Haynes from Civically which will be the new city app and can be downloaded for Android and Apple mobile phones. She stated that the City has Ready Notify and are fairly restrictive as to what it is used for. This was clearly marketed by the County for emergency types of notifications. All of the cities have been using it since it is a great tool to get messages out. Civically will be available for \$49.00 per month and will be used for city events as well as other messages. Mr. Haynes is present to give Council a tutorial and update.

Mr. Haynes stated that his company Civically began in May, 2013. He built individual mobile app's for cities. After running the apps for five cities for a couple he learned that there is a better way than just having individual apps. He wanted to make one app to connect everyone together. In January, 2017 he changes to Civically and in February 2017 the City of Akron invested \$50,000 into his company and are now actually an equity holder in his company. The most visited sections of the individual apps was city announcements and city events, people finding out what is going on. More importantly over 50% of the traffic of the apps were from people outside of the city looking to see what is going on.

Mr. Haynes gave a tutorial of how the Civically app works. Mayor Donegan indicated that an announcement was made on Facebook that this app will be available in the upcoming weeks. She asked when the app would go live. Mr. Haynes indicated that the app should be live in the next couple of weeks.

Ohio History Connection Certified Local Government – Mayor Donegan stated that the City was presented with the 50<sup>th</sup> anniversary of the National Historic Preservation Act of 1966 which is through

the National Park Service and the Department of Interior congratulates Olmsted Falls for being a certified local government and partner in the federal preservation program since September 16, 1996.

Shredding – The event was successful and we shredded a little under 10,000 pounds. Next year's shredding event will take place at the administration building on May 12, 2018 from 9:00 a.m. to 12:00 p.m. and September 15, 2018 from 9:00 a.m. to 12:00 p.m.

Cleveland Metroparks – Mayor Donegan stated that this is an interesting strategic planning session the city has been involved in. She met with Brian Zimmerman early in her term because we had a desire to connect with the Metroparks. We are a community that enjoys and wants to promote healthy lifestyles with our parks. She stated that Mr. Miller and Mr. Iafigliola, Chairman of Planning & Zoning Commission, voiced similar issues. Obviously, in 2014 we had a 20 year old Master Plan, no real sense of direction from a strategic perspective or from a planning and zoning perspective. What has come about is a significant synergy between the Metroparks and Olmsted Falls. Mr. Miller and Ms. Duncan are sort of ad hoc on the committee. County Councilman Mike Gallagher was also in attendance at this meeting where we discussed the strategic vision of mixing. We will not sell our parks, we never intend to do that, but some sort of collaboration and synergy between that and the extension because we are close. As most of you know, it is really difficult but we have done a great job without any master plan or a strategic vision in the last 20 years but it's hard to compete with other communities and get your voice at the table. Now that we have all of those documents completed we have had some good conversations with the Metroparks and will be making some future announcements. There are some strategic meetings that will be scheduled and we are attempting to get some here in Olmsted Falls so that they can hear public comments. It's all about being at the table, being that squeaky wheel, and advocating for your community.

TLCI Planning Grants – The city is applying for the TLCI Planning Grant for the Columbia Road connectivity. Again, the essence of building a community is connection. We were successful on two NOACA grants and will be applying for a third NOACA grant. If we are awarded the grant we will hold public hearings and stakeholder meetings.

Energy Audits – We continue to work on energy audits and are always looking for ways to save and create efficiencies. We have been working with Sustainable Energy Service as well as Gardiner both well-known companies who help government buildings and organizations save money on streets lights, etc.

Community Paramedicine Kiosk – She is pleased to announce that the Kiosk has been assembled and is located in the hallways. The data connection has also been installed and we will be getting the laptop and all of the equipment shortly. It is appropriately to note that the naming rights for the Kiosk, which will be located at City Hall, will be \$1,500 per month and a signing fee of \$5,000 and will be co-sponsored by Cleveland Clinic Foundation/Fairview Hospital. As we are in training for Community Paramedicine and promoting wellness with the employees and seniors this will be an opportunity to come in and check your blood pressure, weight, etc. She stated that Bess Vrettos was instrumental in the grant and all the work required with the program and will generate revenue, but, the naming rights and another revenue.

Shade Tree – She stated that in January of 2014 she found approximately 1,000 Shade Tree booklets in the back in a filing cabinet. These booklets were developed a long time ago and contain a lot of

good information. The Commission is now working on updating this booklet and covers the proper selection of trees, permits to plant and other additional information that the Commission handles.

Phase V – Mayor Donegan stated that another letter was sent to residents on September 15, 2017.

911 Monument – She stated that she has been working for at least a year and a half on a 911 Memorial for Olmsted Falls. Chief Trainor and Chaplain Dean Kourvas, who was in New York during 9/11 and is now the Police Department Chaplain. She spoke with the Chaplain about a year ago regarding getting a piece of either the flight or something of 9/11 that would be displayed at the fire station. We are in the process of discussion this with Commissioner Daniel Nigro in Brooklyn, New York and she believes it will be a fitting memorial for all of those men and women in fire and police and other services.

ConstituentOn – She stated that training will begin as this program is launched. She is data oriented and likes to track all resident calls in order to find out concerns. This is the best way to determine if we are doing our job, not doing our job, or is there something that we should do better. This is a pilot program and will be the first city to launch in the state. It has been successfully launched in other states. It is a seamless collection of constituent data and is software tracked. This program will generate a letter to residents or any other person of inquiry that indicates what date the request was received. She stated as she looks at the high customer oriented companies she does not see a reason that we cannot be one of them as a municipality. This is a user friendly platform and will be adapted to each department's needs. She believes the cost for the program is \$1,800 per year and will help us do our jobs better. This is no different than Safebuilt coming in and outsourcing the building department.

Council Meeting on December 26, 2017 – She nor the Clerk has heard from anyone regarding this date so therefore the Council meeting will stand. Mr. Miller stated that he would like to move that meeting to the third week of December, if possible. He stated that he has family obligations on December 26<sup>th</sup> and would not be able to be present. Mayor Donegan stated that when December comes she will see where Mr. Presley is and if December 19<sup>th</sup> would be a good date.

Mayor Donegan stated that as everyone is aware City Hall received a new roof due to leaks on the third floor. In order to make the third floor available for tenants and make that area a revenue generator we needed to address the roofing issues. She would like to read a letter from Dan O'Leary the Regional Sales Manager for Garland Company. She believes this letter speaks to Mr. Borczuch and the dedication of the employees going above and beyond what they would normally do and how we are lucky to have the work ethic and accountability that we do. The letter reads "Dear Mayor Donegan once again thank you for your interest in the Garland Company, it has been a pleasure working with you, Joe Borczuch, Steve Presley and the City of Olmsted Falls as whole. The administration building roof replacement project went very smoothly and is now 100% complete. There is a remaining invoice that we would like you to pay, short pay \$245.00 as there were a few HVAC items that we would like to take care of for you. This is a 30 year warranty system so if there are any issues along the way please do not hesitate to call my phone directly. I would like to especially point out Joe Borczuch and the value he added to the project. He eliminated all of the chimney structures on the roof of which there were 11 and saved the city \$20,000 or more. Furthermore, he did this in only three (3) days when the contractor was expected to take weeks. He was an absolute pleasure to work with and the communication was great between us. Yesterday we also evaluated the old service garage, the next few pages contain information about this evaluation and

Joe will be bringing them forward soon. We look forward to being your partner for the next 30 years.” She thanked Mr. Borczuch for not hesitating to “roll up his sleeves” as we all roll up his sleeves.

She stated that the city will be applying for a couple of more grants and will bring forward more information as this process moves forward.

She stated that Community Paramedicine will officially launch on September 27, 2017. We have some clients from the Cleveland Clinic/Fairview and residents. This is a desperately needed service and will be rolled out to older adults and those caring for older adults.

Mayor Donegan stated that another issue we have accomplished thanks to Mari Alice Zacharyasz who has been working with Mr. Presley is on health insurance. The health insurance committee has been meeting, but with no representation from Council, on the labor management committee. She was a managed care contractor in her own business and always trying to negotiate contracts and the more people you have the cheaper the fees. There has been no such mechanism for the last 20 years indicating where a person goes for an employment physical or where to go for a pension employment physical, etc. We will be engaging and drug testing for all collective bargaining units including fire and police as service has had that in the contract. It was imperative that we get one contract for occupational health services instead of sending employees here or there with no protocol or procedure. We will satisfy that with University Hospitals for occupational services. We do not have an HR department; she is the HR person, the safety director, and economic development director as we all wear different hats which she enjoys but it is hard to get details when you have a part time staff, for example, we had two police officers who went for a physical exam and we incurred approximately conservatively \$8,000 because we didn't have a contract. Obviously that invoice came to her for signature and she said this should be negotiated. Occupational health is always something that we need to have in the city and should have had 20 years ago, but, we never did. Brent Carson at University Hospital who she has known during her professional life wiped those charges clean for us and we received some quotes and decided to handle all of our occupational health services through University Hospitals.

One of the things about the affordable health care or whatever you want to call it, had we not had the that option available for the City of Olmsted Falls we could have incurred anywhere from a 33% to 78% increase in costs. The county plan locked us in for three years and one year we had a zero percent increase. Medical care is trending in the double digits, usually the lower double digits, and the county could not afford us so we received a 33% increase which is why we went out to the market. As you know, if the affordable care act was not available we would have had a hard time insuring our population. She has always said there is not many benefits of a municipal employee, they have a rough job, we don't make pizzas or widgets, we are in the people business and so salaries, benefits and lunch and learns regarding work safety are things we have been working on and incorporating. The health insurance group that has been meeting with the different respective collective bargaining units, including a representative from administration, has really put together and organized some things. As a nurse she felt that an EAP program, which is an employee assistance program, ranging from legal, financial, counseling, elder care, all of this advice no one had access to. The only way she is going to show those people that work very hard for us every day, is enhancing our benefits. Working with Mr. Presley the committee has chosen a Cleveland Clinic based wellness plan. We conducted an employee survey, first one ever done, asking employees what they wanted and what was good for them. The responses included information sent via email, written materials, weight loss, nutrition, healthy eating,

physical exercise, activity, and this enabled us to hone in on what we needed to look for. The survey was given to the group and they asked for the Cleveland Clinic program. She is bringing this information to Council due to budget discussions beginning. The lifestyle EAP proposal from the Cleveland Clinic Wellness was the one chosen at a cost of \$2400 a year. The other plans included a program through the Centers and Family Children for \$3900 for the year. The first year will be the participatory program launch where we start to ease into wellness, signing contracts, and coaching. The second year we will transition into results based wellness and by the third year is where it really starts to affect premiums. A good example is the City of Strongsville and NOACA who actually had reductions on their health care premium for employee participation. Last year the City of Strongsville incurred a 3% reduction in their premium costs and NOACA, whose insurance is through the Lorain County similar to the program from Cuyahoga County, went two months or three without paying premiums and with the money saved they improved their building. There are still many opportunities and we are looking at every opportunity to create efficiencies, to create cost effectiveness, and to build a healthy work staff because a healthy work staff is a happy work staff. She wants to let Council know that more information will be coming forward. We are also looking at a gym membership at one of the local Powerhouses at a cost of \$20.00 a month which would be reimbursed after employees participate in a few things. The last thing she would like to mention about health insurance is that we will holding a Flu shot clinic at City Hall. Marie Grosh a nurse practitioner who will also be here throughout the month to see seniors will be providing flu shots on October 5<sup>th</sup> open to employees and their families. We are also scheduling another flu shot with Passport Health. The flu shot is covered 100% under preventative.

### **Communications from Residents**

**Tony Campanalie, 7565 Clark Street**, stated that he is wondering where the ODNR information came from. Mayor Donegan stated that the Boards & Commissions report to the Mayor and one of the things she found lacking over the years was the fact that there was no connectivity between the Mayor, administration and the boards and commissions, they seemed to do their thing and she wanted to make sure that was changed. She had a conversation with Mayor Robert Stefanik regarding the issue of why are you taking down our trees. She stated that Mayor Stefanik explained to her that ODNR has a new policy and she wanted to Shade Tree Commission to review the policy. She stated that Mr. Shepka explained to her that our tree policy is much more stringent in terms of the rules. She just wanted to make sure since she cannot attend all of the meetings that Shade Tree was aware that ODNR had some sort of new policy regarding trees on the tree lawns but she found out that we already have a much more stringent procedure than ODNR. Mr. Campanalie stated that he now understands now. Mayor Donegan stated that this was about the policies of cutting down trees because there are all these allegations that we just willy nilly cut trees down and we wouldn't be a tree city for the 27<sup>th</sup> year in a row if we didn't have regard for our trees. Mr. Campanalie replied that this answer his question.

### **Approval of Bills:**

Mr. Sculac moved to **approve** Pay Ordinance 2017-15; Mr. Gorski **seconded**. Poll: 6 ayes; 1 nay (Garrity). **Motion carried**.

## **Officials Reports:**

### **Rosann Jones, Manager Business & Community Services**

Ms. Jones reminded Council that on Wednesday, September 27<sup>th</sup> at 11:00 a.m. a meeting will be held at City Hall with ABR members, the Mayor, Bob Sculac, and a representative from our architectural firm and Nathan Bevel from Ohio History Connection. We want to meet with members of the ABR to make sure that we are all on the same page as to what historic district houses mean, what is the Olmsted Falls Historic District, National Register District, and Ohio Historic Inventory. The ABR has been functioning since the 90's and is a recommending body to Planning Commission but as time goes by some things have gotten a little skewed. Speaking for herself she has been here for 20 years and there are still things that are not really clear to her. Mr. Bevel is the gentleman who reviewed our design guidelines that were, like the Mayor said, so old that they didn't even look like they were typed on a regular typewriter. Mr. Bevel reviewed and those will not be changed in a great way and he was complementary of them but did make some minor updates to them. How we all function now that the Planning Commission has merged with Zoning. She stated that Mr. Bevel is the professional who understands all of these things and can clarify what those designations mean; what lines we have to hold in order to keep those designations; or are there lines we are trying to hold that will not affect the designations. If you are available please come and attend. Mayor Donegan stated that if there are more than three of you attending please let us know immediately so we can post an agenda. This issue goes back to the Vanyo window issue when she was a council member. ABR approved all the windows except two and there was this big unbelievable issue that it will compromise our historic district and she believes it is time to find out if that is the case because that is information Council needs to know. We also have letters that will be sent letting people know they live in the historic district and their home is special and there are certain guidelines and laws essentially that needs to be followed. Those letters will be sent with a copy of the new design guidelines. Again, this will ease the customer experience, making issues easy to understand and communicated. If residents are given the message than they are more apt to accept it. We are also getting a procedure instituted after the initial letters are sent to new homeowners letting them know they are in a very special district of the city and there are some requirements. Also, removing either the fact or fiction or the story behind "well we heard it from this person 20 years ago does that still maintain true." She is glad that Mr. Sculac is able to attend as she believes he will be critical in this. Ms. Jones stated that we will be able to put the new guidelines on our website as well as on a DVD. The county mapping GIS department is good about giving us a little bit of free time every year to do a project and she would like to have a better map done of the districts. We have an Olmsted Falls Historic District map, which is a little bigger are than the National Register district, but the maps are almost cartoony and she would like to have something better now that we have the technology.

### **Joe Borczuch, Service Director**

Mr. Borczuch stated that he is finishing a project with NEORS. They contacted him a year ago regarding scanning the city street maps and infrastructure. We have completed that project except for training. He indicated that 90% of all city maps have been scanned and digitized which saved the city thousands of dollars as NEORS completed this project at no cost to the city. Now we will be able to utilize street maps while in the field rather than digging through maps. Mayor Donegan asked what year the maps went back to. Mr. Borczuch indicated that there are maps from the 30's and 40's and there were over 800 maps all together. Mayor Donegan stated that the department took the time to pull all the maps and organizing them which took Mr. Kopchak almost a year. She also indicated that she would like this information included in the next newsletter as well as NEORS did for us

with the scanning. Mr. Borczuch indicated that the maps will also be placed on a CD. He indicated that out of the 99 dedicated streets he believes there were only three street maps missing.

Mr. Borczuch stated that the asphalt work completed on Water and Lewis has now been stripped over the past weekend, berming will now need to be completed. There is also some other patch and concrete work that needs to be finished, then sealing before leaf and snow season begins.

Mr. Borczuch indicated that he also has a requisition for a pre-lit Happy Holidays sign for the Village Green to spruce up that area for the Park and Recreation Christmas tree lighting. The sign is roughly 3' x 35' and will be placed in the northeast corner of the park.

Ms. Duncan moved to **approve** a requisition to Nida Lighting for a prelit Happy Holidays sign for the Village Green in an amount not to exceed \$3,492.50; Mr. Gorski **seconded**. Mayor Donegan stated this is a sense of community and we have taken great care with our bridges, welcome entrance to the City, holiday season and this is one more step of doing things that other communities already do. Mr. Stibich asked if the Park and Recreation fund would be utilized. Mr. Borczuch indicated that was correct. Mr. Stibich asked if the budget for the Park and Recreation Board can handle the purchase. Mr. Presley replied yes. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Borczuch indicated that the turnpike bridge contractor should be finished within the next week.

### **Chad Gluss, Fire Chief**

Chief Gluss stated that in the police and fire services there is mutual aid, which basically means if we need help we call Olmsted Township for mutual aid and if they need us they call. There has been a practice over the last couple years where on MVA's the township has requested that we bring an ambulance while they respond with an engine. To give you a little history, when we receive these calls in Olmsted Falls we respond with an engine and ambulance as opposed to the Township just responding with just an engine and request that we respond with an ambulance. We both staff our stations with three. He stated that in May a meeting was held with Chief Traine, himself and Chief Kelly at which time he expressed that we had some concerns with this policy. For example, on average a fire engine on a car accident that is not severely damaged will be on scene 15 to 20 minutes, for us to transport other than Southwest, it takes approximately 45 minutes to an hour, to Southwest it is a minimum of a ½ hour to 45 minutes. Essentially what was happening is the Township would have MVA's and would call us which would put our ambulance out of service three to four times as long as they were. We thought we had a gentleman's agreement back in May but it appears we did not. Recently, he approached Chief Kelly and expressed that because of the safety of our residents and the safety of his 4.1 square miles the City would no longer engage in this type of response. The Ohio Revised Code gives us the ability not to respond at all, he expressed to Chief Kelly that he does not feel that is the right thing to do as it would not be save for anyone. However, the City would provide the Township with an engine, this way we would only be out of service for 15 to 20 minutes and be able to get back to our community. This allows the Township to transport via ambulance. He stated that to date the City has called the Township 25 times and they have called us 117, these numbers are total not just MVA's. If you take an average of 30 minutes a call, which is very conservative, that is almost 88.5 hours that our community was unprotected. He feels that for the safety of our residents this policy needed to be addressed. He stated that the current policy now states that for MVA's, he assures Council that if the Township calls because someone is having chest pains we will respond with an ambulance, if they call us because someone is injured or sick we will respond with an ambulance, but, for MVA's we will respond with an engine. It is now up to the

Township if they want to call us or would prefer calling another department. Mayor Donegan asked how long this practice was happening before he became the Chief. Chief Gluss stated that this practice has been going on for 7 or 8 years. The prior administration chose a different route to try and fix this issue, but that did not work. This is something that has been habitually going on and appears to be getting worse. He is attempting to stop or minimize this issue before we get to the point where something drastic happens. Ms. Duncan asked for some clarification, when there is a motor vehicle accident, the Township responds only with an engine. Chief Gluss replied that was correct. Ms. Duncan stated that it's not like their ambulance was somewhere else. Chief Gluss replied correct. Ms. Duncan stated that she understood that mutual aid was used if our department was already busy on another call and another call comes in. Mayor Donegan indicated that is part of mutual aid. Chief Gluss stated that because the City only has three on staff and the Township only has three on staff it is not uncommon for us to call mutual aid even though we are responding. For instance, if we get a report of smoke in a house, we would respond but we would also call the Township for mutual aid because we only have three on duty. We try to get at least six to nine at the scene because that is the right thing to do. An MVA situation is the only situation we are discussing. He stated again, when there is an MVA in the Township they respond with an engine and call mutual aid for an ambulance.

Mayor Donegan asked Chief Gluss to elaborate on the data and information he received prior to making this decision. Chief Gluss stated that as Council is aware he has part time employees currently in his department that include lieutenants from Brook Park, Strongsville, and Fairview Park. He discussed this policy with them and asked how their departments responded. He has spoken with the Jim Hughes, Chief of Westlake, Tony Raffin Chief of Fairview Park, and Jack Draves Chief of Strongsville, and expressed this policy to them. They all stated that this policy was not fair to our community. He also spoke with a high ranking officer in Brooklyn Heights since they also staff three, and respond like we do, with two in one vehicle and one in the other, they do not call mutual aid initially for MVA's and that includes the highway. He has discussed this policy with area fire chief's and area fire officers, and to be honest not one of them has agreed with this policy. Mayor Donegan indicated that generally this issue is managed by the administration but she felt it was important to bring forward to Council. Asst. Safety Director Traine stated that initially when this was brought to his attention we spoke with Chief Kelly who came from a big city and understands the difference between a fire apparatus truck with a hook and a ladder and an ambulance. Most motor vehicle accidents that occur in the Township or the Falls are minor fender benders, so the chances of you needing a fire truck with the jaws of life or a hose to put out a fire or the foam that they spray doesn't happen that often. They have three on duty and we have three on duty so for Township to continually respond with a truck and tell us to respond with ambulance come and transport to the hospital isn't right for our residents because if Olmsted Falls gets another call for an ambulance we are calling for mutual aid, which means there could be longer response times and with a heart attack or drug overdose time is important. The more logical way of doing business is if the accident is in your city you send the ambulance that way your people are tied up and if it's in our city we will send the ambulance. We thought we had this settled and to be honest, in his opinion, which he expressed to Chief Kelly, is that we have been gravely taken advantage of and he is glad that Chief Gluss brought this issue up and put his foot down you have to respect him for that.

**William Traine, Asst. Safety Director**

Asst. Safety Director Traine reported that he held the first annual awards ceremony for the police departments. He apologized to Council as it didn't dawn on him to notify them. The next awards ceremony that will be held will be open to the fire department and all members of Council will be invited. The ceremony was a great success and received emails and feedback from the community

and family members. There were heroic actions taken and kind hearted actions taken as well as things we do not normally recognize in this community. Mrs. Mancini was present to help put the awards together as well as the Mayor and Chief Gluss. This event brought moral around and said thank you from the City of Olmsted Falls to the men and women in our department. Officer Litten received the medal of heroism for saving a life for a car that erupted in flames after an accident. He stated that he will continue to hold this ceremony yearly. Mayor Donegan indicated that everyone is aware of the fatal fire that happened during the summer. There were officers that were first on scene and risked their lives as they attempted to save the victim. Asst. Safety Director Traine indicated that there was one officer who was one of the first responders that has been an officer for three months. He is a 23 year old who went to school with his step-son and loves like he is his own, who tried kicking in the front door to gain entry. If he would have gotten into the house he never would have made it out. One of other officers with more experience and is also a fireman stopped him and explained why; this officer also laid the ground work for the fire department to come in with their equipment for faster response. They all wanted to save a life that evening and we should praise them all. Mayor Donegan stated that Officers Leanza and Saxer who responded to a young girl and her father with a bird stuck in a fence and Officer Leanza cut the wire and released the bird. The impact on that little girl and her father are things that you never hear of. Asst. Safety Director Traine stated that Officer Leanza was a little embarrassed for getting an award for saving a crow in a fence but that is the real world. You have a five year old child with her father and they come to the police station and the officer's go and see the bird stuck and the right thing to do is to attempt to free that bird. That child will never forget and this policeman, in her eyes is a hero for saving that bird.

**Steve Presley, Finance Director – No Report**

**Mike DeSan, Asst. Finance Director – No Report**

**Councilman Ed Gorski, Ward I – No Report**

**Paul Stibich, Ward II – No Report**

**Terry Duncan, Ward III**

Ms. Duncan would like to remind everyone that Falls Day In the Park will take place on Sunday. Please come down to East River Park and enjoy all the activities between 1:00 p.m. and 4:00 p.m.

She stated that she will not be in attendance at the next Council meeting.

**Kyle Miller, Ward IV – No Report**

**Councilman Bob Sculac, Council-at-Large – No Report**

**Councilman Jim Haviland, Council Pro-Tempore**

Mr. Haviland indicated that he spoke with Ms. Migliorino, Chairman of the JEDD Board, regarding a joint Olmsted Falls/Olmsted Township work session in order to update both communities on the JEDD.

**Councilwoman Linda Garrity, Council President**

Ms. Garrity stated that she received a notice from the Ohio Elections Commission regarding an issue of election signs during the City Charter changes. She signed a letter along with Mr. Jay Linn who

was the Council President at the time. The notice indicates that a hearing has been set for 10:00 a.m. on November 2<sup>nd</sup>. This was a complaint filed against Ameriprint in Olmsted Falls. She wants to inform the administration that she is unable to incur the legal expenses or the general expense to travel to Columbus. She then turned the notice over to Mayor Donegan. Mayor Donegan asked Ms. Garrity if she filed the complaint. Ms. Garrity indicated that the Mayor wrote the letter. Mayor Donegan replied that the notice states Garrity vs. Ameriprint. Ms. Garrity indicated that the Mayor drafted the letter and Ms. Mancini typed it, the Mayor then asked Mr. Linn and herself to sign the letter. Mayor Donegan stated that the notice indicates Garrity vs. Ameriprint. Ms. Garrity stated that the Mayor drafted the letter and had Ms. Garrity and Mr. Linn sign it. Mayor Donegan replied that Ms. Garrity is an adult and is responsible for her own actions. Ms. Garrity indicated that this is a city matter and she is not incurring any legal expenses. She stated that she would be happy to speak with Mr. Philip Richtor and she does not think that as a Council member on our salary that she should be expected to incur thousands of dollars out of her own pocket. She believed it was an important matter for the city and was encouraged to sign it, Ms. Mancini typed it, it was drafted by the Mayor and Bess Vrettos and she cannot incur these kinds of expenses. Mayor Donegan again stated that the notice states Garrity vs. Ameriprint. Ms. Garrity stated that she will ask one more time if the Mayor drafted the letter. Mayor Donegan indicated that she does not recall drafting the letter. Ms. Garrity stated that the Mayor has never incurred the expenses out of her own pocket. Mayor Donegan asked Ms. Garrity to proceed with her report. Ms. Garrity indicated again that she would not be attending the hearing in Columbus.

Ms. Garrity stated that she voted no on the pay ordinance because there was a check to Brickler and Eckler Attorneys at Law for \$6470. She does not know if they were hired and did email Mr. Sponseller and is waiting to hear back. She cannot sign the check because there was no Council notification. She is the Council President and she was not notified. She also did not sign a check for Mari Alice Zacharyasz and turned them into Mr. Presley. She is hoping that Mr. Sponseller can shed some light on the \$6470 to Brickler and Eckler. Mr. Sponseller stated that as he indicated to Ms. Garrity before tonight's meeting, he has not seen her email as it was sent during the week he was on vacation. He also indicated to her that he would be happy to go over the information with her tomorrow. He will say that as a matter of administrative responsibility as law director the law department has engaged attorney's on an as needed basis on a number of areas and we do that within our budget. Ms. Garrity stated that she is trying to verify, even if it is within budget, she imagines that it would require Council notification and that is her question. Mayor Donegan stated that Council went into executive session to discuss matters and it has been a natural course of business that Ms. Garrity has not had any issue with until recently. Mr. Sponseller indicated that some of this conversation belongs in executive session, but, you will recall there is some litigation pending for which the city needs representation on not routine matters. Ms. Garrity stated that she is just interested in the notification process. Mr. Sponseller reiterated that he will be happy to discuss this issue with Ms. Garrity tomorrow.

**Gregory M. Sponseller, Law Director**

Mr. Sponseller acknowledged that he received a copy of the letter from the Ohio Elections Commission dated September 21, 2017 from Ms. Garrity. He is assuming that it was addressed to her and will look into the issue.

Mr. Sponseller stated that he happened to be speaking with some contractors who do road work and the job that Mr. Borczuch did on Lindberg and other jobs he has done in house with equipment and

materials are according to them the correct way to do it. Mr. Borczuch gives the city such a great savings because of that in house work he wanted to publicly make that statement.

**Old Business** - *None*

**New Business**

***Resolution 45-2017***

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 **First Reading**

**Miscellaneous New Business** - *None*

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

Mr. Sculac moved to **adjourn**; Ms. Duncan **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

The meeting adjourned at 8:42 p.m.

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*Ann Marie Donegan, Mayor*

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*Angela Mancini, Clerk of Council*