

City of Olmsted Falls
Minutes of a Regular Council Meeting
Tuesday, January 23, 2018, at Olmsted Falls City Hall
26100 Bagley Road – Council Chambers, 7:30 p.m.

The Pledge of Allegiance was recited. Mayor James Graven called the meeting to order at 7:32 p.m. Roll call was conducted. Councilmen Jim Haviland, Paul Stibich, Lori Jones, Ed Gorski, Denise Nicolay, Terry Duncan, and Kyle Miller were present.

Also in attendance: Andrew Bemer, Law Director, Chad Gluss, Fire Chief, Vic Nogalo, Finance Director, and Joe Borczuch, Service Director. Audience: 16.

Approval of Minutes

Mr. Gorski moved to **approve** the minutes from the Regular Council Meeting of January 9, 2018; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Consideration of Amendment to the Agenda - None

Mayor's Report and Appointments

Ms. Duncan moved to **appoint** Peter Carpenter to the Planning & Zoning Commission as the Mayor's Designee term to expire 12/31/2021; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Mayor Graven stated that Alertism is a modern block watch program and he, Odis Rogers and Bill Traine had a telephone conference meeting with Alertism and are working on bringing the program to our community. Any resident will be able to sign up for this program and will be notified by either text message or email if a crime is committed within a few miles of their home. This information will be relayed in real time and it seems that everyone in police department is excited about the program.

Last week, he and Chief Gluss toured the Southwest Dispatch Center. He was impressed with the center. His last year on the fire department he was a supervisor in the dispatch center. He believes Southwest does a great job and we will be happy to stay with them.

He completed an assessment on the police and fire departments. He and retired Cleveland Police Commander Brian Heffernan performed an assessment in the police department and met with many of the officers. The assessment is currently still under review. He also performed an assessment on the fire department with Chief Gluss and would like to thank retired Cleveland Battalion Chief Sean DeCrane who assisted that assessment.

He and Fire Chief Gluss met with the Southwest Hospital CEO Bill Young and discussed the hospital donating a monitor and drug box so we could implement an ALS engine, which is an advanced life support engine. For example, if our engine is coming back from a car accident, fire, or any other run and there was a code 3 run, which is someone having a heart attack, we could implement advance life service right away without going back to get the ambulance.

Mayor Graven, Fire Chief Gluss and some of the fire union members met with Cuyahoga County Councilman Mike Gallagher to discuss the paramedicine program. He will continue discussions with the fire chief and union members later this week and will keep Council updated on those discussions.

Communications from Residents

Ann Reichle stated that at the last meeting she neglected to welcome everyone from Downtown Olmsted Falls, those returning members and those who are new. We look forward to working with everyone. Downtown Olmsted Falls will hold their first meeting to get Heritage Days started on January 31st at 8:30 a.m. If there is one thing we learned last year, we were behind the curve, but, we were building it for the first time ourselves and had to start from scratch. She knows that the President, Bill Henzey, reached out to the Mayor shortly after he took office to sit down and have a meeting. There is specifically a lot of involvement with the city and knows that Mr. Henzey reached out to the Mayor over the weekend but he has not heard back from him as of yet. She knows there was supposed to be a business round table meeting, but, we are not looking for a business round as we need to talk about the events that are going on in downtown specifically. We are wondering if you had a date for that and would like to also request for our ward council person as well as Ms. Jones attend as Ms. Jones was instrumental in helping with all these events last year. Mayor Graven stated that he is working on a date and is looking at mid-February. He wants to talk to all the business owners but has not been able to get back in touch with Mr. Henzey. He does not know if he will have the opportunity to have one on one meetings with everyone but will definitely meet with all the owners. Ms. Reichle stated that the organization that runs Heritage Days is asking for an organizational meeting which does not involve any other group but the downtown business association. Mayor Graven stated that he wants to meet with every member of the downtown business. Ms. Reichle stated that she appreciates that and thanked him.

Mayor Graven stated that the police department reports that back in December there was a male stealing US. Mail out of residential mailboxes. The department received a tip about this activity, officers responded and recovered a large amount of stolen mail. The male was processed for fingerprints and the U.S. Postal Inspector is conducting an investigation. They will be charging one male under federal law for these crimes. The Division of Police has also instituted two new policies one for clothing and uniform appearance and a second policy for part time officers working off duty.

Approval of Bills:

Ms. Jones moved to **approve** Pay Ordinance 2018-02; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays.
Motion carried.

Officials Reports:

Joe Borczuch, Service Director

Mr. Borczuch indicated that he distributed a requisition to Council regarding a repair needed for the pump on the sewer jet. The pump usually lasts approximately three years and this vehicle is a 2005 and this is the first repair on the pump. The vehicle is currently at the repair shop, if this is approved the work will be completed.

Mr. Stibich moved to **approve** a requisition to Jack Doheny for the repair of the sewer jet pump including parts and labor in an amount not to exceed \$14,783.23 seconded. Mr. Miller **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**.

Mr. Borczuch indicated that the department is currently filling holes until the next snowfall.

Chad Gluss, Fire Chief

Chief Gluss stated that the Olmsted Falls Community CERT, for those who don't know this is an organization includes Olmsted Falls and Olmsted Township residents that do some civic and minor emergency responses in the city. They will be holding a fundraiser February 3, 2018 at 6:30 p.m. If anyone is interest in attending please call him at the fire station and he will give the particulars.

Also, continuing with his leadership program he spent this past week in Emmitsburg, Maryland. The National Fire Academy use to offer three classes that were each two days, they were called New Fire Chief Challenging Issues, New Fire Chief Two Administrative Issues and New Fire Chief Three, Temporary Issues. They rolled these classes into a new program for six days. He was pretty fortunate and met the Fire Chief of Oklahoma City with a \$150 million dollar budget, 997 firefighters, 28 support staff and then sitting next to him was a kid that was 36 years old who covered 107 square miles in Northern Oregon, has one fire station, ran 20 calls a year and had a budget of about \$25,000. There were 27 people in the class and as you can see there was a wide range of people. We talked about fire chief liability, risk management, resource management, planning, community engagement, capital assets and planning and acquisitions. He stated that this was a wonderful experience and he met 25 other fire chief's and we are now all on a group messaging which gives him the ability to tap into some of their knowledge over the rest of his career.

Vic Nogalo, Finance Director

Mr. Nogalo stated that he is setting the ground work for the 2018 budget and will hopefully unveil that in early February to Council. He stated that Council also has an ordinance on tonight's agenda regarding the City of Olmsted Falls Income Tax. The State of Ohio has oversight on how cities conduct their municipal income tax and last year they passed H.B. 49 with two changes. The first one is that the people that pay estimated taxes usually they pay their first quarter payment with their annual return on April 15th, second quarter is due June 15th, third quarter due December 15th and the change is on the 4th quarter payment which is now January 15th. The second change is regarding penalties, if an employer does not submit his withholding tax timely the current ordinance reads that the penalty is equal to 50%; the change is that it will not exceed 50%.

Councilman Kyle Miller, Ward IV – No Report

Councilman Ed Gorski, Ward I – No Report

Councilman Paul Stibich, Ward II

Mr. Stibich would like to mention that he is the chairman of the Safety Committee with Ed Gorski and Denise Nicolay. He stated that the committee will meet on the third Monday of the month and does plan on holding a meeting in February. He stated that his past experience being on the safety committee is that it is a great experience getting to know the fire and police chief's and talk about issues that they deal with on a daily basis.

Councilman Jim Haviland, Council President

Mr. Haviland stated that based on Finance Director Nogalo's report he would ask that Council consider adopting Ordinances 06-2018 and 07-2018 this evening. He stated that Ordinance 08-2018 will move onto second reading.

He would like to thank Clerk Mancini for her assistance in the committee assignments and the liaison positions. These have been distributed to Council.

He stated that the JEDD Board met last evening and the next board meeting will be held on January 26th. He stated that a work session is being scheduled for both the Olmsted Township Trustees and Olmsted Falls City Council on March 12th. During that meeting the discussion will focus on where our opportunities are and what are the obstacles in order to move forward.

Councilwoman Lori Jones, Council-at-Large

Ms. Jones stated that she requested trends from the finance director and would like to know if he has gathered that information as the budget is supposed to be adopted by March 31st and she would like to see a history. Mr. Nogalo replied that he did download all the expense transactions for the last four years and has been sorting and finalizing those to present to Council. When he presents the budget he will have everything together. He indicated that he only went back four years but does understand that Ms. Jones wanted him to go back to 2010. Ms. Jones stated that the reason she wanted to go back that far was because in 2013, right after a big school levy was passed the renewal of the general fund tax levy failed. That costed the city a few hundred thousand dollars and then the estate tax were taken away which made the city lose over \$300,000. She wanted to go back and see how much we lost because a lot of this has not been replaced which is why she wants to seem after the revenues were lost, what cuts were made. Mr. Nogalo replied that he is accumulating all the data. Mr. Stibich asked Ms. Jones if she was looking at the revenue side. Ms. Jones stated she wants the expenses as well as she is looking for trends. She stated that personally she believes in zero based budgeting. Mayor Graven indicated that the last four years revenues were \$4.3 million, \$4.7 million, \$4.7 million, and then back down to \$4.5 million. Mr. Nogalo stated that the general fund in 2014 was \$4.3 million, in 2015 \$4.7 million, in 2016 \$4.7 million and then back down to \$4.5 million in 2017, basically on an average \$4.6 million with a jump in 2016 due to an income tax increase of \$200,000. The income tax is the number one revenue in the general fund and he will break that down. There are three components to municipal income tax individual, net profit and withholding, he will also state why there was a jump in 2016. There is so much and again, he only went back four years but will go back to 2013 if that is the key year. Ms. Jones stated that 2014 was when we lost the revenue because that is when the election was held. She stated the sooner the better and volunteered to help. She wants to understand all the funds and sources, uses and trends. She is an auditor and is anal about those kinds of things. Mr. Haviland stated that Councilwoman Jones has been assigned the finance chair and believes that is why she is requesting all this information.

Councilwoman Denise Nicolay, Ward II – No Report

Councilwoman Terry Duncan, Ward III

Ms. Duncan would like to recognize the scouts that are in attendance this evening from Troop 201 earning some kind of merit badge this evening. The scouts introduced themselves and indicated that they are earning the citizenship, community merit badge and citizenship and communications badge. Mayor Graven congratulated both scouts and indicated that if they had any questions he would be happy to answer them after the meeting.

Andrew Bemer, Law Director – No Report

Old Business - None

New Business

Ordinance 06-2018

AN ORDINANCE AMENDING ORDINANCE 61-2017 TO CORRECT THE CORRECT PARTY WITH WHOM THE CITY OF OLMSTED FALLS HAS ENTERED INTO A COOPERATION AGREEMENT, NAMELY OHIO DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF THE COLUMBIA ROAD CULVERT PID NO.: 99999, AND DECLARING AN EMERGENCY **First Reading**

Mr. Stibich moved to **suspend**; Mr. Haviland **seconded**. Mr. Gorski indicated that the title should read “to correct the name of the party.” Mr. Bemer indicated that he was correct. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mr. Gorski moved to **waive** the reading in its entirety; Mr. Stibich **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mr. Gorski moved to **adopt**; Mr. Stibich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Ordinance 07-2018

AN ORDINANCE AMENDING CHAPTER 881 OF THE CODIFIED ORDINANCES OF THE CITY OF OLMSTED FALLS REGARDING MUNICIPAL INCOME TAX FOR TAX YEARS BEGINNING ON OR AFTER JANUARY 1, 2016 AND DECLARING AN EMERGENCY **First Reading**

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

Ordinance 08-2018

AN ORDINANCE ESTABLISHING THE APPOINTMENT AND THE COMPENSATION OF THE SAFETY DIRECTOR AND DECLARING AN EMERGENCY **First Reading**

Miscellaneous New Business – Ms. Jones indicated that the City Planner’s term will expire on January 31st and asked if Council should extend that for one month. Mayor Graven stated that he will be meeting with Mr. Smerigan next week in an attempt to keep him with the City.

Such other business that may come before Council - None

Mr. Gorski moved to **adjourn into executive session** to discuss matter of pending or imminent litigation pursuant to ORC 121.22(g)(3); Mr. Haviland **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

The meeting adjourned at 7:59 p.m.

Mr. Stibich moved to **adjourn into regular session**; Mr. Gorski **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

The meeting reconvened at 8:28 p.m.

Mr. Stibich **moved** to accept payment of \$5,000 to the Ohio Police Benevolent Association (OPBA) in settlement of the public records litigation known as OPBA v. Olmsted Falls pending in the Ohio Supreme Court; Mr. Haviland **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

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

The meeting adjourned at 8:29 p.m.

James Graven, Mayor

Angela Mancini, Clerk of Council