

*City of Olmsted Falls*  
**Minutes of a Regular Council Meeting**  
**Tuesday, September 11, 2018, at Olmsted Falls City Hall**  
**26100 Bagley Road – Council Chambers, 7:30 p.m.**

Mayor Graven asked for a moment of silence to remember all of our fellow Americans who lost their lives on September 11, 2001.

The Pledge of Allegiance was recited. Mayor James Graven called the meeting to order at 7:31 p.m. Roll call was conducted. Councilmen Paul Stibich, Jim Haviland, Lori Jones, Ed Gorski, Denise Nicolay, Terry Duncan and Lee Fenrich were present.

Also in attendance: Andrew D. Bemer, Law Director, Vic Nogalo, Finance Director, Joe Borczuch Service Director, Odis Rogers, Police Chief, Chad Gluss, Fire Chief, and Paula Accordino, Economic Development Director. Audience: 7.

**Approval of Minutes**

Mr. Gorski moved to **approve** the minutes from the Finance Committee meeting of June 26, 2018; Ms. Duncan **seconded**. Poll: 5 ayes; 0 nays; 2 abstain (Haviland, Fenrich). **Motion carried.**

Ms. Duncan moved to **approve** the minutes from the Regular Council meeting of June 26, 2018; Mr. Gorski **seconded**. Mr. Gorski indicated a typographical error. Poll: 5 ayes; 0 nays; 2 abstain (Haviland, Fenrich). **Motion carried.**

Mr. Gorski moved to **approve** the minutes from the Special Council meeting of July 10, 2018; Ms. Nicolay **seconded**. Poll: 5 ayes; 0 nays; 2 abstain (Fenrich, Haviland). **Motion carried.**

Mr. Gorski moved to **approve** the minutes from the Special Council meeting of July 11, 2018; Ms. Jones **seconded**. Mr. Gorski stated that the sentence “the majority of council also felt that Jim Haviland should have a vote.” He does not approve of that statement and realizes that during this meeting there was a lot of discussion and does appreciate Councilman Stibich capturing and summarizing that discussion. He is not particularly sure that this exact sentiment was conveyed. Mr. Stibich asked if Mr. Gorski believes this was a statement made during the meeting. Mr. Gorski stated that he is aware that there was a discussion regarding Mr. Haviland but he does not believe that this particular sentence was expressed. Ms. Jones indicated that Council discussed the fact that Mr. Haviland had the right to vote. Mr. Gorski stated that the overall sentiment was that it would be Mr. Haviland’s decision and he feels that this sentence implies that Mr. Haviland should have a vote in who Council ultimately selected for the Ward IV position. Mayor Graven indicated to the audience that this particular meeting was not recorded due to the fact that this discussion took place after an executive session. Mr. Gorski indicated that was correct. He does not feel that the sentiment of the sentence as written was conveyed during the meeting. Ms. Jones indicated that she agrees. Mr. Stibich asked if the sentence should be rewritten or stricken. Mr. Gorski stated that he does not feel that it was pertinent as Mr. Haviland did not vote on the issue. Mr. Bemer indicated that he also agrees with Councilman Gorski and is something that is subjective. Council can indicate in the

minutes that there was discussion regarding whether Mr. Haviland should vote. Mr. Stibich suggested "Council discussed whether or not Jim Haviland should have a vote on the issue." Mr. Gorski stated that he would prefer that sentence as he does not like the language that conveys that there was any kind of agreement made on Council's part. Poll on amended minutes: 5 ayes; 0 nays; 2 abstain (Haviland, Fenrich). **Motion carried.**

Mr. Gorski moved to **approve** the minutes from the Finance Committee meeting of July 24, 2018; Mr. Haviland **seconded**. Poll: 6 ayes; 0 nays; 1 abstain (Fenrich). **Motion carried.**

Mr. Gorski moved to **approve** the minutes from the Special Council meeting of July 24, 2018; Mr. Haviland **seconded**. Mr. Gorski indicated that during executive session there was a motion to adjourn into regular session, which failed 2 to 4. He indicated that he made the motion to adjourn into regular session and Ms. Jones seconded and the vote was 2 ayes, Gorski and Jones, 4 nays, motion failed. Poll on amended minutes: 6 ayes; 0 nays; 1 abstain (Fenrich). **Motion carried.**

Mr. Gorski moved to **approve** the minutes from the Special Council meeting of August 8, 2018; Ms. Nicolay **seconded**. Poll: 5 ayes; 0 nays; 2 abstain (Fenrich, Haviland). **Motion carried.**

Mr. Haviland moved to **approve** the minutes from the Special Council meeting of August 28, 2018; Mr. Gorski **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

### **Consideration of Amendment to the Agenda**

Mr. Gorski moved to **amend** the agenda to include Resolution 56-2018 on the agenda under New Business; Ms. Duncan **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

### **Mayor's Report and Appointments**

Mayor Graven thanked Southwest General Hospital for being present this evening to present an award to the Olmsted Falls Fire Department.

Ms. Haumschild indicated that it is indeed our privilege to present to the Olmsted Falls Fire Department a mission lifeline award. This award represents outstanding cardiac care given to patients. It means that every time 9-11 is called our crew arrives, they thoroughly assess the patients and if they feel there is anything remotely cardiac related they put a heart monitor on; they send the tracings to the hospital; they follow their protocols and if in deed that patient should happen to be an acute heart attack those patients are carefully and quickly cared for and quickly placed into the hospital's Cath lab. These metrics are all submitted to the American Heart Association; they stay in step with hospital metrics and shows outstanding compassionate thorough care. She wishes the crew was here so she could thank them but understands that they are out on a significant call. She then presented the award to Fire Chief Gluss.

Chief Gluss stated that as Ms. Haumschild stated this award was earned by his paramedics. We have all paramedics on staff along with two nurses and one working for a helicopter service as well as a handful of others from other departments. Through Southwest's guidance and our protocol for continued education that the hospital provides for us it allows us to be able to do this type of care and be able to get people into the Cath lab as quickly as possible.

Bill Young, CEO of the hospital, stated that we are proud of the quality of care that we provide at the hospital but it really starts in the field. We couldn't do it without the strong partnership that Chief Gluss and his team provide to us. The care they provide leads into the outstanding care that we provide. We have been recognized for that and it is great to be able to share that recognition now with the providers in Olmsted Falls. He thanked Chief Gluss and his team for the good work and thanked Council and the administration for giving them the opportunity to serve this community.

Mr. Stibich moved to **appoint** Garry Thompson to the Planning & Zoning Commission to fill an unexpired term until 12/31/2021; Mr. Haviland **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Mayor Graven stated that today at noon a ceremony was held to remember those who had lost their lives on 09/11/2001. Some of those present this evening were also present for that ceremony and he would like to thank them for attending. Others present this afternoon were the Olmsted Township Fire and Police Chief's as well as Olmsted Township Trustees Lisa Zver and Laurence Abbott. He stated that during the ceremony the city and township remembered the 343 New York City Fire Fighters that died in the line of duty 17 years ago today. We also remembered the 23 New York City Police Officers and 37 Port Authority Officers; as well as the 127 civilians and military personnel that were killed at the Pentagon. We also remembered the 3,000 civilians who perished in the Twin Towers on 9/11. He briefly spoke about the heroic rescues that occurred that day. Each tower had 99 elevators, 110 floors and over 15,000 people and on that day over 25,000 people were rescued and evacuated by police and fire services and their service saved many lives. We also talked about that this is what service is about, risking your life to save your fellow citizens. He would also like to thank the city's first responders. Today at approximately 4:00 p.m. on Hickory there was a gas leak due to some construction workers digging and hitting a gas line. Our police and fire personnel evacuated the area to keep everyone safe and handled the incident. This is an example of what our first responders do on a daily basis. As Bill Young, CEO of Southwest Hospital stated they have a great hospital but cannot do it by themselves and Olmsted Falls has great first responders who do the work on the street and transport the patients to the hospitals safely.

He stated that a couple of weeks ago a sign was posted "Olmsted Falls Principles of Civility" which means: show respect to others; listen to all sides; be accountable; seek common ground; and also work together to move the city forward. As we all know we can disagree on some issues but still respect each other. He would like to thank Council, members of the administration and all of our citizens for doing a good job with respecting each other and discussing issues in a civil manner.

Lastly, he would like to discuss the rezoning along Brookside Drive to mixed use. This is a very modern and popular economic tool and is widely used throughout the country. For example, we have other cities also considering this type of change. All these other cities also believe that this zoning code welcomes all types of businesses and believe that they are trying to stay up with the times. Secondly, with the mixed use there will be opportunities for thoughtful small-scale commercial, retail and residential growth to merge in ways that will appear as natural extensions to our downtown. We will keep the historic feel and look of our city. Third, this suggested change is also in line with the city's master plan that was adopted in 2016 by a committee of citizens and public officials. All the city planning experts also agree that mixed use is smart planning. Lastly, we need to step out of our comfort zone and try new things. We all want to excel for our residents. We cannot be fearful of embracing creative opportunities and great things happen when you step outside of your comfort zone and reach beyond the status quo. He believes that our residents deserve that. He knows over the next couple of weeks we will all be studying this issue and talking to citizens.

## **Communications from Residents**

**Tony Campanalie, 7565 Clark Street** stated that he has a \$4.8 million-dollar road repair question. Over the past five years the service department has gotten a million dollars a year for road repair, Clark Street does not see road repair at all. There is 250 feet of Clark Street that the shoulders are gone, two big chuck holes since February and nothing gets fixed. In 2015 there was a resolution, so of you were here, 2015/2016 major construction projects. In here is a picture of Clark Street with a price tag of \$100,000 to have repaired. He was told that there is only “x” amount of dollars to go around, his street never got touched. So, he asked again and was given the answer there is only “x” amount of dollars to go around some of the streets that saw repair have waited a long time. One time in 29 years Clark Street has ever been repaved, one time. Secondly Cranage is only chipped sealed once Phase V; this is four years ago. Every year he pays his taxes, his taxes go into this fund, every street around Cranage, Cook and all that gets repaired, Clark Street gets zip a couple hundred dollars of cold patch and we are right back to where we are at. According to the service director they collect normally about a million dollars a year and they said that they were a quarter less this year around \$863,000 did I see any of that money, no. So, what is the problem with Clark Street why can’t this get fixed can anyone answer that question; he didn’t think so. Mayor Graven stated that he is letting Mr. Campanalie finish and then he will address the issues. Mr. Campanalie stated that he is fed up with looking at a street that is literally crumbling apart and it has been that way and does not understand why he is paying taxes and having someone else use them for something else instead of Clark Street, like there is some sort of problem. They did a real nice job on Cranage and all the other streets didn’t even touch it. Mayor Graven stated that he has walked down Clark and can attest that it is in bad shape. We are trying to get more grant funds for road work and asked Ms. Accordino to speak to that issue. Ms. Accordino stated that the most recent grant proposal that was submitted is for Lindbergh and is another road that is really bad shape. As grant opportunities arise we submit applications. We understand that roads are a big priority and moving forward we will also look at Clark. Mr. Campanalie stated that everyone has stated its on the books, he keeps hearing there is only “x” amount of dollars, now we spent so much money on Lewis road there is not much left. What is he paying taxes for? Mayor Graven asked Service Director Borczuch if there is a systematic plan for road work. Mr. Borczuch stated that he would love the million dollars that is being talked about but the city actually receives \$245,000 in the road levy program a year and we used most of that on repairs to Hickory which had not been touched in over 50 years and some light resurfacing on Lewis Road, which is also a county road, but unfortunately the county does not give the city money. These were the two worst areas. Now, Clark Street, in particular, and Cranage both being in dire need of some sort of resurfacing, actually total replacement, will be taken care of with the sewer project. Therefore, doing any repairs in the last year or two would have wasted money that could have been used elsewhere and is why funds were used elsewhere. Patch work was done on Cranage but he still has to get to Clark. We are also trying to repair Sprague, Lindberg and multiple other streets. There will be some patch work completed on Clark but may not be completed as well as everyone would like. Once the sewer project is completed Clark will be dismantled, widened and repaired. Mayor Graven stated that when the sewer project is completed in 2019 or 2020 they will have a new street. Mr. Borczuch stated that Clark is slated to be completely redone and widened as it is not currently up to a standard dedicated roadway. Mayor Graven stated that obviously the city is not going to put a lot of money into a street when the street will be completely replaced in a year or year and a half. Mr. Campanalie stated that was true and he has waited a long time. You couldn’t do anything with it over the years, what is he paying taxes for. He understands the sewers and has been hearing the sewers for the 25 years he has lived here. Mayor Graven indicated that the street will be replaced once the

project is completed. Mr. Campanalie stated that the street replacements happen two years after projects. Mayor Graven stated that he cannot do anything about what happened four years ago. Mr. Campanalie stated that he understands but it's the same story that keeps going on. Mayor Graven stated that Mr. Campanalie can call him at any time and he would be happy to talk to him at length about this issue.

### **Approval of Bills:**

Mr. Stibich moved to **approve** Pay Ordinance 2018-13; Ms. Jones **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

### **Officials Reports:**

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

Mr. Borczuch indicated that he has two requisitions that need to be approved. He stated that the lights at the Village Green need to be replaced as they are outdated and parts are getting more difficult to find. He would like to replace them with LED's which would be less maintenance.

Mr. Gorski moved to **approve** a requisition to JP Electrical Services to replace five flood lights with new LED flood lights at the Village Green in an amount not to exceed \$5,400.00; Mr. Fenrich **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Borczuch indicated that he would like to purchase a 2019 International plow truck which would replace a 22+ year old truck. This purchase has been pushed for several years. There is a 10 month build time and no payments will be due until the truck is delivered. Generally, in the past, the city pays half up front in order to make the payments smaller which allows the department to purchase other equipment during the year.

Mr. Stibich moved to **approve** a requisition to Rush Truck Centers for the purchase of a 2019 International Plow Truck in an amount not to exceed \$164,190; Mr. Gorski **seconded**.

Ms. Jones stated that this purchase was not included in this year's budget. Mr. Borczuch stated that this would not come out of this year's budget; he needs a PO in order to begin the build on the truck. Mr. Nogalo stated that the city will need to budget \$164,000 but there will be no payments this year. Mr. Stibich asked if the capital improvement fund would be utilized for this purchase. Mr. Borczuch indicated that in the past funds 102, 103, and capital improvement funds were utilized. Mr. Fenrich asked if the total price would cover the interest charges on the payments. Mr. Borczuch indicated that the price is just for the truck. Mr. Nogalo stated if we issue notes or go with a capital lease we will then create another PO which will incorporate the principle interest over three or five years. We will pay the vendor and then show the finance mechanism over five years. Mr. Gorski asked what would happen with the truck being replaced. Mr. Borczuch stated that once the new truck is delivered the city would be placed on govdeals for sale and the proceeds placed back into the capital improvement fund. Mr. Stibich asked if this would be included in next year's budget. Mr. Nogalo replied yes and will budget the principle and interest payments. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Borczuch indicated that Phase V(b) has been completed and the contractor is monitoring the grass growth that was installed for erosion control. Our next steps will be to finalize the easements for the pump stations and going out to bid, we can then move onto the final phase of the project.

**Odis Rogers, Police Chief**

Chief Rogers would like to inform Council that yesterday he sent out a divisional notice to the officers, which took affect this morning, regarding how we patrol and assign calls for service to our officers. We are changing from a general patrol to zone patrols. The purpose of this change is to more evenly distribute calls for service; it does reduce response times; sets defined patrol areas; assures proper and even patrol coverage throughout the entire city and truly maximizes our patrol operations. Officers will be assigned zones by the sergeant or OIC of the shift. We are four square miles so we have two zones, Columbia Road east, and Columbia Road west. Officers will spend the majority of their shift in their zone. The officers do not have to spend the entirety of their shift strictly in that zone but the majority of their shift will be spent in that zone so when a call for service comes into that zone, for example, someone is in Zone 1, West of Columbia Road, and a call comes in for Douglas Lane, if we didn't have zones that officer would have to go all the way through the city, but, if the officer is in the zone where he or she should be the response time will be much quicker. It will also evenly distribute reports among officers. In the past junior guy takes the call, junior guy takes the report and that's great because that junior guy is getting experience but he doesn't want the junior guy to get experience at the expense of the seasoned officer forgetting how to complete a report. This will more evenly distribute that and is very important to reduce response times.

Chief Rogers stated that Resolution 53-2018 is a grant for the purchase of body armor. He would like to report that he received notification today that the city has been awarded the grant. Therefore, he would ask Council to adopt this resolution this evening.

Ms. Jones stated that she is sure the Clerk has spoken to the Chief regarding the complaints she received from residents on West about a speeding problem between the railroad tracks and the circle and that people don't always stop at the circle. The residents offered to pay for speed bumps and asked if there could be a targeted area. Chief Rogers stated that the message was passed along and he also spoke with the councilman for that ward. He did put out a target enforcement special attention to the police department and also went back and looked over the last three months of all traffic stops on West Road. Since June 1<sup>st</sup> there has been 30 traffic stops and the officers have written 16 speeding citations on West Road so, we will continue to give special attention to this targeted enforcement area.

Mayor Graven asked Chief Rogers to discuss the Alertizen project that has been worked on in the last two months. Chief Rogers stated that he and the Mayor have been working with a company called Alertizen which is an app-based program. In the near future there will be more discussions. To give a broad overview, when calls for service come into the dispatch center they are coded to whatever type of call it is, whether burglary, suspicious person, neighbor dispute, etc. He reviewed all the call codes and determined the ones he believes would be a good idea to push out to residents either as they occur or within a certain time frame. Whoever signs up for the app, which is free to the residents and city, will receive notifications of the call that has come into the department. He will state that when this was first brought to his attention he was completely against the idea because he predicated that people would show up at crime scenes or if he was an industrious young criminal he would sign up and keep it next to him while committing the crime. When he first met with Alertizen they were kind and listened to all of his concerns and answered all of his concerns. He supports this program

100%. Calls for service that the department does not want vigilante type citizens or criminals to get information of our response are delayed significantly enough to afford police response and will keep the citizens informed. Mayor Graven stated that residents would then not have to wait a month to attend a block watch meeting as they will know when there are activities happening in their neighborhood. Chief Rogers stated that the idea behind this program is that once police are on scene and have secured the scene anyone in the neighborhood who has signed up will begin getting the alerts. For example, in Ms. Duncan's neighborhood rather than going outside to see what's going on the residents would get a notification immediately indicating the situation. Immediate notifications would also include missing/endangered child or adult because the more eyes and ears we have looking for missing child or adult is a good thing to help the officers. There are also communication applications that the city can utilize as well. We can also utilize this app to notify residents of stopped trains or road closures.

**Chad Gluss, Fire Chief**

Chief Gluss stated that for those who have driven past the fire station know that we have an issue with one of the bay doors. He stated that Ms. Accordino was able to secure a grant to replace all three (3) bay doors at no charge to the city. It is an energy efficiency grant and with us moving to a more energy efficient bay door they will be replaced. His concerns with replacing one door at the time was that they would not look symmetrical so thanks to Ms. Accordino he will be able to replace all three (3) at one time and appears that we may be able to secure the same grant for 2019 and replace the rear bay doors.

**Paula Accordino, Economic Development Director**

Ms. Accordino would like to bring to Council's attention the article she distributed in their packets regarding mixed use zoning. She indicated that if they had any further questions they could contact her.

**Vic Nogalo, Finance Director**

Mr. Nogalo stated that prior to tonight's meeting he distributed the August, 2018 financial reports. If you notice it states that it was prepared by Terry Veloski and Trisha Novak. He indicated that Ms. Novak is a new part time employee in the finance department. Ms. Novak is a CPA and has extensive tax and human resource experience. She will average approximately 20 hours per week. The department now has one full time employee and three (3) part time employees. His department's budget at the beginning of the year was \$270,000 and will be reduced to \$220,000 for next year's budget.

**Councilman Lee Fenrich, Ward IV – No Report**

**Councilman Ed Gorski, Ward I**

Mr. Gorski indicated that as he previously stated at a meeting in June, he appreciates the administration and particularly Ms. Accordino in the aggressive seeking of grant funding for the city. He believes that these grants have already benefitted the city.

Mr. Gorski stated that with regard to the Principles of Civility he did notice them at the last meeting.

**Council President, Paul Stibich**

Mr. Stibich stated that it has been a busy summer for Council and would like to each of his colleagues for taking the time out of their summer to come in for the extra meetings. Mayor Graven would also like to thank Council for coming in during their summer break.

Mr. Stibich stated that he believes the current Council members do follow the principles of civility. We have been working together very well.

**Council Pro-Tempore, Jim Haviland – No Report**

**Councilwoman Lori Jones, Council-at-Large**

Ms. Jones stated that as Chairman of the Finance Committee she would like to report that the city's year-to-date revenues have exceed our year-to-date expenditures by \$355,000 and we have a cash balance of \$1,041,284.00 with an unencumbered fund balance of \$422,789.00.

**Councilwoman Denise Nicolay, Ward II – No Report**

**Councilwoman Terry Duncan, Ward III**

Ms. Duncan thanked the police and fire department's they were awesome in relation to the gas leak emergency. She also thanked that service department for getting her to the Shade Tree meeting.

She stated that the Park and Recreation Board will have an active October. She stated that on October 7<sup>th</sup> from 1:00 p.m. until 4:00 p.m. Falls Day in the Park will take place and the citizen of the year will be announced. On October 28<sup>th</sup> a new activity will be added and the Park and Recreation Board are working with the Grand Pacific Junction Merchants and Mill River Merchants to hold the first Fall-O-Ween event. She stated that David Fortier Park will be decorated for a trick-or-treat along with a pumpkin carving.

She indicated that she will miss the next two (2) council meetings as she will be out of town.

Mayor Graven stated that he attended the Music in the Park featuring Canyon Wind Band who were excellent.

**Andrew D. Bemmer, Law Director**

Mr. Bemmer stated that most of the ongoing litigation has been static during the summer months. He received a letter from former Mayor Donegan's now third attorney requesting payment of sick and vacation time. We have already summarily denied that request and it remains to be seen if this will be the end of this issue.

He stated that during the summer we were contacted by a few residents concerning the Baker's Creek Bridge and whether or not it can be renovated. The only access that the residents have is to travel through a small easement on Northwood Drive which is terribly problematic. When using this easement, you are within scraping distance of two homes. He spoke with both the attorneys representing the city and the attorney representing the Nyland's regarding the prospect of moving forward with repairing the bridge even though we do not have consensus of all the affected property owners. He stated that City Council earmarked \$120,000 for the repair of the bridge in 2017 and we would have to return to Council in order, if we do strike an agreement, to determine how to move forward. He anticipates having a meeting in the next two to three weeks with the residents who will

be notified by letter to see if we can reach some sort of consolation on this particular point through mediation. Mayor Graven stated that he spoke with some of the residents and one of the problems is that there is a cul-de-sac on Northwood where a lot of young children live. There are a lot of residents using the small entranceway and the parents are worried. He would like to thank Mr. Borczuch who installed a sign that says “slow children at play” to at least slow people down. We are in communication with all the residents and have informed them that we are working on the problem and trying to come to a resolution that all the affected people can live with.

Mr. Bemer stated that Ordinance 52-2018 is the appointment of John Castele as primarily prosecutor but as well as assistant law director. He has known Mr. Castele for a number of years in his capacity as a city prosecutor with the City of Fairview Park as he practices in the Rocky River Municipal Court. More importantly, he is the Strongsville prosecutor and is imminently familiar with the Berea Municipal Court. He stated that two weeks ago, Chief Rogers, the Mayor and himself held some interviews and the fact that Mr. Castele not only has expertise in criminal law but has the familiarity with all the Berea Municipal Court personnel made him our top choice. He would encourage Council to adopt Ordinance 52-2018.

Mr. Gorski asked if Mr. Castele would like to introduce himself. Mr. Castele stated that he grew up in Fairview Park and currently lives in Westlake. He has three children, two are out of college and one is a junior at Ohio State and would love to be the city’s prosecutor. He has been a prosecutor for a long time and has worked in several different courts. He is familiar with the procedures and practices, especially in the Berea Court, which can sometimes be a challenging place to work but is a fun environment. He has already met the Chief and some of the officers and it seems like the city has a good department and he is anxious to move forward.

## **Old Business**

### ***Ordinance 39-2018 (AMENDED)***

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PERMANENT PARCEL NOS. 281-22-022; 281-22-021; 281-20-055; 281-17-010; 281-17-011; 281-17-012; 281-17-016; 281-20-054; AND 281-17-017 CONSISTING OF APPROXIMATELY 9.74 ACRES AND LOCATED ALONG BROOKSIDE DRIVE FROM P-1 “PROFESSIONAL AND MEDICAL DISTRICT,” AND I-2 “INDUSTRIAL MANUFACTURING DISTRICT” TO MUTND, “MIXED USE TRADITIONAL NEIGHBORHOOD DISTRICT” AND FURTHER AMENDING THE ZONING MAP OF THE CITY CONSISTENT THERETO  
**Tabled on Third reading (07/24/2018)**

### **Remained on Table**

Mr. Stibich moved to **discuss**; Mr. Gorski **seconded**.

Mr. Stibich stated that the Planning & Zoning Commission has held their public hearings and have sent the issue back to City Council and we have to schedule a public hearing. This hearing date needs to be at least 30 days from this evening as the advertisement must be placed in the paper 30 days prior to the date of the hearing. He stated that there was a discussion with other members of Council regarding holding the public hearing prior to a Council meeting, but, some members did not feel that would be sufficient time based on the Planning & Zoning commission hearings nor would it permit

residents with an ample amount of time to state their cases, for or against, to City Council. Therefore, he would like to suggested that the meeting be held on Monday, October 22, 2018.

Mr. Stibich moved to **schedule** the public hearing for the rezoning classification on Monday, October 22, 2018 at 7:00 p.m; Mr. Gorski **seconded**.

Mr. Fenrich stated that he would suggest that Council make a special effort to explain to the residents that there are two separate issues, zoning and then the revitalization district as these are now so intertwined that during the discussions at both of the Planning & Zoning Commission meetings 99% of the discussions was about the liquor license. If we could steer this towards only the zoning issue or explain earlier the details of the liquor license including the fact that this is a brand-new type of license which requires 75% of the sales to be food so it will be more like an Applebee's type of place. Also, it would be in the best interest if the residents understand that first so we can move on to just the rezoning. Mr. Gorski stated that Council will hold the revitalization district public hearing on September 25<sup>th</sup> prior to the Council meeting. Hopefully, this will give residents more insight before the October meeting. He does agree given the breadth of the minutes we received from the Commission we should try to make sure people are educated but make sure that the issues at hand and are discussed in a succinct manner.

Mr. Stibich stated that the hearing date for the revitalization district has been set for September 25<sup>th</sup> at 6:30 p.m. prior to the next Council meeting. Voice Vote: 7 ayes; 0 nays. **Motion carried**.

***Ordinance 43-2018***

AN ORDINANCE DESIGNATING A REVITALIZATION DISTRICT WITHIN THE CITY OF OLMSTED FALLS, OHIO AND DECLARING AN EMERGENCY **First Reading**

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

**New Business**

***Ordinance 52-2018***

AN ORDINANCE APPOINTING JOHN CASTELE AS PROSECUTOR/ASSISTANT LAW DIRECTOR FOR THE CITY OF OLMSTED FALLS, ESTABLISHING COMPENSATION, REPEALING ALL LEGISLATION INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY **First Reading**

Mr. Gorski moved to **suspend**; Mr. Haviland **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**; Ms. Jones **seconded**. Poll: 7 ayes; 0 nays. Mr. Gorski welcomed Mr. Castele aboard. **Motion carried**.

***Resolution 53-2018***

A RESOLUTION ADOPTING AND RATIFYING THE SUBMISSION OF A GRANT PROPOSAL FOR THE OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM THROUGH THE OHIO ATTORNEY GENERAL FOR POLICE DEPARTMENT

EQUIPMENT, AND IF AWARDED, ACCEPTING SUCH GRANT, AND DECLARING AN EMERGENCY **First Reading**

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

**Resolution 54-2018**

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FROM THE CITY OF OLMSTED FALLS FOR A ROAD IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$150,000 TO BE CONSIDERED BY THE STATE OF OHIO DEPARTMENT OF PUBLIC WORKS AND IF AWARDED, ACCEPTING SUCH GRANT, AND DECLARING AN EMERGENCY **First Reading**

Mr. Stibich moved to **suspend**; Mr. Gorski **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Jones indicated that an “h” needs to be added to Lindberg. Mr. Stibich moved to **waive** the reading in its entirety; Ms. Nicolay **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mr. Stibich moved to **adopt**; Mr. Haviland **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

**Resolution 55-2018**

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FROM THE CITY OF OLMSTED FALLS FOR A ROAD IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$250,000 TO BE CONSIDERED BY THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS AND IF AWARDED, ACCEPTING SUCH GRANT, AND DECLARING AN EMERGENCY **First Reading**

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

**Resolution 56-2018**

A RESOLUTION APPOINTING PAUL STIBICH TO SOUTHWEST GENERAL HEALTH CARE SYSTEM BOARD AS THE LEGISLATIVE TRUSTEE FROM THE CITY OF OLMSTED FALLS AND REPEALING ALL LEGISLATION INCONSISTENT HEREWITH **First Reading**

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

**Miscellaneous New Business**

**Such other business that may come before Council**

Ms. Jones stated that with the Charter amendments coming in November were notices sent to the residents. Mr. Bemer indicated that summaries were dictated yesterday and will be reviewed tomorrow and should be to the printer forthwith.

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

The meeting adjourned at 8:45 p.m.

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*James Graven, Mayor*

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*Angela Mancini, Clerk of Council*