City of Olmsted Falls
Minutes of a Regular Council Meeting
Tuesday, April 23, 2019, at Olmsted Falls City Hall
26100 Bagley Road – Council Chambers, 7:30 p.m.

The Pledge of Allegiance was recited. Council President Paul Stibich called the meeting to order at 7:30 p.m. Roll call was conducted. Councilmen Lori Jones, Jim Haviland, Ed Gorski, Terry Duncan, and Lee Fenrich were present. Councilwoman Denise Nicolay was excused.

Also, in attendance: James Graven, Mayor, Andrew D. Bemer, Law Director, Vic Nogalo, Finance Director, Joe Borczuch, Service Director, and Paula Accordino, Economic Development Director. Audience: 2.

Approval of Minutes
Mr. Gorski moved to approve the minutes from the Council Work Session of April 9, 2019; Ms. Duncan seconded. Poll: 5 ayes; 0 nays; 1 abstain (Haviland). Motion carried.

Mr. Gorski moved to approve the minutes from the Regular Council meeting of April 9, 2019; Ms. Duncan seconded. Poll: 5 ayes; 0 nays; 1 abstain (Haviland). Motion carried.

Consideration of Amendment to the Agenda - None

Mayor’s Report and Appointments
Mayor Graven stated that he was informed by the Clerk that the civil service testing process ran smoothly and was held on April 12th and April 13th. There was a total of 13 qualified candidates that completed the testing process and he looks forward to interviewing the top three candidates for the fire chief position. He was informed that in 2010 only four candidates took the chief’s test and in 2016 there were eight candidates, with the total of 13 candidates this year there were nine more than 2010 and that shows that a large number of fire department leaders and professionals in our greater Cleveland community do want to work for his administration. He is very proud of that fact.

He is also happy to announce a great new partnership with one of our great community businesses Swings-N-Things. He met with Tim Sorge, the owner, and began the process of the Bulldog Community Card. This program is available to every resident in both Olmsted Falls and Olmsted Township as well as families, who are not residents, but do have children enrolled in our school district, including St. Mary’s of the Falls. The program entitles card holders to 50% off discounts on all recreational activities including go karts, batting cages, paintball and miniature golf. They also have homemade ice cream and adult beverages for the parents. We are very excited about this opportunity provided by this business partnership with Swings-N-Things as this brings more recreation to our community at a very affordable price. For example, an all-day go-kart pass costs $36.00 a day but a cardholder will receive a 50% discount to reduce the cost to under $18.00. We are proud to have this great company as a partner with our community and appreciate all the opportunities they are providing to our residents and their families. Again, we are excited about increasing
recreational opportunities for all of our residents and Swings-N-Things has activities for all ages from kids to seniors.

Mr. Stibich asked the Mayor what the next steps were regarding the Fire Chief’s position. Mayor Graven indicated that he would ask Mr. Bemer to answer that question. Mr. Bemer stated that the Civil Service Commission will meet tomorrow afternoon at 4:15 p.m. at which time the secretary will complete the disclosures of the 13 candidates. They will then be ranked according to the numbers provided by Ramsey, the testing agency. A seniority credit will be applied to all those receiving passing grades pursuant to our civil service rules. Our rules provide for one point for the first four years of any seniority service and 6/10’s of a point for every year thereafter up to a total of 10 points. In effect anyone who has at least 14 years of seniority will receive 10 points which is the maximum points allowed and could influence some of the rankings. Mr. Stibich asked if this would be completed by the Civil Service Commission. Mr. Bemer replied yes, civil service’s role at this point is to certify the eligibility list, identifying the top three candidates which then, pursuant to our rules, would be presented to the Mayor for his interview. Mr. Stibich indicated that it is possible by the next Council meeting that we could be swearing in a new chief. Mr. Bemer replied yes. Mayor Graven indicated that he wants to make sure that the city complies with the law and civil service rules therefore he will have a new chief in place before Acting Chief Arida’s 120-day term expires which is May 7th.

Mr. Stibich stated that he also wanted to compliment the Mayor and Ms. Accirdeno on the newsletter as it was a very nice image of our city.

**Communications from Residents** – None

**Approval of Bills:**
Mr. Fenrich moved to approve Pay Ordinance 2019-08; Ms. Duncan seconded.

Mr. Stibich pointed out that there are two checks for Ramsey and Associates that total over $10,000 for the fire chief’s exam. Ms. Jones explained that $6,000 was approved in the budget and asked if they are coming back to ask for a budget increase or will another fund be utilized. Mayor Graven stated that we did not know how many candidates would sign up. Ms. Jones stated that historically when you administer civil service exams for fire chief or police chief there is a written exam which narrows it down to the most qualified candidates and those qualified candidates move onto the assessment and interview. Since they did not want to narrow down the candidates and restrict their pool to the most qualified more money was spent and they knew there would be additional costs because you did not do it the usual civil service way. Mr. Stibich indicated that Ms. Jones believes it would have been cheaper if we had completed the written test first and narrowed it down. Ms. Jones replied absolutely. Usually there is a long-written exam to test their knowledge and then the pool is reduced. Mayor Graven stated that we follow the civil service rules for the city of Olmsted Falls; he is not a member of the commission and we do not politicize the commission; he stays out of their discussions. Mr. Stibich indicated that this could be a suggestion for civil service to investigate. Ms. Jones replied no, that is how it has always been and that is the way it was intended when it was written but you guys decided to interpret it differently. Mr. Bemer indicated that the primary focus for either police or fire chief is an assessment that includes a written component and that is how it is usually done for the head spot and is exactly what was done in December of 2017. Ms. Jones replied no, there was a really long written exam not a component; there was a full written exam and they
were sent to an assessment, if they passed the written exam. Mr. Bemer indicated that is not how it was done for the police chief test in December of 2017. Ms. Jones replied that was not true. Mr. Bemer indicated that could be confirmed by Chief Rogers. Ms. Jones stated that the police chief was changed; then they went to court but she is saying the fire chief was changed. Just because you received a ruling that they went against the methods for the police chief and that stands but now you are saying you can do it your way but then you want to argue that the other way was wrong and go to court so she’s confused. Mr. Stibich would like to point out that this is not “your” way but rather the way the civil service commission scheduled the test as it was their decision. Ms. Jones stated that civil service’s job is to schedule exams and ensure that the testing process is fair and impartial from political influence. Mr. Stibich replied which they did. Ms. Jones stated that she is not totally comfortable with that; she is saying that they overstepped their bounds in a lot of ways, which she found out later when she talked to the civil service commission at the county and state. She wants to ensure this is fair and she spoke with other cities who indicated that you usually narrow it down because the assessment process is expensive. If you have a budget for $6,000 and don’t want to narrow the test down to the most qualified candidates at least come to Council first and indicated that this will cost more money and ask for a budget increase. Mr. Stibich stated that he is sure the next time a test is given civil service will consider that. Ms. Jones stated again that they cannot spend money they weren’t allotted. When you give them a budget that is the legal amount, they are allowed to spend they cannot randomly overspend without asking for an increase and if there is a legitimate reason Council can increase the budget if we are all in agreement. Mr. Stibich stated the commission is charged with giving an exam which they did but because of the number of candidates that applied they went over budget. Ms. Jones stated they should have asked. Mr. Stibich stated that we cannot tell people that they cannot apply for the test because we are out of money. Ms. Jones again reiterated they have to ask Council because they over twice spent their budget without any consideration to this legislative body that sets the budget which is total disrespect.

Mr. Nogalo stated that a budget meeting was held earlier this year at which time he mentioned that we will have to come back to Council once we have more information regarding the fire chief because the budget was passed in December. Ms. Jones indicated that usually you come back before you do it. Mr. Nogalo stated that we informed council that we would need to amend the budget. At that meeting he also informed that there were a lot of candidates for the test. Ms. Jones stated that he did indicated there were a lot of candidates but you did not state that every candidate was going to be tested. Mr. Nogalo stated that he did not know at that time. Ms. Jones stated that whatever legitimate reasons you may or may not have, the issue is you cannot totally disrespect council and ignore the fact that we have to approve budgets before you go out spending. Mayor Graven stated that Council was not disrespected in this matter. Mr. Stibich stated that he does not believe there was any intention to do that.

Ms. Jones stated that she doesn’t know if she can vote to approve this expense until we are asked does the pay ordinance mean the check was already written. Mr. Stibich stated that the check has been written and is up for signature tonight. Ms. Jones stated that for $5,620 was not approved. Mr. Stibich indicated that there was also another $5,000. Ms. Jones stated that Council approved $6,000 so the actual amount not approved is $4,620. Mr. Stibich stated that is the amount not in the budget. Mayor Graven asked what would have happened if 40 people signed up for the test, should we have told 20 that they could not take the test because we follow the law. Ms. Jones stated with the Ohio Revised Code and we will find out soon. Mayor Graven asked Ms. Jones what she meant by that comment. Ms. Jones stated that sooner or later we will have to resolve this matter, whether it’s a council work session with experts that come in or something else. Mr. Stibich stated that Council
reviews the budget throughout the year and at year end we do what we have to do to balance the budget. Ms. Jones replied right, but you cannot spend money you’re not authorized to spend. Mr. Stibich indicated that unexpected things happen and the city has to do what it has to do and it is required to give this exam. Ms. Jones replied when they know it is coming up but choose not to reduce the field by a written exam then they should have asked for $20,000. Mayor Graven stated that if only two people took the exam which happened with the police chief exam, we would have saved money. Ms. Jones replied that would have been fine. Mayor Graven stated that certain things are out of civil service’s control. Ms. Jones replied that is not true because you can do the testing to limit the number of candidates that go for the assessment by narrowing it down and only have the top 10 go through. Mr. Stibich stated that this is a point well taken and is more than what was budgeted this year.

Mr. Fenrich stated that when we passed the budget, we passed a budget up to a certain amount. Ms. Jones replied yes $6,000. Mr. Stibich stated that we allocate a certain amount to each department. Ms. Jones indicated that civil service spent $10,620. Mr. Stibich indicated that when the budget was approved Council had no idea that the fire chief would be resigning and that another fire chief’s exam would be needed. Ms. Jones stated that usually you resolve the matter before money is spent. Mr. Nogalo stated that we inform Council if we are going to go over budget in certain areas but we are not always going to present an ordinance to amend the budget. We basically present an ordinance several times a year like we were going to do after we had knowledge of a fire chief; we will come to council and show what we are expecting. Mayor Graven indicated that a new chief will be hired before the next meeting. Mr. Nogalo stated that he will have to review numbers and email council what will needed to be amended in the budget. Ms. Jones stated she also wants to know where expenses are going to be cut in order to cover the expense. Mr. Nogalo replied that sometimes there is no need to cut if you have balance on hand. Ms. Jones stated that balance on hand does not ensure continued cash flow. Mr. Nogalo replied that is correct but we have estimated our revenues conservatively so we can move the budget and show that we have enough revenues. Ms. Jones replied she would like this information in detail as she wants to know the total impact including the insurance funds and everything else that is going to be impacted in our budget because keeping on budget and the purse strings tight is what she and the Mayor both ran on so and she wants to do her job. Mayor Graven stated that he agrees on the budget but there are certain things that are out of our control just like we did not know that certain x-politicians would sue us and when that comes up there are legal costs as we cannot predict the future. Ms. Jones replied that there is a nice tidy sum in the legal budget to take care of those issue because we are anticipating some lawsuits. Mayor Graven stated that his administration is doing its best. Ms. Jones replied that she understands but you cannot spend without budgetary authority and you can’t exceed budgetary authority. Mr. Nogalo stated that he also knows that we can’t have negative cash balances and last time he checked the federal governments how many zeroes are negative. Ms. Jones stated that the state has to balance their budget but the federal government does not but there is still a limit on how much can be spent in each section. She stated that there are emails, phone calls or emergency meetings when your impacting the budget you have to tell us first that is the way it is supposed to work. There is supposed to be a checks and balances not do a bunch of things then expect Council to say OK. Mr. Nogalo stated that his question to council is do you want us to approach you every time with an ordinance amending the budget or just let you know what will change the budget and then at the end of six months we will present one ordinance showing all the changes but Council was informed. Ms. Jones stated that if the ordinance is greater than $2500 so any ordinance change that is greater than $2500, she wants in advance because Council approves all expenses over $2500. Mr. Nogalo stated we did have an idea in December because we had a certain structure in the fire department and it changed post budget and
he did inform council that when we know the date of a new fire chief and the exam part the budget would need amended. Ms. Jones stated that we also asked Mr. Nogalo if the budget would be amended and present it to Council but we have not received that yet. Mr. Nogalo stated that he believes Council was aware that we were marketing for a new fire chief. Ms. Jones replied Council knew we were marketing and she asked where was the budget part of it and Mr. Nogalo indicated it would be coming. The fire chief cannot start working here because we don’t have a budget to spend that much in the fire department. Mr. Nogalo stated to council at the quarterly meeting that would be one of the amendments once we know when this person will start and now the Mayor has a good idea when he will start. Mayor Graven stated that it will be before May 7th because that is when acting Chief Arida’s 120 day temporary status, which was authorized by Council, will expire and this administration follows the law. Ms. Jones asked for a meeting so they can present the costs. Mr. Stibich asked if Ms. Jones was talking about the chief’s salary. Ms. Jones replied not only that but Mr. Nogalo originally told her there would be no additional costs and then he said they were going to rearrange the budget. Mr. Stibich stated that he believes this could wait until the next finance meeting. Ms. Jones replied that the next meeting is after he is hired not before. Mr. Stibich stated that the fire chief’s salary is specifically mentioned in the budget there is a certain amount allocated for salaries in the fire department. Ms. Jones stated that amount will be exceeded. Ms. Jones stated that she wants to go on record as chairman of finance and knowing her duty as a councilman in the City of Olmsted Falls that she cannot say go ahead and spend what you want without Council approval because that is not how the checks and balances works. She is not saying that she would not give an increase to the Mayor. Mayor Graven replied that the new chief would start at the lowest salary range and the salary range that was approved by Council is $70,000 to $79,000. Mr. Stibich stated that he is not interested in having a council meeting to approve every little budget change and it does not bother him to wait until the end of the year to adjust the budget as long as during the year Council is apprised as to what is going on and what may need to be done. Ms. Jones asked why we have a budget. Mr. Stibich indicated that it is required by state law. Ms. Jones stated that she thinks changing the budget $125,000 to $150,000 is material and we need to know how the budget is going to be impacted in all the departments. Mr. Stibich indicated that is exactly what we will be doing. Ms. Jones asked if Council could have a work session before the chief starts May 7th. Mayor Graven replied he did not state that he would start May 7th he indicated that the temporary acting fire chief’s 120 days will expire on approximately May 7th and this administration follows the law and will have a new chief before that expiration. Mr. Stibich asked if it was the rest of Council’s pleasure to have some type of a special council meeting to amend the budget. Mr. Bemer indicated that a chief could be chosen within the week. Mr. Stibich asked if the rest of Council felt that a meeting was needed to review salaries. Ms. Jones replied and said review the budget impact and the budget increase request and what would be cut. Mayor Graven indicated that it may not need to be increased. Mr. Nogalo indicated that he will have to review the numbers due to the fact that we had 7 full timers in fire and now there will be eight with benefits so the budget may need to be increased for fire personnel department. Mr. Stibich replied that may impact other parts of the budget. Mr. Nogalo replied yes. Mr. Stibich asked if there was need to do that within the next few days. Mr. Nogalo stated again that he thinks he stated that this was not addressed back in December. Ms. Jones indicated that Mr. Nogalo had stated that he would address it but Council has not received any information regarding the impact. Mr. Nogalo replied that once this individual starts he would then know what benefits are needed because at this point we do not know what type of health care he will need whether it is family or single so he do not know what to budget. Ms. Jones stated that a range could be required and then or provide for the maximum impact. Mr. Nogalo again stated he does not even know if the person to be hired is single or has a family. We all agreed that we will get a new fire chief but we do not have enough information as of right now, with all due respect. Ms. Jones stated that she has
requested this information before and asked how we were going to pay for it and what the impact was going to be and is still waiting for that information. Mr. Nogalo stated that a fire chief has not been appointed. Mr. Stibich stated that he does not know if there is an urgency to hold a meeting in the next week as there is plenty in the budget to get us through at least another six or seven months and then make an adjustment could be made rather than trying to do it before the next council meeting. Ms. Jones stated that she objects because it is in violation of our duties as council and our charter and how the budget works. Mr. Stibich stated that the administration will stay within the budget through the end of November. Ms. Jones stated that he is talking about the talking budget as a whole. Mr. Stibich stated he is referring to the budget Council approved that was submitted to the state that we have been following for the whole year. Mr. Fenrich stated that the fact is that we are going to have a new fire chief and it is a fact that we already administered the test and received this bill; it does not sound to him that whatever we discuss at this point will take away any of those two facts. He then suggested that we learn from this mistake and make sure it does not happen again. He agrees if we are going to go that far over the budget Council should know in advance. He does not think that a special meeting is needed but before the next thing we need to know where the money is going to come from to cover the expenses and who is going to suffer as a result. Ms. Duncan stated he agrees with Mr. Fenrich. We are already four months into the year so we have an idea what the fire department has already spent which could change depending on if we were to have another chandler’s lane situation, we do the best the best we can and hope December 31st finds us in the green.

Mayor Graven stated that the city has saved money the last four months because we have not had a chief and that will also help us stay within budget. Ms. Jones asked how much was spent in overtime for the last four months. Mr. Nogalo stated that right now we are within budget and will not wait until December 31st to amend the budget. Based on his experience, after income tax season we will adjust the budget. Ms. Jones stated before we incur big expenses you need to present it to Council for approval. Mr. Nogalo stated that he briefly looked at civil service’s non-personnel budget and it is at $15,000. Ms. Jones corrected him and stated that it was $6,000 on ger budget. Mr. Nogalo indicated that he needs to do some research as he just glanced at it and thought it said $15,000. Ms. Jones stated that she is not saying she will not vote for these expenses but like Mr. Fenrich stated what will prevent this from happening next time if we do not start holding people accountable. Mr. Stibich stated that he respects that and any Council member has the right to say they do not approve the pay ordinance. Ms. Jones asked how do we make sure this does not happen in the future. Mr. Fenrich stated that Council needs to lay it out in black and white. Ms. Jones reiterated that a budget is what you can spend it is not some estimate that you can go over a certain percentage. Mr. Stibich stated that Ms. Jones also needs to understand that the budget is flexible and moving and we know at the end of the year that some things are going to be less and some things are going to be more. Ms. Jones stated that the budget council gives is the maximum and we can adjust it but you just don’t randomly do it. Mr. Stibich stated that if something is going to max out by $5,000 we can amend the budget at a later date but if it goes over by $100,000 we would need time to address that and the fire chief’s salary may be a problem. Ms. Jones stated that it is not just the salary its benefits and pension as well. She would like to prevent this from happening again. Mr. Fenrich asked if the pay ordinance was a budget amount or a request for payment. Mr. Stibich stated that it is like a requisition. Mr. Fenrich stated that a requisition states and “up to” amount and if you go over that amount you have to come to Council, if it’s a budget amount that is a flexible number. Ms. Jones stated that she would recommend a work session for council with expert finance people to explain what a budget does and its limitations. Mr. Stibich asked who would the expert financial people be. Ms. Jones stated that we would get some. Mr. Nogalo asked why there would be a need for outside experts. Ms. Jones replied to explain what a budget is and how it is supposed to be followed. Mr. Nogalo indicated that he
believed he did a good job explaining that last year. Ms. Jones replied yes. Mr. Fenrich asked what would need to be budgeted for these outside people. Mr. Nogalo stated that Council gives the administration authority to spend per category and we can’t over spend that without approval. Ms. Jones replied that is what she is explaining. Mr. Nogalo replied but, again, budgets will be amended and asked again if Council wants him to come before them with an amendment every time or just inform Council with a list of what will need to be amended. He stated that he been informing Council all along that the one main issue that has changed since December is the need for a new fire chief. Ms. Jones replied that she was also told that there would not be any additional costs. Mr. Nogalo replied that he does not believe he would say that because we are moving to having eight full timers. Mr. Stibich stated that he remembers Mr. Nogalo telling Council that there would be an extra person. Mr. Nogalo replied that he also told Council we would have to come back. Ms. Jones replied no, Mr. Nogalo indicated that we could lay off firemen. Mr. Nogalo replied with all due respect, that Ms. Jones was not present at the meeting that she called for. Ms. Jones replied because of her work. Mr. Nogalo replied that the meeting was a budget review.

Mr. Stibich asked if Mr. Nogalo could have revisions to the budget ready by the next council meeting so that we could hold a finance meeting before the Council meeting on May 14th. The Clerk indicated that Council already has scheduled the joint cemetery meeting as well as the agricultural district public hearing prior to the next Council meeting. Mr. Nogalo indicated that there will be a difference depending on the type of health care the individual chooses, or doesn’t need, we do not know at this point. Mr. Stibich asked if it would be Council’s pleasure to have a special meeting in between the two Council meetings in May or postpone the finance meeting until May 28th. Mr. Fenrich replied postpone until the 28th; Ms. Duncan requested the 28th; Mr. Haviland requested the 28th; Mr. Stibich requested the 28th; Mr. Gorski agrees to the 28th. Ms. Jones replied that she would like to go on record that we are violating the Charter and Council is neglecting its responsibilities and she is just one voice.

Mr. Nogalo replied that Ms. Jones is correct the budget for Civil Service is $6,000 and we cannot exceed that in the civil service budget. Until we get approval that we will amend the budget later, or wait until we amend the budget, we cannot pay both invoices. Mr. Stibich asked if it was proper to make a motion tonight to increase the budget for civil service from $6,000 to $10,000. Ms. Jones replied that $10,000 will not cover the costs, we can make a motion to pay that additional costs. We do not have to amend the budget just approve the additional expense before Mr. Nogalo pays the invoice. Mr. Nogalo replied that the budget needs to be amended because Council passed that we could not spend more than $6,000 on non-personnel expenditures. Ms. Jones indicated that the total amount is $10,620 and they have spent in total $12,223.95. Mr. Nogalo suggested requesting the budget be increased to $13,000.

Mr. Stibich moved to increase the Civil Service budget to $15,000.00 for this year. Mr. Gorski indicated that there is a motion currently on the floor. Mr. Fenrich withdrew his motion for the pay ordinance; Ms. Duncan withdrew her second.

Mr. Stibich moved to increase the Civil Service budget to $15,000.00 for 2019; Ms. Duncan seconded. Poll: 6 ayes; 0 nays. Motion carried.

Mr. Fenrich moved to approve pay ordinance 2019-08; Ms. Duncan seconded. Poll: 6 ayes; 0 nays. Motion carried.
Officials Reports:

Joe Borczuch, Service Director
Mr. Borczuch stated that he has a requisition for Rayco for repairs to the chipper. The drum began coming apart and will need to be repaired before the chipping season.

Mr. Fenrich moved to approve a requisition to Rayco for parts and labor to repair unit 225 (chipper) in an amount not to exceed $3,847.91; Ms. Jones seconded. Poll: 6 ayes; 0 nays. Motion carried.

Mr. Borczuch indicated that the next requisition is for the new restroom facility in East River Park. This was a budgeted item but did attempt to obtain a grant for the costs but were unsuccessful. The faulty restroom facilities in the park do need to be replaced.

Mr. Gorski moved to approve a requisition to CXT, Inc for a double Rocky Mountain restroom for East River Park in an amount not to exceed $49,314.00; Mr. Haviland seconded.

Mr. Stibich indicated that Fund 108 would be utilized for this purchase. Mr. Borczuch replied yes, he also explained to Ms. Duncan that the city has received a large amount of funds from the Clover project that is being built across the street from the fire station. In turn, that will be utilized for this purchase which means it was not money that the city had. This cost does cover installation costs and is ADA accessible. He also has had the restrooms fitted with electricity in order to install security lights to help the police department while patrolling the area. Poll: 6 ayes; 0 nays. Motion carried.

Paula Accordino, Economic Development Director – No Report

Vic Nogalo, Finance Director
Mr. Nogalo indicated that Mr. Fenrich inquired about the note ordinances. He stated that Mr. Fenrich made an inquiry as to when the $400,000 city building renovation note was established. He initially wrote that the note was in 2016 because it went from a short term note to a long-term note, but he did research this particular note and it was traced backed to 2001 when it was initially $2.5 million. We have been rolling it over for years and paying it down. Ms. Jones asked for the balance of the note. Mr. Nogalo indicated that the balance is $440,000 and we will make a payment of $40,000 and roll over for $400,000.

Mr. Nogalo indicated that the Real Estate Acquisition note was traced back to 2011 and was initially $280,000. He does not know what real estate was acquired. The balance on this note is $125,000.

He stated that the $1.5 million note was issued last year and will be rolled over without payment because Phase V is still in the process. The second note for Phase V was passed earlier this year as we believed we would be awarding contracts this year, but, that has not happened because there is an outstanding easement issue which is is good news because we have 90 days before the notes due date, which is in August, and we will have the ability to combine the Phase V notes.

He stated that as most of you will recall last year Mr. Borczuch requested an International multi-purpose vehicle with a cost of $165,000; he has three of service funds paying for this vehicle. Initially we believe we would only pay down $30,000 or $40,000 in 2019 but Mr. Borczuch has come
up with about $80,000 from the funds which means we only have to finance $85,000. We will roll these over paying them down and are looking at no more than five or seven years on this note.

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

**Councilwoman Terry Duncan, Ward III**
Ms. Duncan stated that she will be out of town on May 14th and unable to attend the Council meeting.

**Councilman Lee Fenrich, Ward IV**
Mr. Fenrich indicated that Chandler’s Lane has received four bids for reconstruction at this point and are nearing closure with the insurance company for the scope of work to be covered. They sent letters to Building Two owners for their insurance carrier’s explaining the delays in the project. Many of the residents that are being temporarily housed by their insurance companies are running out of their allowance and are down to two and three months and we are still looking at a foundation with an elevator shaft. The fence around the garages will be removed so these residents will now have access to their garages.

Mr. Fenrich indicated that he received a message from Mr. Guzik earlier asking for some direction. His basic question is that he wants to know how he should proceed and what he could do to get this bridge done. He stated that Mr. Guzik has been doing a lot of homework and presented the city with a list of questions, which were answered. He also spoke to Don Sheehy, the City Engineer, to ask some questions Mr. Guzik had. Based on the advice of Mr. Bemer Mr. Guzik was also given a list of attorney names that he could contact or he could find one on his own. Once they get something signed with all the residents that are willing to take part in this rebuilding process, which at this point looks like six possibly seven of out the nine. He spoke with Mr. Sheehy and even though this is called a shared driveway because more than one family will be using it has to meet road requirements, HS 20, there would be a load limit for the bridge. The cost of the bridge should come in around $135,000 or $140,000 plus legal fees and interest rate. He stated that Mr. Guzik is aware of all of this and like he told Mr. Bemer, Mr. Guzik is the driver of this project, we are just the GPS, we are trying to provide him as much guidance as we can as the city is the one who gave the deadline.

**Councilwoman Lori Jones**
Ms. Jones stated that she was contacted by Ann Reichle regarding the bench she donated to the senior center in her mother’s name memory. She stated that Ms. Reichle would like to know the status of it. Mr. Borczuch indicated that he will check and get back to her.

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

**Council President Paul Stibich**
Mr. Stibich stated that he would like Ms. Jones to know that he appreciates her pointed questions and believes so does everyone else on council. He believes Council respects her as well as the administration and believes some smaller things may slip by but if Ms. Jones continues to point them out then Council will take the action required to remedy the issue because we all want to stay within the law.

Mayor Graven indicated that he would like Council to be aware that he does contact the Council President once a week to keep him informed and if the Council President is out of town he contacts the Council Pro-Tempore and they can state that he is very transparent and keeps in communication.
Mr. Stibich indicated that he does not believe there was an intent to be disrespectful to Council. He does appreciate Ms. Jones’ attention. Ms. Jones indicated that she appreciates that Mr. Stibich supports her right to speak.

Andrew D. Bemer, Law Director – No Report

Old Business

Resolution 14-2019
A RESOLUTION TO FORM THE OLMSTED JOINT RECREATION DISTRICT BETWEEN THE CITY OF OLMSTED FALLS AND OLMSTED TOWNSHIP AND DECLARING AN EMERGENCY  Tabled on Third Reading (3/12/19)

Remained Tabled.

Resolution 24-2019
A RESOLUTION APPROVING RENEWAL APPLICATIONS TO PLACE CERTAIN LANDS INTO AGRICULTURAL DISTRICTS  Second Reading

Ordinance 26-2019
AN ORDINANCE ESTABLISHING A POLICE VEHICLE FUND AND DECLARING AN EMERGENCY  Second Reading

Ordinance 27-2019
AN ORDINANCE ADOPTING PROVISIONS OF SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE TO ESTABLISH AND DESCRIBE THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF OLMSTED FALLS, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL, AND A TAX INCENTIVES REVIEW COUNCIL, AND DECLARING AN EMERGENCY  Second Reading

New Business

Ordinance 28-2019
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $125,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING REAL ESTATE TO ADD TO THE CITY HALL BUILDING COMPLEX CURRENTLY HOUSING ADMINISTRATIVE OFFICES AND OTHER MUNICIPAL FUNCTIONS, AND DECLARING AN EMERGENCY.  First Reading

Ordinance 29-2019
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $400,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF REMODELING, RENOVATING AND OTHERWISE IMPROVING A CITY BUILDING WHICH WILL HOUSE ADMINISTRATIVE OFFICES AND OTHER MUNICIPAL
Functions and improving the site thereof, and declaring an emergency. **First Reading**

**Ordinance 30-2019**

An ordinance providing for the issuance and sale of $1,500,000 of notes, in anticipation of the issuance of bonds, to pay the property owners’ portion, in anticipation of the levy and collection of special assessments, and the city’s portion of the costs of constructing and installing sanitary sewerage system improvements, including all necessary appurtenances thereto comprising the phase V sewer project, and declaring an emergency. **First Reading**

**Ordinance 31-2019**

An ordinance amending ordinance No. 03-2019, passed February 12, 2019, providing for the issuance and sale of not to exceed $5,000,000 of notes, in anticipation of the issuance of bonds, to pay the property owners’ portion, in anticipation of the levy and collection of special assessments, and the city’s portion of the costs of constructing and installing sanitary sewerage system improvements, including all necessary appurtenances thereto comprising the phase V sewer project, and declaring an emergency. **First Reading**

**Ordinance 32-2019**

An ordinance providing for the issuance and sale of $85,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of acquiring and equipping a street servicing vehicle, together with necessary appurtenances thereto and declaring an emergency. **First Reading**

**Miscellaneous New Business** - **None**

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

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

The meeting adjourned at 8:28 p.m.

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**Paul Stibich, Council President**  
**Angela Mancini, Clerk of Council**