

*City of Olmsted Falls*  
**Minutes of a Regular Council Meeting**  
**Tuesday, January 14, 2020, 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, Jennifer Jansen, Cornel Munteanu, Yvonne Buchholz, and Brian Chitester were present.

Also, in attendance: James Graven, Mayor, Andrew D. Bemer, Law Director, Vic Nogalo, Finance Director, Joe Borczuch, Service Director, and Matt Sheehan, Fire Chief. Audience: 4.

Mr. Stibich asked if it would be appropriate for the new Council members to vote on the minutes from last year due to the fact that they were not Council members. Mr. Bemer replied that they could vote but if they are not comfortable with approving the minutes they should then abstain. According to the administration code abstention votes count with the majority.

**Approval of Minutes**

Mr. Munteanu moved to **approve** the minutes from the Finance Committee Meeting of October 15, 2019; Ms. Jones **seconded**. Poll: 4 ayes; 0 nays; 2 abstains (Buchholz, Chitester). **Motion carried.**

Ms. Jones moved to **approve** the minutes from the Council Work Session of December 9, 2019; Mr. Munteanu **seconded**. Poll: 3 ayes; 0 nays; 3 abstains (Jansen, Buchholz, Chitester). **Motion carried.**

Mr. Chitester moved to **approve** the minutes from the Regular Council Meeting of December 17, 2019; Mr. Munteanu **seconded**. Poll: 5 ayes; 0 nays; 1 abstain (Jones). **Motion carried.**

Ms. Buchholz moved to **approve** the minutes from the Organizational Meeting of January 2, 2020; Ms. Jones **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mr. Munteanu moved to **approve** the minutes from the Special Council Meeting of January 2, 2020; Mr. Chitester **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

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

**Mayor's Report and Appointments**

Mayor Graven indicated that he has three appointments he would like to request that Council approve. He would like to re-appoint Martin Manuel to the ABR for a three-year term.

Ms. Jones moved to **re-appoint** Martin Manuel to the Architectural Board of Review for a three-year term to expire on 12/31/2022; Mr. Munteanu **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mayor Graven asked Council to approve Amy Gaffney to the Park and Recreation Board who will fill an unexpired term to 12/31/2022.

Ms. Jansen moved to **appoint** Amy Gaffney to the Park and Recreation Board to fill an unexpired term until 12/31/2022; Ms. Jones **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mayor Graven asked Council to appoint Dave Buchholz to the Park and Recreation Board for a five-year term to expire on 12/31/2024.

Ms. Jansen moved to **appoint** Dave Buchholz to the Park and Recreation Board for a five-year term to expire on 12/31/2024; Ms. Jones **seconded**. Poll: 5 ayes; 0 nays; 1 abstain (Buchholz). **Motion carried.**

Mayor Graven stated that on January 7, 2020 the city submitted the \$400,000 Olmsted Falls Playground Enhancement grant. This is a capital budget application with the State of Ohio. He spoke with Senator Dolan regarding this grant. He also spoke with Representative Patton as well. The city is working very hard to get the grant approved.

He indicated that he also met with the Olmsted Chamber of Commerce on January 7, 2020 and indicated to them that the City is here to help them grow their businesses. He informed them that he has an open-door policy and anything the City can do to help the business owners in the City to thrive and improve we would help in any way that we could.

He also met with a residential real estate developer who is interested in our city. This would be a possible development of approximately 25 homes worth approximately \$300,000 and would also bring in some revenue to the city.

He had another meeting with the Cleveland Candle Company and they are still excited about Olmsted Falls and still considering opening another business here. They are looking in the Grand Pacific Junction area.

He would like to discuss the proposed legislation to update the City's sex offender ordinance. As you know, safety is his number one priority and is why he initiated this legislation to keep all of our kids safe. The new ordinance will create a 1,000-foot perimeter around schools, day care centers, bus stops, pre-schools, youth recreation facilities, parks, playgrounds, ball fields and park pavilions. This will increase the number of these restricted public areas where sexually oriented offenders may reside or loiter. The old legislation, which was passed back in 2007, is a bit vague so this new ordinance will be more specific. While other cities have had incidents take place at their playgrounds in the last year luckily, we have not had any issues in our town in the last couple of years but he does want to be proactive to prevent anything from happening. Also, this ordinance will carry a first-degree misdemeanor charge. This enhanced ordinance will also work hand in hand with our residents also doing their due diligence. He wants to stress that our residents also must sign up for notifications from the Cuyahoga County Sheriff's website as they administer through the Attorney General's offices over Ohio. Individuals can sign up to receive notifications whenever a sex offender moves into their community. Then it is the city and police department's job when we get a notice to perform a GPS measurement of the distance from this offender's residence to the location of any school related facility or any park. This will be another tool we have to keep all of our children safe. He respectfully encourages all Council members to consider voting yes on this very important legislation.

Lastly, there was a lot of misinformation floating around the community regarding the sale of the Tyndall Falls properties last year and he would like to clear up any confusion. As you know, last

month the Law Director tried to clarify these issues and he would like to go over a couple of important points. The Law Director indicated that minutes from two October, 1989 City Council meetings reflect that there was an oral motion authorizing the Mayor to enter into an agreement with First Federal Bank to accept two lots on Tyndall Falls Drive as city park land. Unfortunately, no agreement, no legislation, or any other documentation exists which demonstrates that any such agreement was entered into or that the parcels were accepted by the City and dedicated as park land. The only documentation that exists is a Warranty Deed recorded back in 1990 showing that First Federal Savings Bank transferred the two parcels to the City without any designation or other restrictive use. Ordinance 77-96 was adopted by Council on October 8, 1996 declaring the two parcels are no longer needed for any municipal purpose and to advertise for bids for the sale of the parcels. Unfortunately, no bids were received and the lots were not sold. The lots have remained unused for any public purpose for the past 23 years until their recent sale. The Ohio Revised Code Section 755.42 specifically states proceeds from such sales shall be placed in the General Fund and maybe disbursed as other General Fund monies. The fact remains that the subject parcels were declared no longer available for public use by legislative action. The purpose of selling these parcels was to bolster our General Fund which was significantly depleted below acceptable accounting standards by the prior administration. It was imperative that the City generate some additional sources of revenue so that we could maintain a positive balance in our General Fund moving into 2020. The monies received from the sales proceeds and other monies we have generated would help move us in that direction. Our goal is always to achieve at least a 20% General Fund balance which would be approximately \$1 million dollars. We spend approximately \$5 million a year so it would be great to have a reserve of 20%. As many of you know the initial forecast at the beginning of 2019 was an estimated balance somewhere around \$6,000 to \$7,000 but through the hard work of the administration, Council and all of our departments coming in under budget he is happy to report that we were able to end 2019 with an unencumbered balance of \$313,000. Again, the Administration and all of our departments have done a great job coming in under budget. He wants to emphasize that we try not to spend every thing in our budget; Council grants us a budget and we try to spend the money very wisely and strive to come in under budget.

He would like to talk about priorities. As a 30-year veteran firefighter the health, safety and welfare of all our citizens has always been the greatest priority in both his life and serving as Mayor of this city. Assuring that the citizens of Olmsted Falls are given that highest degree of safety requires that our priority spending be a maintenance of safety which is police and fire. Notwithstanding that, our residents certainly deserve the best type of service our budget can provide in order to make Olmsted Falls one of the best locations in Greater Cleveland in which to live and raise a family. His priorities will continue to be safety, police and fire, then service (roads), park and rec, and then economic development. Again, when Council approves a budget we will try to stay under that budget. Recreational opportunities are a very important part of providing a great City Government. Our administration has focused on a few methods of enhancing our recreational opportunities without unduly burdening our General Fund. The grant application that we submitted earlier this month for \$400,000 will assist us in improving our parks. Additionally, the city has been approached by the newly formed OAC, Olmsted Athletic Commission, to contribute vacant land just north of the library adjacent to City Hall for use as two sport fields, a park and playground. He stated that the OAC has his consent for such land contribution and he would also encourage City Council, when this is presented to them either later this month or early next month, to accept this proposition. It is important to note that the land in question has been appraised between \$375,000 and \$475,000. If the property was sold to a developer our General Fund would be enhanced accordingly; but it seems the best use of this property would be to enhance its use for recreational purposes and that opportunity was presented by

the OAC seems to be a win/win for all concerned. If anyone has any questions please call the office, he would be more than happy to talk to anyone. He indicated that Ms. Lukes is involved with OAC so after the meeting if anyone has any questions, he is sure she would be able to answer those questions. Mr. Stibich stated that the proposal from OAC is for the City to maintain ownership of the property but lease it to them for a nominal amount. Mayor Graven replied correct and we hope to have something to present to Council at the next meeting or early next month.

### **Communications from Residents - None**

### **Approval of Bills:**

Ms. Jones moved to **approve** Pay Ordinance 2020-01; Mr. Munteanu **seconded**. Poll: 6 ayes; 0 nays.  
**Motion carried.**

### **Officials Reports:**

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

Mr. Borczuch stated that since there has been minimal snow the department has been catching up on previous work needed which includes ditching and crack sealing. The sewer project is moving along in multiple fashions in the north end of town; water lines have been replaced on Nobottom and Inland and a new water line on River Road is currently being installed. He indicated that he believes 60% of the sewers have been installed as the contractors are ahead of schedule at this point. All the service lines still need to be installed including lateral connections but the mains are installed which are the deepest portion of the Project.

#### **Matt Sheehan, Fire Chief**

Chief Sheehan stated that he would like to ask Council to approve a purchase order for fire department equipment. Those of you who were present at the October 15<sup>th</sup> finance meeting, almost everything listed in this requisition was discussed. Most of it is turnout gear that will expire either this year or next year. You will see the same request next January which should then clear up the purchase of turn out gear and SCBA's. These purchases will keep the department good until 2031 but, prior to that, whoever may replace him, if he is not here, should have a schedule of replacing items several years down the road. Mr. Stibich asked if this was the purchases that he spoke about indicating that it would be nice if we were to purchase a few each year or every three years. Chief Sheehan indicated that 1/3 of the turnout gear was purchased last year and 1/3 will be purchased 2020 because in 2021 all of the gear will expire and has to be replaced. There have been questions regarding grants but as of yesterday there are no grants being opened fire purchases. Mr. Stibich asked which fund would be utilized. Chief Sheehan replied that this purchase would be made with the equipment fund 106, this will not come from the General Fund. Mayor Graven asked Chief Sheehan to explain to Council about the 10-year expiration and the fact that it doesn't matter if someone goes to 100 fires or two fires it's based on years. Chief Sheehan stated that there is a letter that gives guidance for replacement of these assets which has been provided by standards listed in the current National Fire Prevention Associations National Fire Codes. Although these are often referenced in non-binding benchmarks, they are standards by which litigation and liability are determined. So, gear does derogate even sitting on the hangers. There are places that will test gear to see if it is still good but they will not certify it, therefore if a firefighter was injured using this gear and it was past its expiration date it could fall into the litigation which falls under responsibilities of the City.

Ms. Jones stated that usually Council gets a “not to exceed” price but Chief Sheehan has given a range. Chief Sheehan stated that the reason he gave a range is in case something is found that he would need to purchase later in the year so he would not have to come back to Council. These prices are state term pricing so bids from three other companies is not needed. Another thing he is looking at which was brought to his attention a couple of weeks ago and he got to observe the item a couple weeks ago is a personal thermal imaging camera. The department has a thermo imaging camera and we carry one on each apparatus. The price to replace the cameras is \$12,000. Now, there are personal thermal imaging cameras which gives us the ability to see objects through the smoke that we wouldn’t normally be able to see at a cost of \$600.00 each. Mr. Stibich asked if he was asking for the \$2,000 cushion for those types of purchases. Ms. Jones asked if Council has approached cushions like this in the past. Mr. Bemmer indicated that he is okay with the purchase order amount. Mr. Stibich indicated that if Ms. Jones does not like the cushion Council can approve the amount for just the equipment. Ms. Jones stated that every purchase order has to go to the vendor they indicate and finance has to encumber the funds. Mr. Nogalo stated that finance closed 2019 year on Monday and has to 2019 before opening 2020. The requisition is sent to finance then finance approves the funds and a purchase order is issued. Ms. Jones stated that her question is can the Purchase Order be issued and then funds encumbered for a future purchase. Mr. Nogalo stated like a contingency; yes, it is appropriate. Ms. Jones stated that once you get the purchase order, she thought it had to come under that purchase order and equipment being purchased is listed and then finance encumbers the funds. Mr. Nogalo replied that the purchase order locks in the funds. Chief Sheehan stated that in 2019 when the apparatus went in for maintenance and repairs, he encumbered up to \$25,000 to the same company and fortunately those costs came in under budget at \$17,000. Mr. Stibich stated that the alternative is perhaps Chief Sheehan will have to come back and request additional funds. Ms. Jones stated that her understanding is that once you encumber for example, \$25,000 and after the work is done and the vendor paid the purchase order is closed and the rest of money goes back to the fund. Mr. Nogalo replied yes. We hold the funds so when a purchase order is issued for \$25,000, we are hold those funds and if we pay \$23,000 we unleash the \$2,000 remaining which frees up the budget for other purchases. Ms. Jones stated that what she is asking is if the Chief is asking for up to \$55,000 and he only spends \$52,380 won’t that same thing happen. Mr. Nogalo replied yes but it is specific for what vendor he wants to pay so he cannot utilize the money for anyone else.

Mr. Munteanu asked if it was possible to add the thermal imaging purchase to this requisition? Ms. Jones replied if the Chief is sure that is what he wants to spend it on. Chief Sheehan indicated that he could. Ms. Jones indicated that the only reason she is asking is when the requisition is paid the excess funds are released and if they are going to be released, they won’t be there when he attempts to purchase the additional equipment and is the reason, she wants this clarified. Chief Sheehan indicated that the total amount for the requisition, including the thermal imaging equipment, would be \$54,956.00. Mr. Munteanu asked how many thermal imaging cameras would be purchased. Chief Sheehan replied three.

Ms. Jones moved to **approve** a requisition to MES Warren Equipment to replace turnout gear that is expiring, SCBA’s and three thermal imaging cameras for an amount not to exceed \$55,000; Mr. Munteanu **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

**Vic Nogalo, Finance Director**

Mr. Nogalo stated that as the Mayor indicated our unencumbered balance for the General Fund ended the year at \$313,000; with a cash balance of \$444,093. Our two year drop in the General Fund was \$242,000 compared to the previous two years when it was over \$1,176,000 so we stayed off the free

fall. Again, this is a bedroom community with limited taxes, a 1 ½% income tax and the majority of cities have a 2% tax. We don't have a major business like Ford Motor Company so this is a credit to the administration as the Mayor mentioned. Our income tax was flat during the year for the General Fund and we had to cover over \$104,000 for two of our debt service funds where there was a mismatch of special assessment revenues to the debt service in those two funds. These two funds are now done but they needed to be brought up to balance because they were deficit by \$104,000. We still have a few more debt service funds to tackle over the next several years. A lot of credit to the administration and departments on maintaining the balance in the black and again what we estimated as a \$5,000 or \$6,000 ending balance was a nice \$313,000 unencumbered free cash balance in the General Fund. All other funds are flush and none are in the negative and we are ready to start our 2020 budget.

He has one requisition to Bailey Communications and has the amounts paid for previous years as he was asked for this information prior to the Council meeting. He believes that the city began with Bailey in 2014/2015 and the annual retainer in 2016 was \$16,800; in 2017 was \$17,400; in 2018 was \$17,700; and we are looking at \$17,800 for 2020. We have a nice relationship with Bailey Communications and they know our environment. The one person he really wanted to make sure is happy is Chief Rogers because a lot of IT work is done with the police and he is very pleased. We did have questions on some of the personnel that Bailey had over a year ago but they have since then given us better quality professionals. We are committed to continue for another year, if Council or the Administration wishes to terminate these contracts, they need to provide a 30-day notice prior to yearend so we would need to inform them by November 30<sup>th</sup>. Ms. Jones indicated that Mr. Nogalo should have informed Council. Mr. Nogalo stated that he is unsure if any administration has informed Council of this but the administration is happy with Bailey.

Ms. Jones stated that she always brings up that she was an underwriter for three years and did a lot of EDP auditing and systems. Her concern is that she has never seen, even in a small institution, it take as long as it did to recover. Usually everyone is up and running within 24 hours and they take the hard drives with them and study them but you are up and running and going about your business without this delay. Her question is about vendor due diligence, even governments are required to vendor due diligence and for an IT company their due diligence would be Statement of Control Audit Type II, an SSA E16; and she would ask if they have tack and penetration testing and disaster recovery testing results. Another question is do we have any disaster recovery testing with them to make sure that they can perform or is that part of their SSA E-16, to show they could recover because those are the kinds of reports we would need before wanting to approve an IT company because that would tell us any weaknesses and give us a risk assessment for our level of comfort with that company. She is not making any statements against them she is just stating that in her experience as a regulator she has never seen anything take that long, not even on a \$3 million dollar credit union or a billion dollar credit union, so she is wondering about their testing process. The Statement of Control will show their statement of control's and what broke down that made it take so long to get us back up. She would ask for all those items. Mr. Nogalo stated that her point is well taken and if Ms. Jones would like Bailey can come to a Council meeting and have a question and answer period with them. Ms. Jones stated that these are the reports she is used to looking at to evaluate so if they could bring those reports it would be part of our vendor due diligence. Mr. Nogalo replied that these are good concerns and Bailey is not the only game in town. Approximately a year and a half we were looking for vendors. Ms. Jones stated that she understands it is too late to break the contract this year but she does believe it is something we should think about and we will need those reports because we have to protect our data; especially police, fire and personnel data. Mr. Nogalo stated that Bailey should be

accountable and explain what happened and give us a report as he does not know if Council was ever briefed on what transpired and he does not want to be the middle guy briefing Council on this. Mr. Stibich indicated that once the information is gathered together Council can hold a work session. Ms. Jones replied that would be great. Mr. Stibich asked the administration to look into the report and then Council will schedule a work session. Mayor Graven replied that we will look into it and do our due diligence. Over the summer or early fall, if we decide we want to move in a different direction, we can go with someone besides Bailey.

Mr. Munteanu moved to **approve** a requisition to Bailey Communications for the annual maintenance agreement in an amount not to exceed \$17,898.00; Mr. Chitester **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Ms. Jones asked that Council receive the information in advance to the work session so she can consider questions she would like to ask during the work session.

**Councilwoman Yvonne Buchholz, Ward III – No Report**

**Councilman Brian Chitester, Ward IV**

Mr. Chitester stated that he attended his first ABR meeting with Mr. Stibich last week. There will be a special meeting held on January 20, 2020 to review the design guidelines. The guidelines will be presented to Council at some point. He indicated that ABR's time frame to update the guidelines is approximately six to eight months.

Mr. Stibich indicated that Chairman Tomasch has wanted to review and revise the historic district guidelines for years. He believes that the meeting will begin at 7:00 p.m.

Ms. Jones stated that ABR discussed state and federal codes and certain requirements and wanted to know if they would be doing the review on their own or if they needed consultant help. Mr. Stibich indicated that they will be reviewing the guidelines on their own, they also have an architect that they work with. Mr. Bemer stated that through his discussions with Mrs. Tomasch and through the efforts of Clerk of Council Mancini we were able to locate a draft of design guidelines that were to be updated in 2016 or 2017. Those were forwarded to Mrs. Tomasch for the board's review so they have a strong template to guide them.

**Councilwoman-at-Large, Jennifer Jansen**

Ms. Jansen indicated that she met with the Shade Tree Commission prior to tonight's Council meeting. Unfortunately, there were not enough members in attendance to reach a quorum but she did get to meet two of the members and have a brief discussion with Mr. Borczuch.

**Council Pro-Tempore Lori Jones**

Ms. Jones indicated that the Chestnut Grove Cemetery Board of Trustees met in December to approved contracts and raise the cemetery rates another 10%. She stated that December is always the month with the greatest amount of burials. We also ended the year with a positive cash flow. Mr. Stibich asked if the 10% increase still keeps the cemetery with the lowest rates in the county. Ms. Jones replied that it still keeps us at half the cost of a grave at Sunset. Mr. Borczuch replied that the cemetery is still the lowest. Ms. Jones replied that she believes this will be the last increase for some time.

She stated that when Council voted to sell the Tyndall Falls property Council also discussed that after the property was sold Council would determine the disposition of the funds and asked if that would still happen. Mr. Bemer stated that the legislation died at the end of 2019 but Council can bring it forward again. Ms. Jones stated that it was added to the sale because it was part of the terms of the sale and asked if that expires. Mr. Bemer replied that all legislation not past at the end of the term ends. Ms. Jones stated that she believed it was a sales contract. She would like to go on record as reading Section 10.03 of our Charter under parks and recreation which states “all gifts donated to the municipality for park and/or recreation purposes shall be used for such purpose.” This supersedes the Ohio Revised Code as we are a Chartered City so she would just like to go on record as acknowledging the Charter. Mr. Bemer indicated that he provided a memo the last term which indicated that the evidence did not support the proposition that this was park funds. Ms. Jones replied that Mr. Bemer stated that in 1989 Third Federal was donating the land to the City for parks but it was not used, then Council voted indicating that it was no longer needed for that purpose but the Charter supersedes the Ohio Revised Code. She is just saying that she wants to go on record as saying that this is what the Charter states and this is what she thinks should have happened or at a minimum Council should have gotten to vote because it was the term of the sale that we added to the legislation to approve the sale and that Council would determine the disposition of the funds. She stated that no one is saying that the disposition would have gone to parks she is just saying that she wants to go on record because she thought Council would be voting on it.

Council also received a memo on social media. When the other memo was passed out last year to the park board and employees; now we get this one addressed to all Council members which states that if you disagree with Council as a whole you shouldn't communicate that publicly. When she spoke to the Attorney General's office last year they told her that she is a Council person not an employee of the City, she is an employee of the public, they elected her to Council and it is her job to represent them. They said she is more like an independent contractor and while she would never do anything to harm the City she has a right to speak her mind. They told her that its her job to represent the people and if that goes against the City or the majority or whatever that is our job, we are the checks and balances and we are more like independent contractors so we don't have to be bullied into thinking like the rest of the group we can have our own different opinions and we are allowed to express them as Council people. Having said that, it is different for employees of the City and this is a typical what she saw when she worked with the state on their policy, we were very restricted on what we could do and say so she understands that as an employee but not as a Council person. She does not believe the same applies because you know you're supposed to represent the people in your ward City. Also, she does not have Facebook and or Linked In, she does not have anything she just does not want to feel that she can't when she can.

#### **Councilman Cornel Munteanu, Ward II**

Mr. Munteanu indicated that the Planning and Zoning Commission will meet tomorrow at 7:30 p.m. The Dollar General Store is back on the agenda.

#### **Council President Paul Stibich**

Mr. Stibich stated that the Ward I advertisement has been placed in the newspaper and the Clerk has received one resume. The deadline is January 24<sup>th</sup> at noon, which is a Friday. Once the applications are received, we will receive copies and then interviews can be set up. The interviews will be held at a Special Council meeting in executive session. He hopes to interview all the candidates by the end of January so that Council can make a decision.

With regard to Ordinance 05-2020 he would like to thank Ms. Jansen for her interest in the Ordinance. The Mayor began looking at this last year in May and last year in June Ms. Jansen took an interest and made some suggestions. When the legislation appeared on the agenda she followed up with the Mayor and was part of the conversation. She brought up some good points and it was a good discussion.

Ms. Jones stated that at every new Council term Council has to approve its Rules of Order and Bylaws. She was wondering if legislation committee could meet to review them and see if any recommendations are needed. Mr. Stibich stated that unfortunately the legislation committee only consists of Ms. Jones and Ms. Jansen as the new Ward I appointee will be assigned to that committee but there is nothing to stop Ms. Jones and Ms. Jansen from meeting. Ms. Jones asked if Mr. Chitester could temporarily participate in the committee. Mr. Stibich stated that we are looking for the committee to make suggestions for changes that are needed made. Ms. Jones replied or if no changes are needed. Mr. Stibich indicated that there will be one big change because the Community Development Committee was removed from the Rules of Order a few years back and that should be put back in. Ms. Jones asked if Mr. Stibich could appoint a temporary third person so that we could have three set of eyes and ideas because the more ideas the better. Mr. Stibich indicated that she does not need a third on the committee as the two would suffice. He asked if anyone would like to volunteer to serve as a temporary third person. Ms. Buchholz indicated that she could attend. Mr. Chitester indicated that he would also make an effort to be there. Ms. Jones indicated that she will review her calendar and set up a meeting.

#### **Andrew D. Bemer, Law Director**

Mr. Bemer stated that the performance of his responsibilities as Law Director for this wonderful City is strongly dependent on the existence of Council Clerk Mancini and is going out on a limb to advocate and strongly encourage City Council to approve Resolution 01-2020 and reappoint Ms. Mancini as Clerk of Council.

#### **Old Business - None**

#### **New Business**

##### ***Resolution 01-2020***

A RESOLUTION APPOINTING ANGELA MANCINI TO THE POSITION OF CLERK OF COUNCIL IN THE CITY OF OLMSTED FALLS, AND DECLARING AN EMERGENCY

##### **First Reading**

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

##### ***Ordinance 02-2020***

AN ORDINANCE AUTHORIZING THE APPOINTMENT OF CHAGRIN VALLEY ENGINEERING AS THE CITY ENGINEER FOR A TWO YEAR PERIOD, ESTABLISHING THE COMPENSATION, AND REPEALING ALL OTHER

LEGISLATION INCONSISTENT HEREIN AND DECLARING AN EMERGENCY **First Reading**

Mr. Munteanu moved to **suspend**; Mr. Chitester **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Chitester moved to **waive** the reading in its entirety; Ms. Jones **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Munteanu moved to **adopt**; Ms. Buchholz **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

**Ordinance 03-2020**

AN ORDINANCE AMENDING SECTION 242.28 OF THE CODIFIED ORDINANCES OF THE CITY OF OLMSTED FALLS, OHIO PERTAINING TO FEES FOR EMERGENCY MEDICAL SERVICE **First Reading**

Mr. Munteanu moved to **suspend**; Ms. Buchholz **seconded**.

Ms. Jones asked if these changes are comparable to cities of our size. Chief Sheehan indicated that Olmsted Falls is the lowest in the area and the fees have not been increased for several years. This will place us comparable to surrounding communities. He stated that the City does a “soft billing” so the increase in fees would only be felt by those living outside of the community. The City accepts the insurance payments for ambulance services from our residents. Ms. Jones stated that to her surprise when she received our city composition, she has noticed that we are getting more seniors and she was wondering if they would get a break. Chief Sheehan indicated that residents do not pay over their insurance payment. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Munteanu moved to **waive** the reading in its entirety; Ms. Jones **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Ms. Jones moved to **adopt**; Ms. Buchholz **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

**Ordinance 04-2020**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO THE THIRD AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITIES OF OLMSTED FALLS AND STRONGSVILLE FOR REGIONAL DISPATCH SERVICES IN THE SOUTHWEST AREAS, FOR 2020, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY **First Reading**

Mr. Munteanu moved to **suspend**; Ms. Jones **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Chitester moved to **waive** the reading in its entirety; Ms. Jansen **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**. Mr. Munteanu moved to **adopt**; Ms. Buchholz **seconded**.

Ms. Jones asked if the city was receiving a fair deal. Mr. Munteanu indicated this is a fair deal. Mayor Graven indicated that he reviewed this with the Fire and Police Chief’s and like everything else costs increase. It is more cost effective than when we had dispatchers employed with the city. Mr. Stibich stated that the city paid over \$300,000 when we had dispatchers. Ms. Jones indicated that she wanted to make sure that the deal the city was receiving was good. Mr. Munteanu replied it’s a good deal. Mr. Stibich replied that it was a good deal when we entered into the agreement three years ago, former Mayor Donegan negotiated the costs. The cost of operating the dispatch center are allocated among all the municipalities and based on size, the number of calls, and it is the actual cost of running the operations and is lower than what the city would pay if it handled these services themselves. He stated that former Fire Chief Gluss also told Council that it was very critical in getting help to the Chandler’s Lane fire quickly, in fact, because the mutual aid went out instantly

with all the dispatchers they have in Strongsville the Strongsville Fire Department was the first to arrive on the scene. Mayor Graven stated that they also have a larger number of dispatchers than we did so when there is a large fire obviously it helps to have extra on duty. Mr. Stibich replied that in fact Olmsted Township just recently joined the regional dispatch as its very efficient and cost effective. Poll: 6 ayes; 0 nays. **Motion carried.**

***Ordinance 05-2020***

AN ORDINANCE AMENDING SECTION 666.17 ENTITLED, “PERSONS PROHIBITED IN PARKS, PLAYGROUNDS AND RECREATIONAL FACILITIES” OF CHAPTER 666 ENTITLED “SEX RELATED OFFENSES” OF THE CODIFIED ORDINANCES OF THE CITY OF OLMSTED FALLS, TO EXPAND THE AREAS AND CIRCUMSTANCES IN WHICH A SEXUALLY ORIENTED OFFENDER IS PROHIBITED FROM RESIDING OR LOITERING AND REPEALING ALL OTHER LEGISLATION INCONSISTENT HEREIN AND DECLARING AN EMERGENCY **First Reading**

Ms. Buchholz moved to **suspend**; Ms. Jones **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried.** Mr. Munteanu moved to **waive** the reading in its entirety; Mr. Chitester **seconded**.

Ms. Jansen stated that Section 2(A) lists descriptions of places where the offender would not be allowed to go and under the same section C(4) states School Bus Stops but that language is not included under 2(A) and asked if that should be included. Ms. Buchholz indicated that there is also a typo under C(8) it should say “play areas” but states “paly areas.” Mr. Chitester removed his second; Mr. Munteanu removed his motion to waive. Ms. Jansen moved to amend Section 2(A) to add school bus stops at the end of the sentence and to amend “paly areas” under Section C(8) to read “play areas”; Mr. Munteanu seconded. Poll: 6 ayes; 0 nays. **Motion carried.** Mr. Munteanu moved to **waive** the reading in its entirety; Ms. Jones **seconded**. Ms. Jones moved to **adopt**; Ms. Buchholz **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mr. Stibich indicated that regarding the next resolution, the administration is in the process of negotiating with the vendor in order to lower the rates and asked that this move to second reading.

***Resolution 06-2020***

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SENIOR TRANSPORTATION CONNECTION FOR 2020 FOR SENIOR TRANSPORTATION SERVICES AND DECLARING AN EMERGENCY **First Reading**

Mr. Chitester moved to discuss; Ms. Jones seconded. Mr. Chitester indicated that he would like this to move to second and/or third reading in order for Council to review the contract. Mr. Stibich indicated that this would automatically move to second reading at the next meeting and then a third reading in February. Mr. Chitester asked if that was Council was thinking as well because this is a rather thick document with a lot of information that he would like to read over prior to approving. Mr. Bemmer indicated that while assisting the Mayor we made inquiries into the city’s costs for transportation and it was in excess of \$20,000. One of the issues that jumped out was the cost of transporting a senior from their home to Southwest Hospital. According to this contract it will be \$66.00 for a round trip so that cost peaked the interest of the administration to review this contract more closely and that is the purpose of asking City Council to defer action until the investigatory work can be completed.

**Miscellaneous New Business** - *None*

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

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

The meeting adjourned at 8:38 p.m.

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*Paul Stibich, Council President*

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*Angela Mancini, Clerk of Council*