

City of Olmsted Falls
Minutes of a Regular Council Meeting
Tuesday, February 11, 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 7:37 p.m.

Mayor Graven administered the Oath of Office to Joseph (Jay) McFadden, Councilman Ward I.

Roll call was conducted. Councilmen Lori Jones, Jennifer Jansen, Cornel Munteanu, Jay McFadden, Yvonne Buchholz, and Brian Chitester were present.

Also, in attendance: James Graven, Mayor, Andrew D. Bemmer, Law Director, Joe Borczuch, Service Director, Odis Rogers, Police Chief, Matt Sheehan, Fire Chief, and Nick Vitalone, Finance Director. Audience: 10.

Approval of Minutes

Ms. Buchholz moved to **approve** the minutes from the Finance Committee Meeting of December 17, 2019; Mr. Chitester **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Chitester moved to **approve** the minutes from the Regular Council Meeting of January 14, 2020; Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Munteanu moved to **approve** the minutes from the Council Work Session of January 28, 2020; Mr. Chitester **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Munteanu moved to **approve** the minutes from the Regular Council Meeting of January 28, 2020; Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Ms. Buchholz moved to **approve** the minutes from the Special Council Meeting of January 29, 2020; Mr. Chitester **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Consideration of Amendment to the Agenda - None

Mayor's Report and Appointments

Mayor Graven asked for a motion to appoint Kim Resek to the Park and Recreation Board.

Ms. Buchholz moved to **appoint** Kim Resek to the Parks and Recreation Board to fill an unexpired term until 12/31/2021; Mr. Chitester **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Stibich welcomed Ms. Resek to the Parks and Recreation Board. We on Council appreciate the work of the volunteers on the boards and commission.

Mayor Graven thanked Ms. Resek for volunteering and appreciates that she stepped up and is becoming involved with the City.

Mayor Graven stated that there are a lot of great things going on in the City. He is happy to announce that another new business will be opening on April 1st called the Rift Shop. This is a local small business with artists and crafters, Mr. Jeremy Martin is in the owner. The shop is located in the Drug Mart Plaza next to Ameriprint. He would like to welcome Mr. Martin and his new business to the City.

He stated that he will be performing a ribbon cutting for Sprenger Health Care at Village of the Falls. Sprenger recently completed a \$6 million-dollar skilled nursing rehabilitation and long-term care expansion on Elm Street. Village of the Falls will open this expansion at the ribbon cutting next week. Sprenger announced that they wanted to offer continued care on the campus in Olmsted Falls not only for the residents but for the whole community and added 36 private skilled nursing rooms. They added 22,000 square feet to the facility that includes a physical therapy gym with new state of the art equipment to help residents overcome medical setbacks. Their CEO stated that “Village of the Falls is a great option for our senior’s and all of the residents for Olmsted Falls because it will offer piece of mind for the families.” On behalf of the city he appreciates the fact that Sprenger Health Care is excited about what Olmsted Falls has to offer and is why they wanted to expand in our city. This economic development will help create some new jobs and help improve our city’s tax base, which is one of his goals.

He is happy to report that on the first Monday of every month he started a program “Coffee with the Mayor and Chief’s” that will be held at City Hall. All residents are invited to stop in and have a cup of coffee; we are here to listen to the residents and their concerns. The coffees will continue to be held this year and next year. As many people are aware, he has an open-door policy, if you can’t make it to a coffee at 9:00 a.m. please call or stop in as he is always willing to meet with residents. He has already met with many residents who have stopped in.

The St. Jude Dream Home tickets will go on sale Thursday, February 20th. This is a very exciting time for our city. The Dream Home will be on Fox 8 throughout the day. Luckily the weather has been cooperating and they have moved quickly building the home.

The City will receive \$225,000 from the Northeast Ohio Regional Sewer District Cost Sharing Program to help the people on Metropolitan and Holton with a drainage improvement project. As many people know there has been a lot of flooding issues on Metropolitan and Holton for many years. They have inadequate sewers and these funds will help improve the storm water situation to help with some flooding problems.

Communications from Residents – None

Approval of Bills:

Mr. Munteanu moved to **approve** Pay Ordinance 2020-03; Ms. Buchholz **seconded**. Ms. Jones indicated that a colleague drew to her attention that there was a late contribution penalty and would ask that the city not have any of those in the future. Mr. Stibich asked what was the total of the late fee. Ms. Jones replied that the total was \$100.00 for a late fee to the Ohio Police and Fire Fund. Poll: 7 ayes; 0 nays. **Motion carried.**

Officials Reports:

Odis Rogers, Police Chief – No Report

Joe Borczuch, Service Director

Mr. Borczuch stated that he has an update for Council regarding the Phase V Project. Bid package #3 with Underground Utilities is finishing up some storm and sanitary work on Clark for the next four weeks, roughly speaking. They are done with almost all of the sanitary main installation but still have laterals and storm sections to complete on Clark and Inland. Their portion should be completed in approximately eight more weeks, until the weather breaks. Bid package #4 with Fabrizi will postpone their work on Columbia Road until the asphalt plants reopen in mid-April; they want to put asphalt back down as they work due to Columbia being a main street. Mr. Stibich asked if Clark and Cook would also wait. Mr. Borczuch replied yes, they are using cold patch in all the trenches to minimize the debris from being kicked up out of the trenches. It will take time before they can get harder material in before the road package gets bid out. The underground work on Nobottom is complete and the pavement will be finished in roughly April. He stated that there have been a few issues on River because there are still a lot of lead water lines so they have to coordinate with Cleveland Water and could take some time to get them all replaced. Mr. Stibich asked if this was the line from the feeder in the street to the home. Mr. Borczuch replied yes. They ran across a couple on Cook Road as well. They will begin the pump station construction soon one on River Road and one on Cook Road then they will move back to the sanitary mains and force main on Water Street. This project is dependent on weather, supplies and coordination with the other utility companies but a good portion of the project has been completed.

Mr. Stibich stated that there are two items under new business, one for asphalt and the other to the Cuyahoga County Department of Public Works and asked if Mr. Borczuch would like the legislation suspended and waived this evening. Mr. Borczuch replied yes, as both are housekeeping and happen every year. The first piece of legislation allows the city to go out to bid for our road project materials and usually the earlier we go out to bid the better pricing we receive. The second one deals with the county and takes a little longer for the paperwork to make it through their system and get on the table of whichever crew they will send out, whether it is North Royalton or some other city. Mr. Stibich asked what this was for. Mr. Borczuch replied that the county handles the road side mowing and the retention basin at Bradfords Gate as we do not own a roadside mowing tractor and this is a service to the city each year.

Matt Sheehan, Fire Chief

Chief Sheehan stated that thanks to Chief Rogers and the work he completed last year for a NOPEC grant, the garage doors for the fire station are supposed to be installed by the end of February. Mr. Stibich stated that Council approved the fire protective clothing at the last meeting. Chief Sheehan replied yes, the clothing has been ordered and usually takes up to three months to be sized and custom made for each firefighter.

Nick Vitalone, Finance Director – No Report

Councilman Jay McFadden, Ward I

Mr. McFadden is happy to be a member of Council and looks forward to the next two years.

Councilwoman Yvonne Buchholz, Ward III

Ms. Buchholz would like to welcome Mr. McFadden to Council.

She stated that the Parks and Recreation Board met last evening to elect a chairperson and discuss the lineup of events for 2020. She stated that Ms. Jill Lukes was unanimously re-elected as the Chairperson. We recapped the Christmas Tree lighting and moved onto the discussion of events for 2020. Those events include a Memorial Day Parade and Ceremony on May 25th; the Music in East River Park will be June 28th, July 26th and August 30th, no bands have been booked as of yet; October 4th will be Falls Day with Citizen of the Year; October 25th is Fall-O-Ween, Jen Jansen will guide the two new women on the board to help get volunteers because the board cannot do it all; December 6th is the Christmas Tree Lighting. Event chairs have been selected or volunteered. The board is still discussing an event for the 4th of July but with Heritage Days being so close in August they are not sure what will happen. There was a discussion regarding Yoga in the Park. She did speak with the law director who informed her that we would need some paperwork that will be utilized. She would also like to personally see what this instructor does in North Olmsted, what type of documentation North Olmsted requires so maybe we can piggyback off of those forms, with all forms being reviewed by Mr. Bemer. The Parks and Recreation Board at their next meeting will discuss the budgets for their events.

She also informed Council that she will be on vacation from February 21st through March 7th and Council President Stibich has graciously indicated that he would attend the next Parks and Recreation meeting on March 2nd.

Councilman Brian Chitester, Ward IV

Mr. Chitester replied he has no report but has been keeping up with the residents regarding on the Northwood access road. There is some sentiment regarding a sign that was posted and their concerns regarding that sign. Mayor Graven indicated that he has also communicated with the residents via email and had a personal meeting with one of the residents last week. Ms. Jones asked what sign went up. Mr. Chitester replied that a sign was installed to point out where the East River Road access entrance is located to help deliveries. Mayor Graven also indicated that it is also used for safety forces in case our departments are on another run and we request mutual aid. Mr. Borczuch replied that part of the court order was for the city to install a sign with the addresses of the homes located on the east side of the bridge. Mr. Stibich asked where the signs were located. Mr. Borczuch replied that it was added to the street sign at Sprague and Northwood. He replied that a third sign was installed because he believed it made sense but was removed due to the opposition. Mayor Graven indicated that he listened to the residents and removed the third sign as it was not court ordered.

Councilwoman-at-Large, Jennifer Jansen

Ms. Jansen stated that she had a Shade Tree meeting prior to the Council meeting and is learning more about the board. They do plan on removing some trees on Lindbergh this year before Fall. Mr. Borczuch replied before Spring. Ms. Jansen stated that there will also be miscellaneous tree plantings in the City in the South of Bagley Road area. There are two grants that the Commission is looking into. Mr. Stibich asked if the residents know that the trees will be removed. Mr. Borczuch replied that notices were sent out. The department is battling the gas line work currently happening on Lindbergh. Mr. Stibich asked what type of trees would be replanted. Mr. Borczuch replied that one of the trees being removed will not be replaced as it is located in between two driveways. There will three others removed as they are next to the guardrails and not be replaced. Mr. Stibich asked what types of trees is the city planting these days. Mr. Borczuch replied that it varies because of all the

different types of trees in each development. Mr. Stibich stated that Shade Tree has preferences. Mr. Borczuch replied that he will attempt to replace with what was removed.

Council Pro-Tempore Lori Jones – No Report

Councilman Cornel Munteanu, Ward II

Mr. Munteanu indicated that the final plans for the Dollar General store was approved at the last Planning & Zoning meeting. There was an attorney present who did speak but would defer to Mr. Bemer for the details.

Andrew D. Bemer, Law Director

Mr. Bemer stated that there was an attorney in the audience who represented Jane Kohler who is the southern neighbor to the site, who indicated that there was a piece of litigation filed requesting a restraining order and conjunctive relief on moving forward with the project. The city was named as a party and neither was the business entity upon which the Dollar General project is held or their agent Zaremba Group. The only defendant was the corporate name of the current property owner who had no interest whatsoever in the project so, it was his opinion that there was no legal impediment for the city to move forward with Planning's process. He has not heard anything else during the week from this particular piece of litigation.

He stated that the Civil Service Commission held a police officer entry examination last Saturday, with 20 individuals taking the test. This test is being held in a timely manner because there will be a retirement in the police department in early April. Hopefully, during the civil service meeting on Wednesday, February 19th at 3:00 p.m. the Commission will be able to approve an eligibility list.

Finally, he is happy to see Rob Lara in the audience on behalf of our Olmsted Athletic Commission. We do not have the contract back from Mr. Lara as of yet and understands that he will be in touch with city hall once they are finished reviewing. Mr. Lara indicated that the two changes he requested were received by Ms. Mancini and made. Mr. Bemer indicated that the lease would then be ready for Council at their next meeting.

Council President Paul Stibich

Mr. Stibich indicated that a finance committee was held prior to this Council meeting and during that meeting there was a discussion regarding scheduling a work session on Monday, February 17th to discuss the senior transportation contract and any other business that may come before Council at 5:00 p.m. He would also like to hold another work session the following Monday, February 24th at 6:00p.m. All of Council received an email from an individual who is a proponent for seat belts on school busses and he wanted to address Council. Mr. Stibich stated that he feels this would be appropriate for a work session. He asked which Council members would be available at 6:00 p.m. After a small discussion regarding availability the work session was scheduled to begin at 6:45 p.m.

Old Business

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 **Third Reading**

Mr. Munteanu moved to **table**; Ms. Jones **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**.

Ordinance 08-2020

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF CUYAHOGA, OHIO AND THE CUYAHOGA COUNTY JUVENILE COURT TO CONTINUE A COMMUNITY DIVERSION PROGRAM FOR THE PERIOD OF MARCH 1, 2020, AND ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY **Second Reading**

Mr. Munteanu moved to **amend by substituting** Resolution 08-2020 with Resolution 08-2020 (AMENDED); Mr. Chitester seconded. Voice vote: 7 ayes; 0 nays. Motion carried. Ms. Jones moved to **suspend**; Mr. Munteanu **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mr. Chitester moved to **waive** the reading in its entirety; Ms. Buchholz **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Buchholz moved to **adopt**; Ms. Jones **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Resolution 10-2020

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CERTAIN LEASE AGREEMENT FOR 3.78 ACRES VACANT LAND ADJACENT TO CITY HALL CAMPUS, PERMANENT PARCEL# 281-15-006, WITH OLMSTED ATHLETIC COMMISSION FOR PARKS AND RECREATION USE **Second Reading**

New Business

Resolution 14-2020

A RESOLUTION AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENGAGE ENGINEERING SERVICES FOR, AND TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR ASPHALT OVERLAYS, CONCRETE REMOVAL AND REPLACEMENT, CRACK SEALING AND BITUMINOUS SURFACE TREATMENTS TO VARIOUS CITY STREETS FOR THE ANNUAL STREET MAINTENANCE AND REHABILITATION PROGRAM, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY **First Reading**

Mr. Munteanu moved to **suspend**; Ms. Buchholz **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mr. Munteanu moved to **waive** the reading in its entirety; Mr. Chitester **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Mr. Chitester moved to **adopt**; Ms. Jones **seconded**.

Ms. Jones asked if this was a budgeted item. Mr. Borczuch replied that he budgets for this each year. As he has done in past years, he goes out to bid and then brings the bids and requisitions back to Council for approval. Ms. Jones stated that she was just wondering if he would provide the bids at a later date. Mr. Chitester asked if this was the same thing that was done on Sprague. Mr. Borzuch replied yes. **Poll: 7 ayes; 0 nays. Motion carried**.

Resolution 15-2020

A RESOLUTION REQUESTING AND CONSENTING TO AN EMERGENCY ROAD MAINTENANCE PROJECT BY THE CUYAHOGA COUNTY

DEPARTMENT OF PUBLIC WORKS FOR 2020 AND DECLARING AN
EMERGENCY **First Reading**

Mr. Munteanu moved to **suspend**; Ms. Buchholz **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Jones moved to **waive** the reading in its entirety; Mr. Chitester **seconded**.

Ms. Buchholz replied that Section 7 states “2019” and should read “2020.” Mr. Chitester and Ms. Jones **withdrew** the motion to waive the reading in its entirety; Ms. Buchholz and Mr. Munteanu **withdrew** the motion to suspend.

Ms. Buchholz moved to **amend** Resolution 15-2020 so that line three (3) of Section 7 reads “2020” from “2019”; Mr. Chitester **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**. Mr. Munteanu moved to **suspend**; Mr. Chitester **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Jones moved to **waive** the reading in its entirety; Mr. Chitester **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Jones moved to **adopt**; Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Resolution 16-2020

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH UNIVERSITY HOSPITALS OF CLEVELAND TO PROVIDE FOR LOCAL POLICE TARGETED TRAFFIC ENFORCEMENT ACTIVITY FOR A ONE YEAR PERIOD, EFFECTIVE OCTOBER 1, 2019 AND RETROACTIVE THERETO, AND DECLARING AN EMERGENCY **First Reading**

Mr. Munteanu moved to **suspend**; Ms. Jones **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Jones moved to **waive** the reading in its entirety; Mr. Chitester **seconded**. Voice Vote: 7 ayes; 0 nays. **Motion carried**. Ms. Jones moved to **adopt**; Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Miscellaneous New Business - *None*

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

Ms. Jones moved to **adjourn**; Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

The meeting adjourned at 8:18 p.m.

Paul Stibich, Council President

Angela Mancini, Clerk of Council