

City of Olmsted Falls
Minutes of a Regular Council Meeting
Tuesday, October 13, 2020 at 7:00 p.m.
Conducted as a Virtual Meeting through Webex

The Pledge of Allegiance was recited. Council President Paul Stibich called the meeting to order at 7:06 p.m. 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. Bemer, Law Director, Nick Vitalone, Finance Director, Joe Borczuch, Service Director, Odis Rogers, Police Chief, and Matt Sheehan, Fire Chief. Audience: 2.

Approval of Minutes

Mr. Chitester moved to **approve** the minutes from the Finance Committee Meeting of September 22, 2020; Mr. Munteanu **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Mr. Munteanu moved to **approve** the minutes from the Regular Council Meeting of September 22, 2020; Mr. Chitester **seconded**. Poll: 6 ayes; 0 nays; 1 abstain (Jansen). **Motion carried.**

Consideration of Amendment to the Agenda - None

Mayor's Report and Appointments

Mayor Graven stated that he would like to thank Chief Sheehan, Chief Melton, Councilman Munteanu and all of our firefighters for the excellent job they did in planning our 9/11 Memorial Unveiling Ceremony. He knows that they worked for hard for many months in the planning and preparation for the ceremony and the memorial itself. Their excellent planning is the reason we had a very successful unveiling ceremony. Many of our citizens told us that it was a very heartfelt and moving ceremony and he wants to thank everyone that went into the planning.

He would also like to thank Chief Rogers and our police department for their professionalism in the management of the Honor Escort for Olmsted Falls Alumnus Micala Hicks Siler. On behalf of the city our condolences to the Hicks and Siler Families.

He stated that we have a lot of good news regarding economic development. He has been speaking with a potential buyer for the purchase of the French Bistro and things look very positive. He should have more information for Council in the next few months.

He stated that Forni Landscape Architects are moving forward with the purchase of the old service garage. As of October 9th they indicate that they should receive an answer regarding their loan approval.

He stated that a new business Farmhouse 1834 opened recently in the Grand Pacific Junction. He met one of the owners today, Jen, who indicated that they are very excited to be a part of the city's

business community. They had their grand opening on October 3rd and specialize in farmhouse deco and have farmhouse items for your home that you cannot find anywhere else in Northern Ohio. It is a very beautiful and unique store; he would urge everyone to stop by and welcome Jen and Lynn to the community.

He stated that he, Chief Rogers and Mr. Vitalone are looking into different IT providers for next year. There should be more information for Council next month. He indicated that Chief Rogers will briefly discuss this topic during his report.

He would like to urge Council to support Ordinance 43-2020, this will temporarily lower the permit fees from \$750.00 to \$350.00 for the residents involved in the Phase V Sewer Project. We felt that this will help them. As you know they have been working through this project during the last year and a half.

He stated that our administration fiscal conservatism and prudence in government spending has been a big success. As you know, the previous administration had over \$1.3 million in deficit spending but over the last two years and nine months our administration has avoided deficit spending and we have reduced overall city government spending. During the COVID-19 financial crisis we buckled down even more and are seeing positive results. As a result of that, in our September finance report you will see that September revenues exceeded disbursements again, and our unencumbered fund balance is up to \$830,411.00. He wants to thank all the directors and chiefs for their hard work. They have been working to stay within their budgets and lowered some. We continue to watch our finances very closely every day, he is in contact with Mr. Vitalone every day looking at the numbers closely. As you know when people are unemployed in 2020, we will obviously receive less income tax money next year so by the end of April 2021 we will have a clearer picture of our finances. As a matter of fact, business income tax revenues are down 15% but individuals are up 7% and withholding was down 0.06%.

Lastly, he would like to thank his friend Jim McGlynn for completing a video speech for the Olmsted Falls 9/11 Memorial Unveiling Ceremony. As you remember, Jim is a retired New York City Firefighter Battalion Chief. Jim was the last firefighter to make it out of the Twin Towers alive. He is sure it was not easy for Jim to recall that tragic day but worked through his emotions and completed a 10-minute speech just for our City. For many 9/11 survivors, the trauma of that day is still with them even though it has been 19 years since the attack. For survivors like Jim, this is always a difficult time of year. Jim's story was special because it allows the citizens of Olmsted Falls to be more personally connect to the events of that day since Jim was there. Jim did this for us because he believes it was important and as he said "to honor those that didn't make it home that day." In closing, while it was really difficult for Jim to talk about that day, 9-11-2001, he believed it was important to do that for us at our ceremony because we all know we should Never Forget 9-11-2001.

Communications from Residents – None

Approval of Bills:

Mr. Munteanu moved to **approve** Pay Ordinance 2020-14; Mr. McFadden **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Officials Reports:

Odin Rogers, Police Chief

Chief Rogers stated that on Sunday, October 11th, the police department participated in an Honor Escort for Micala Hicks-Siler who was killed September 30th in the Ukraine. He would like to thank a few people and departments for all of their help with this escort. This was something that came to us Friday afternoon and in a very short time we were able to put it together. He would like to thank the Police Departments of Berea, particularly, Sgt. Pat Greenhill with motor unit, City of Brookpark, Olmsted Township, North Olmsted, Beachwood, and Strongsville for assisting and participating. He would also like to thank Mayor Graven. He stated that the Mayor goes with him whenever he attends a police funeral and he does not tell anyone about it and it means a lot to him that he participates in these types of activities because he wants to and believes that it is important. It was an honor and a very humbling experience for us. The funeral for Ms. Hicks-Siler will be October 24th at St. Mary's and we will again be helping the families.

He stated that he has received one IT proposal from Alto Solutions. He is working with the Mayor and Finance Director Vitalone to try and come up with a reasonable and fairly priced proposal but what we are finding is that there is a lot of work to be done. Like he stated, he does have one proposal and will be receiving another one. He will meet with Kris Oswald early next week. He will also be reaching out to Bailey Communications and request that they submit a proposal.

Chief Rogers indicated that he requested Ordinances 45-2020 and 46-2020. He would like to know if anyone has any questions as he will be leaving the meeting after his report. He stated that Ordinance 45-2020 deals with a new agreement with Strongsville for the city jail. Strongsville has a 12-day facility with 24 beds and four holding rooms. Strongsville assumes all the liability and workers compensation claims. For us, they complete the inmate booking process, fingerprinting, medical screening, provide meals for prisoners, special watches, video arraignments, process court paperwork such as bonds, waivers, and TPO's, they provide us with breathalyzer testing, and also have an on-call doctor, which is very important. They are raising their fees from \$90.00 to \$150.00. He understands that this sounds like a lot but there has not been an increase in their fees in many years and they have found that they are running their jail at about a three quarter of a million-dollar deficit, which is what it was for 2019. That deficit is not all due to outside agencies, it is about 60/40 split; 60% of their jail population is theirs and about 40% are outside agencies like ours. We are only incarcerating about 35 people a year for anywhere from one day up to the 12 days. It really would be impossible for us to have our own jail facility and come anywhere near the costs, it is not even an option. We have benefitted for years of very low pricing for housing of our prisoners. Our back up has always been North Royalton and they also raised their costs to \$100. The problem with using North Royalton is that they are further away and that is more time our officers are out of the city; they also have a different court system; they use Parma Court and we use Berea Municipal Court and so does Strongsville which is why we can do the video arraignments. If someone is thinking "lets save a little money by going to North Royalton" it would actually cost us more because he would have to have another officer go pick them up in North Royalton, take them to Berea Court, and many times take them back to North Royalton, he knows the increase sounds like a lot but it is fair. He stated that if any questions come up after he leaves, he would encourage them to call him. This can run three readings but does ask that this get completed as quickly as possible so that Strongsville knows who is opting in or out.

The second piece of legislation is 46-2020 which authorizes the Mayor or him to donate certain obsolete equipment in the city police department that is no longer need to the Ohio Small Police Department Association. He became a member of the Ohio Small Police Department Association last year and it is a fairly new organization for small police departments. He stated that there are over 770 small police departments in Ohio for departments that have less than 25 officers. The vast majority of the department are four, five, and nine officer departments. The equipment consists of six body cameras and four MDT's that have been sitting in an office for a few years and have little to no value to us. He looked on govdeals to determine the value and they were all less than \$100 with many of them less than \$75 for the Vista Body Cameras. He believes it would be nice of us to donate these to the Small Police Department Association and they will get them out to other even smaller departments than ours that need this equipment. Ms. Jansen asked if this was like when you donate to any other charity and you get to write off the amount as a charitable donation. Chief Rogers indicated that would be a question for the finance director and the total value would be less than \$700. Mr. Vitalone indicated that the city does not pay taxes so there is no benefit tax wise. Mr. Stibich stated that there is no benefit like there is for an individual taking a tax deduction.

Joe Borczuch, Service Director

Mr. Borczuch stated that he would ask Council to adopt 43-2020. This legislation is in regards to the permit fees for sewer tie-ins and would greatly help the residents that will be tying in soon as the roads are getting paved as we speak. They are putting in the castings, raising and leveling things off and will be putting on the surface coat within the next couple of weeks.

He also would ask for a motion to approve a requisition to Ganley Lincoln of Middleburg Heights for a 2017 Ford Escape. He spoke with Mr. Vitalone who indicated that Middleburg Heights purchased one back in January and believes they will be purchasing another one or two in the near future. The state bid for a small vehicle is over \$23,000 but for what we use the vehicle for, we might as well save money with a purchase price of \$14,995.00 with 33,000 miles. The 3 year/36,000-mile warranty is over but the five-year warranty for the power train is still good for about another year.

Ms. Buchholz moved to **approve** a requisition to Ganley Lincoln of Middleburg Heights for the purchase of a 2017 Ford Escape to be paid from Fund 313 in an amount not to exceed \$14,995.00; Mr. McFadden **seconded**.

Ms. Jones stated that the requisition is dated October 7 and October 8 and asked Mr. Borczuch if he purchased it yet. Mr. Borczuch replied that he cannot purchase it until Council authorizes it. Ms. Jones replied okay, and stated that the way it was worded and dated looked confusing. Mr. Borczuch indicated that this is how finance writes it up requisition so that he has a purchase order but obviously cannot give the dealership authorization until Council passes it. If approved tonight he will call tomorrow and go over the vehicle with a fine-tooth comb and take ownership. The old police car, which was the old K9 unit and the old truck are beyond their last leg so this is a well needed vehicle and after speaking with Mr. Vitalone we thought this would be the best route to go. Mr. Stibich asked who primarily would use the vehicle. Mr. Borczuch replied Gary Kopchak our property and maintenance inspector and also our building officials when they do inspections. Poll: 7 ayes; 0 nays. **Motion carried.**

He stated that it is that time of season again and we will be out starting to pick up leaves next Monday.

Mr. Munteanu asked what will happen to the other vehicles, would they be donated or placed on govdeals. Mr. Borczuch replied that they will be on govdeals and when sold we will utilize those funds to put towards something else in the future.

Matt Sheehan, Fire Chief

Chief Sheehan stated that the fire department was contacted by the Cuyahoga County Office of Emergency Management regarding, once they find the antibodies for COVID-19, to have a drive thru inoculation clinic. They are checking with area fire departments and asked if Olmsted Falls would be interested. After speaking with the Mayor, we agreed to have one because it benefits the citizens of our city. Also, if the government does start the drive thru inoculations our resident will not have far to go in case they need to get inoculated, so we replied to them that we would be interested.

He went to the Northeast Ohio Chapter of the American Red Cross today. As you know we entered into an MOU with them to supply the fire department with smoke detectors and batteries. Last year we received 24 smoke detectors and 100 batteries which we have gone through. They resupplied us with 200 more 9-Volt batteries and 30 more smoke detectors at no cost to the city that we can give out to our citizens if they need them. Especially at this time of year when we are coming up to the “change your clock, change your batteries.” We have the batteries at the fire station, in City Hall and the Senior Center in case any of your constituents are looking. The fire department will assist in putting in smoke detectors and will change their batteries.

Finally, regarding the 9/11 dedication there are a lot of people who have been thanked. We talked about the fire department but there were several people behind the scenes that he has to mention who helped with the planning, it takes a village not just a couple of people. He stated that the fire department and the people they know branched out and talked to others. He has to thank certain fire chiefs, Pat Kelly from Olmsted Township and the Olmsted Township Firefighters, not only for their donation but for supplying flags that day for behind the podium, Chief John Reese from North Ridgeville, who was kind enough to bring his SCBA display located by the doors, Chief Angelo Calvillo from the Cleveland Fire Department, who allowed the Cleveland Fire Department Honor Guard to attend; when they attend these types of things he is responsible for paying them; Dan Ellenberger from University Hospital EMSI who got the ball rolling which enabled us to get the helicopter; George Miu, our own part time firefighter who is also a flight nurse with UHEMSI. Mr. Miu was the on the ground air controller, per say, he volunteered that morning so that Jeff Melton would be able to assist the artist in unveiling the memorial; he even brought a guy from University Hospital Air Medical who volunteered his time to stand by in case Firefighter Melton was called out on a run so that Mr. Miu would cover the run and there would be someone there to direct the helicopter personnel, we have to thank Chief Higginbotham from Newburgh Heights through Ty Bromound we were able to get the speaker system. We also had a large screen that filled up the bay doors but fortunately it was a sunny day, we planned on showing the video of the Fire Chief from New York on the larger screen. There were a lot of people behind the scene and we had a really good turnout. He also thanked Council for everything they did. Mr. Stibich stated that it was a beautiful day and a beautiful service, the firefighters did a great job laying out the program and thanked everyone involved in putting that together.

Nick Vitalone, Finance Director

Mr. Vitalone indicated that he had planned getting Council the September finance reports but there was a miscommunication and have not been able to distribute it. He stated that we are looking good in September as income tax continues to be strong, we have increased about 4% from last year. In

addition to that, our second half real estate settlement came in where it was supposed to and on budget. These are the two main revenues. The last thing the city will receive this year is the homestead rollback which should be sometime in November. We are looking good with our two big sources of revenue. The fines and fees are still struggling and will probably continue to struggle going into next year. He stated that in two days the city should receive the remainder of the CARES Act funding which will be approximately \$318,000. He has begun talking to the department heads regarding their 2021 budget and in a couple of weeks he will be in contact with Council for meetings.

Mr. Stibich asked if the September financials will be emailed to Council within the next couple of days. Mr. Vitalone replied that they should be ready tomorrow or the next day and will email them out. If anyone has any questions, either email him or call. Mr. Stibich suggested a finance meeting beginning at 6:30 p.m. prior to the next Council meeting on October 27th to review those financials.

Councilwoman Yvonne Buchholz, Ward III

Ms. Buchholz stated that the Park and Recreation Board met on October 5th and Terry Duncan introduced the Friends of Olmsted Community Parks 501C3 board, Alan Perkins is the President, Kaitlin Dorsch is the treasurer and Terry Duncan is the secretary. This non-profit 501C3 includes Olmsted Falls and Olmsted Township. They informed us that they are not looking for additional members but rather donors and sponsors, in other words they are looking for money. They are partnering with the Olmsted Falls Garden Club for the wreath fundraiser, like they did last year. Kim and Amy decorated the city for Halloween and the front of City Hall looks nice. Jill Lukes put together the application for Citizen of the Year and is on the city website, if you know of anyone that you would like to nominate please make sure the nominations are received by November 1st. When the board meets on November 2nd, they will review those submittals and decide who will be named as Citizen of the Year. She indicated to the Mayor that she will inform him as to how this will be handled as the board is not quite sure yet. Christmas decorating is still being discussed, her husband is decorating the gazebo and the board will discuss more at the November meeting.

An insurance meeting was scheduled for this month but from what she understands Gallagher had computer issues and were down for about a week so the finance department has not received any quotes, until those quotes are received, she will not schedule a meeting. Mr. Stibich asked what date was the meeting scheduled. Ms. Buchholz replied October 19th. She indicated that Ms. Veloski informed her that she is hoping to have quotes by the end of the month. Mr. Vitalone replied yes, he believes there was an issue with the communication with Gallagher and whatever issue they had with their computers. Mr. Stibich asked if she would schedule another meeting once the quotes are received. Ms. Buchholz replied yes.

Councilman Jay McFadden, Ward I

Mr. McFadden apologized for missing the dedication of the memorial, he had a previous meeting but heard that it was outstanding and congratulated everyone. Mr. Stibich asked the Clerk if there were any photos. Clerk Mancini indicated that the entire ceremony was uploaded to the city's Facebook page.

Councilman Brian Chitester, Ward IV

Mr. Chitester stated that he attended the dedication and it was beautiful and amazing. The bagpipes tear him up every time and it is always beautiful to hear them play.

He stated that ABR met last week, Pulte Homes is moving along and added a couple more homes to their design list and look amazing.

He stated that he will be in South Dakota for the next Council meeting but will be attending virtually.

Council-at-Large, Jennifer Jansen

Ms. Jansen indicated that a Shade Tree Commission meeting was to take place this evening but unfortunately there was no quorum.

She stated that the State Auditor's website is offering free online classes that anyone can take. You register and they send you a link with handouts and slideshow materials. There is a lot of great stuff on finances and believes everyone should take the class.

She stated that there was another new business that opened in the Grand Pacific Junction called Granola Farms, they opened at the end of September. She has not been able to welcome them to community as of yet, but does plan on visiting. The 1838 Farmhouse is a wonderful shop and a great addition for the Falls.

She stated asked if the upcoming finance meetings would be similar to what she has heard in the past where Council holds meetings with each department. Mr. Stibich asked if she was referring to the budget meetings. Ms. Jansen replied yes. Mr. Stibich asked Mr. Vitalone if he was currently working on the budget. Mr. Vitalone yes, we are preliminarily talking to the department heads and determining their manning needs for next year and capital needs. He believes this process will take at least a couple of weeks. Mr. Stibich stated that traditionally we hold hearings with each of the department heads and would probably happen in November but could happen at the end of October. These meetings will probably be virtual and on not held on regular Council meeting nights. Hopefully Council can meet with two or three departments on a night and limit it to a couple of meetings, that is usually the procedure for the budget. The big departments police, fire and service need a day to themselves and then the other departments.

Ms. Jansen stated that she would like to echo what everyone said regarding the 9/11 memorial. It was beautiful and was nice to see so many people attend. There was well over 100 people there and people were parking behind the service department; it was nice to see so many community members come out and be a part of it. She thought that handing out the red flowers with the event schedule was a very nice touch, it was wonderful and done very well.

Council Pro-Tempore, Lori Jones

Ms. Jones asked Mr. Borczuch if he found the cost of the people paying for pipes on River Road and which houses would be eligible for pipes. Mr. Borczuch replied no, he has not looked at every person's home. The only resident that has asked for information is Mr. Tomasch and he just finished his estimate today and will deliver it to him tomorrow. Ms. Jones stated that a lot have asked but guesses they haven't asked him. Mr. Borczuch replied correct. Ms. Jones stated that in the one email Mr. Borczuch said that he would give out preliminary estimates and see which properties would be eligible. Mr. Borczuch replied no, each individual has to be looked at separately to see if they have enough cover to complete a ditch enclosure or not. Ms. Jones replied that is what they were saying and asked if he knew which ones can have it and which ones can't. Mr. Borczuch replied that he cannot look at them until he knows which ones actually want them. Mr. Stibich suggested that if Ms. Jones knows of someone that has expressed an interest to her she should have them contact Mr.

Borczech or pass their name and address to Mr. Borczuch so he can check it out and speak with the resident. Ms. Jones replied that it is just about every person on the street, she will have them all contact him. Mr. Borczuch replied that the process is the resident contacts us and then we go out and look at it. He informed her that this is also just “fill in work” and not priority work. Mr. Stibich replied that this does not happen right away but rather when the department has time and are not picking up leaves or patching roads. Mr. Borczuch indicated that they completed one today that has been on the books to get done since May so it does take some time to get them scheduled. He stated that the resident needs to either contact him or send an email asking for it and then we can move forward. Mr. Stibich asked if this was something that could be done in bad weather. Mr. Borczuch replied yes, we can do some during the winter but obviously when we run our shifts to handle snow plowing, we have limited staffing so it does make it a little more difficult and this work is also weather dependent.

Ms. Jones stated that she has received a couple of emails from people on Cranage. One lady said she spoke to Mr. Borczuch but he did not get back to her yet. Mr. Borczuch indicated that he has spoken with Ms. Lehman, several times, and informed her that when we get down to her area to do the ditch work, just like we did on River Road, if it is necessary to have an extension we will. He also measured her drive and there is 12 feet at the culvert pipe, which was the measurement before the project. The rest of the driveway is 10 feet so there should not be any issue with in and out of the driveway considering that the house sits back almost 75 to 100 feet off the road. Ms. Jones replied correct, the apron got narrower. Mr. Borczuch replied that he does not believe it did. Everything was put back to the same width as it was prior to the project. A single lane driveway is usually 10 or 12 feet and that is what they have right now. Like he informed Ms. Lehman we will look at the area when we get to her for the ditching because he knows that her father lives there and is elderly so he may need a few adjustments which we will take care at that point in time.

Ms. Jones stated that she knows Mr. Borczuch is not doing the asphalt on River Road but did say that there was going to be a couple of layers of asphalt and then a clear coat. Mr. Borczuch replied that it is called a surface coat. You have an intermediate course and then you have a surface course. The intermediate has already been installed on almost every street through the Phase V project. Then, like he stated earlier, they have to do all the casting changes and then put the surface coat on which is about an inch and a quarter to an inch and a half-compacted depth of asphalt to finish. Ms. Jones asked what was a casting. Mr. Borczuch replied that casting are manholes, water monument box, all the metal objects that stick up through the road. Ms. Jones stated that she was sent pictures and some of the driveways the road is four inches higher than the driveway. Mr. Borczuch replied that they should blend in what they have to with the driveways. He does not know which driveways she is talking about where the road is four inches higher than their driveway right now because he has not seen anything like that. Ms. Jones replied the one person that has to come up a hill then has to go up four inches. She that after they do the last coat then they will blend it all in. Mr. Borczuch stated that something will be blended in on the edges. He is assuming she is talking about River Road and shooting from the hip he believes she is talking about the Sparks residence; they have always had an uphill grade on their driveway to get into the roadway they have never been level with the road. Ms. Jones replied that it is not just them there is a lot of them. Mr. Borczuch replied that what he has seen is with the asphalt apron, that has already been installed, and when they put the surface on then they finish the blend. Ms. Jones stated so when they put the final coat on, they will blend it in. Mr. Borczuch replied that he would imagine so yes. Mr. Stibich stated that if there are issues when the project is done bring them to the attention of the service department. Mr. Borczuch stated that rather than being so vague on a particular driveway give him the address of the resident or their name so he

can look up their address and then he can take care of the matter or at least see what the issue is. Ms. Jones replied okay. She stated that there are black things and asked if he was going to put one of those in. Mr. Borczuch replied that those are for erosion control measures until everything is done and is standard on any project; those have been up since the project started. Ms. Jones stated that one was just put in. Mr. Borczuch replied that he understands and is because we needed to have something different there. He has already spoken to the resident and informed her what we would have to do. Ms. Jones replied okay, so we are not going to get a drain everywhere we have one of those black things. Mr. Borczuch replied that those black things are erosion control, that means it collects debris and silt off the roadway so it doesn't get into the storm sewer until the project is finished then it is removed. Anywhere there is a catch basin lid or an inlet of some sort there has to be silt protection around those areas to stop silt and debris from going into the storm sewer which is a standard EPA requirement. Ms. Jones replied but they are temporary. Mr. Borczuch replied yes, during the project.

Ms. Jones asked why the curb takes a turn and will that cause the water then to go out into the street to get down to the drain since its downhill. Mr. Borczuch replied no, it's going downhill it will run down that curb and gutter. Ms. Jones stated that when the road gets higher than it will look more like a gutter. Mr. Borczuch replied that it is already tapered like a gutter and he and Mr. Sheehy have already spoken to this resident regarding that issue. Ms. Jones replied then they kept her out of the loop after that. Mr. Borczuh replied that he cannot help her with that issue. Mr. Stibich indicated that Ms. Jones could call Mr. Borczuch anytime and he will explain things to her.

Councilman Cornel Munteanu, Ward II – No Report

Council President Paul Stibich

Mr. Stibich stated that he, the Mayor and Chief Rogers talked about the honor guard service for the young lady that was murdered in the Ukraine. He does not know if everybody recalls but her husband was stationed at the Embassy there and she was out jogging and was shot by a sniper. He stated that it is wonderful that the city did something very respectful for one of our own.

Andrew Bemer, Law Director

Mr. Bemer indicated that the city obtained a parcel of property on Columbia that is now in our land bank. Land bank property does not generate any profit to us but we do have to maintain it. We obtained an appraisal of this parcel and have offered it for sale to the adjacent property owner, the Behavioral Clinic, and they are interested. There really is no negotiation concerning the purchase price because the statute in question calls for the appraised or market value to be the purchase price, but there are a couple of kinks we are working out. He indicated that Council will be presented with an ordinance to address the conveyance of this property to the Behavioral Clinic hopefully in the near future. He stated that when land bank property is reconveyed out of municipal hands all of the old taxes need to be paid, as much as is possible, according to the appraised value. It is a matter of eliminating one property, that we are required to maintain, in order to benefit an adjoining property owner, which would be the Behavioral Clinic. The Clinic would then appear before Planning Commission for either an expansion of their current business or additional parking.

Old Business - None

New Business

Ordinance 43-2020

AN ORDINANCE PROVIDING A TEMPORARY MORATORIUM TO THE ENFORCEMENT OF THE PERMIT FEE SCHEDULE SPECIFIED IN SECTION 1448.03 OF THE CODIFIED ORDINANCES OF OLMSTED FALLS, BY REDUCING THE SANITARY SEWER FEES APPLICABLE ONLY TO PHASE V PROPERTIES **First Reading**

Mr. Chitester moved to **suspend**; Ms. Buchholz **seconded**. Ms. Jansen indicated that she has sent Mr. Vitalone some questions and would like to wait on this until he is able to answer those questions. Mr. Stibich asked if she would like to see this move to second reading. Ms. Jansen replied yes. Mr. Stibich asked Ms. Buchholz to withdraw her second and Mr. Chitester to withdraw his motion. Ms. Buchholz **withdrew** her second. Mr. Chitester indicated that he is curious as to what Ms. Jansen's questions were as she vaguely made the statement. Ms. Jones suggested to Ms. Jansen that she forward her email to Council. Mr. Stibich asked Mr. Vitalone if he had seen Ms. Jansen's email. Mr. Vitalone replied that he just briefly looked at it. Mr. Stibich stated that Ms. Jansen sent an email at 5:30 p.m. to Mr. Vitalone with some questions and believes that those are pertinent to this legislation. Mr. Vitalone stated that the question was basically regarding the allocation of fees and should some of those fees be allocated to the park and rec fund and he does not know that answer off hand. He asked Mr. Bemmer if he could add anything. Mr. Bemmer stated that he, Mr. Borczuch and the Mayor discussed this and believes the allocation of costs was Mr. Borczuch's suggestion to help provide some relief to these residents. Mr. Stibich stated that Ms. Jansen is suggesting that some of the permit fees should be allocated to the park and rec fund because of the \$500 per unit that is supposed to get allocated. Ms. Jansen replied no, the \$500 per dwelling unit comes after that in the Charter, it's the 113 fund. She does not know if anyone has done the math but these are some very big numbers. For instance, in the first whereas section, the admin fees times approximately 327 houses is \$32,700 into the general fund; the second part of that would be \$350 times 327 and that's \$114,450 into the sanitary fund; the second section of the whereas has even bigger numbers with \$49,050 going into the general fund and \$277,950 going into the sanitary fund for a total of \$81,750 into the general fund for admin fees and \$392,400 into the sanitation fund which is fund 128. She stated that Section 234 of our charter is the finance chapter, under 234 it talks about Fund 113 parks and rec and it states that the monies derived from 1444.03, which is inside this ordinance, but then in 2017 there was a resolution passed, which happens to be 17-2017, that consolidated a whole lot of these fees, seven or eight of these building fees were consolidated to be 1444.03, but it never talked about that one specific fee that was always to go to 113 parks and rec and that 113 parks and rec is what we use for our parks, playgrounds, equipment, you can use it for salary, it's a lot of stuff. This is why a little bit of research needs to go into this to figure out what that part is. Mr. Stibich stated that what Ms. Jansen is saying is that the \$500 fee we are talking about reducing and the \$1500 fee she is saying part of those fees are required by charter to go to parks and rec. Ms. Jansen stated that she supports reducing these fees and is not against that at all. Mr. Stibich replied he understands but is trying to get the park and rec connection. Ms. Jones replied that every time you go to get a permit some of that fee is supposed to go to park and rec. Mr. Stibich asked for every permit. Ms. Jones replied every building permit. Ms. Jansen stated that it was actually very specific before 2017. Ms. Jones stated and then when it changed in 2017 it got vague. Ms. Jansen stated that since they consolidated them how do you figure out which part of that is supposed to actually go to park and rec. Mr. Stibich stated that the only allocation to park and rec that he is aware of is the \$500 per dwelling for a new

building. Ms. Jones replied there is more. Mr. Borczuch stated that there has actually been a couple of different consolidations. When the city used Safebuilt as our building department some things were messed up with what they put together. Mr. Stibich stated to clarify for our new Council members there was a time when we abolished our building department and we hired a contractor, Safebuilt, to do our inspections and permitting and then we changed back to having our own building department. Mr. Borczuch replied correct. We sat down with the city engineer and the city planner to get that everything corrected so we could handle things in a normal fashion. When a sanitary tie in is completely the funds are strictly for sanitary purposes, there are no sanitary collections that go to park and rec. The funds collected are for long term maintenance and replacement. Mr. Stibich replied and the actual time for the inspector to inspect the work done on the connections. Mr. Borczuch stated that the administration portion is basically all the internal work, the inspector, the secretary doing all the paperwork and the down side of doing this is that we will have a little bit less towards the maintenance and replacement for later. He knows that several residents have asked if fees were going to reduce the fees and Councilman Munteanu was contacted by a resident and asked to look into it; but those fees are for the sanitary or storm connection process. Mr. Stibich stated that he thinks Ms. Jansen is suggesting that we get a little clarification and verification that does any of these permit fees get allocated to parks and rec or are they all just for the administrative. This is a legitimate concern and we should post pone a vote and let this go to second reading until we can get answers. He asked Mr. Borczuch, the Mayor and Law Director to clarify what, if any, of these permit fees should be allocated. There is no urgency to get these reductions as people are not going to connect before the end of October. Mr. Borczuch replied not before the end of October, but should be soon after that. He indicated that he would meet with the Law Director, Mayor and Mr. Vitalone but if anything was to be change Council may have to change the whole resolution that was passed in 2017 regarding the fee schedule. Mr. Stibich asked Ms. Jansen if this sounded like a good plan. Ms. Jansen replied yes and asked Mr. Borczuch if he could forward any old records going back to 2016 because she couldn't find any on line so if we knew what it was before then maybe we can figure out what it is now. Mr. Chitester **withdrew** his motion.

Resolution 44-2020

A RESOLUTION AUTHORIZING A CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT FOR THE PUBLIC HEALTH SERVICES TO BE RENDERED DURING THE YEAR 2021 AND TO DIRECT THE CUYAHOGA COUNTY FISCAL OFFICER TO CREDIT THE CONSIDERATION PAYABLE UNDER SAID CONTRACT AND TO DEDUCT EQUIVALENT SUMS FROM TAX SETTLEMENTS DUE THE CITY OF OLMSTED FALLS AND DECLARING AN EMERGENCY **First Reading**

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

Ordinance 45-2020

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF STRONGSVILLE FOR THE PURPOSE OF ESTABLISHING A RATE INCREASE FOR PRISONER HOUSING AND DECLARING AN EMERGENCY **First Reading**

Mr. Munteanu moved to **suspend**; Mr. Chitester **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**. Mr. Chitester moved to **adopt**; Mr. Munteanu **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Ordinance 46-2020

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR POLICE CHIEF TO DONATE CERTAIN OBSOLETE EQUIPMENT IN THE CITY POLICE DEPARTMENT NO LONGER NEEDED FOR ANY LOCAL MUNICIPAL PURPOSES, TO THE OHIO SMALL POLICE DEPARTMENT ASSOCIATION **First Reading**

Mr. Chitester moved to **suspend**; Mr. Munteanu **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. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Miscellaneous New Business - *None*

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

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

The meeting adjourned at 8:16 p.m.

Paul Stibich, Council President

Angela Mancini, Clerk of Council