

City of Olmsted Falls
Minutes of a Regular Council Meeting
Tuesday, November 10, 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 7:04 p.m. Roll call was conducted. Councilmen Lori Jones (arrived at 7:07 p.m.), Jennifer Jansen, Cornel Munteanu, Jay McFadden, Yvonne Buchholz, and Brian Chitester were present.

Also, in attendance: James Graven, Mayor, Andrew D. Bemmer, Law Director, Nick Vitalone, Finance Director, Joe Borczuch, Service Director, Odis Rogers, Police Chief, and Matt Sheehan, Fire Chief. Audience: 1.

Approval of Minutes

Mr. Chitester moved to **approve** the minutes from the Finance Committee Meeting of October 27, 2020; Ms. Buchholz **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Mr. Chitester moved to **approve** the minutes from the Regular Council Meeting of October 27, 2020; Ms. Buchholz **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

Consideration of Amendment to the Agenda - None

Mayor's Report and Appointments

Mayor Graven stated that Forni Landscape Architects will be closing on the Brookside property on November 19th. There was a slight delay so the closing has been extended. This is great news. The city will profit over \$208,000 in this transaction. We are very excited to welcome another business into our city. Forni has over 20 employees and as you know we are trying to expand our tax base to relieve the burden on our individual taxpayers. Expanding the economic activity within our city is one of our primary goals. The stronger and more diverse the economy than the stronger our community becomes. This also provides stability that helps our city to attract both residents and business owners that are eager to see our community continue to grow stronger. Expanding the tax base means that the new businesses will help pay for the cost associated with running our city. Obviously, many people in Northeast Ohio believe that we have a very attractive community because lately we have been gaining both new homeowners and new businesses. Let's keep up the good work and keep improving as a positive and vibrant community.

He stated that he met with Fire Chief Sheehan today to review his budget and as you know the Chief will meet with City Council tomorrow. The budget should not increase much this year.

He stated that on October 27, 2020 he received a letter from Cuyahoga County Executive Armond Budish and part of it states: "Dear Mayor Graven, we have received your request for funding for the resurfacing of Brookside Drive and Mill Street from Bagley Road to Columbia Road as a municipal sponsored project. We are excited to partner with the City of Olmsted Falls on this project as part of the County's 2021-2022 50/50 program. The County is willing to contribute 50% up to a maximum of

\$105,000 towards this project subject to County Council approval. The Department of Public Works will coordinate with your engineer with further details and requirements of the program and necessary legislation.” Congratulations to Mr. Borczuch and his hard work in submitting this.

CARES Act Update – Mayor Graven stated that on September 21st the U.S. Department of Treasury issued revised guidelines and also answers to frequently asked questions regarding the CARES Act money awarded to cities. One question was: “to what level of documentation will a government be held to support the reimbursements of safety forces payroll which was presumed to be substantially dedicated to mitigating the emergency.” The answer: “documents include payroll records for the covered period March 1st through December 30th of 2020.” The next question: “will a government have to demonstrate that a public safety employees’ function and duties were in fact substantially dedicated to mitigating the emergency.” Answer: “No, the government will not have to demonstrate that the safety employees’ duties were dedicated to mitigating the emergency but must maintain records supporting payroll amounts. Governments may presume that public safety employees meet the substantially dedicated test. Treasury’s frequently asked questions also add that the entire payroll cost of an employee whose time is substantially dedicated to mitigating the COVID public health emergency is eligible provided that such payroll costs are incurred by December 30, 2020.” He stated that another question was: “For payroll that was already accounted for in the 2020 budget but was then presumed to be substantially dedicated to mitigating the emergency will the government have to demonstrate that a safety employees’ function was a substantially different use.” Answer: “No, as stated in Treasury’s guidance Treasury has included payroll and benefit expenses for public safety employees.” The last question: “Is the government required to perform any analysis for payroll expenses of safety employees.” Answer: “No, as indicated in Treasury’s guidance as an administrative accommodation governments may presume that safety employees meet the substantially dedicated test.”

Communications from Residents - None

Approval of Bills:

Mr. Munteanu moved to **approve** Pay Ordinance 2020-16; Mr. Chitester **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Officials Reports:

Joe Borczuch, Service Director

Mr. Borczuch stated that he is unsure if anyone has been in the North end of town, all but one street has been paved with its final course and striping is taking place. They are attempting to get everything done before rain comes in to play. The weather has cooperated to keep this project moving. They completed another start up with the pump station on River Road, there are still a couple of clichés and hopefully next week we will get additional information as to when we will be ready for full start up and then we can remove the package plant behind Main Street.

He stated that leaf pickup is moving along and we are beginning our fourth trip through the city. There are a lot of leaves out due to the nice weather and the department has been busy picking them up.

He stated that he also has a requisition for Cargill Salt to get a stockpile for winter.

Mr. Munteanu moved to **approve** a requisition to Cargill Salt for 500 tons of rock sale for the 2020-2021 winter season in an amount not to exceed \$30,075.00; Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Mr. Borczuch indicated that he has also been dealing with an illicit discharge on the southern end of town and he is working with the resident to mitigate the situation. He gave the resident contractor's phone numbers in order to obtain costs and hopefully this is resolved soon.

Odin Rogers, Police Chief

Chief Rogers stated that the department is once again doing the "No Shave November and December." The officers that are participating, including himself, the money raised will go towards "Cops and Kids." We are planning on taking 10 kids which will be a little different this year as we will not physically be going to Walmart but will meet with the families and online shop. We will be raising \$1,000 with raffle tickets to fund the program.

He stated that Council met with Addo Solutions last week and will meet with Blue Technologies next week. Blue Technologies completed the same review as Addo Solutions. All the companies we have spoken with has given us the same needs, support and that we need to upgrade some of our infrastructure. He stated that some of the needs can be done rather quickly but some will be projects spaced out over time. In speaking with the Mayor we wanted to make sure that Council was fully informed about the different companies, what they offer, and their price points so we are making the best decision we can.

He stated that tomorrow is Veterans Day and a day that is very near and dear to him and this department. He would like to thank all the Veterans but in particular the seven veterans that are in the police department. A large portion of our sworn officers are veterans and he would like to acknowledge them: Sgt. Floyd Takacs who served in the U.S. Air Force; Officer Alex Bakos who served in the U.S. Army; Detective Carl Hartman who served in the U.S. Marine Corp.; Officer Dennis McDonald who served in the U.S. Marine Corp and U.S. Army; Officer Jim Hughes who served in the U.S. Air Force and was deployed several times in the Persian Gulf; Officer Alex Malow, who served in the U.S. Marine Corp and was deployed and served overseas in the Middle East wars; and Community Service Officer Mike Priolo, who served in the U.S. Army and is a Vietnam Veteran. Tomorrow if you could think of those officers and be mindful and if you see any of them thank them, he knows that he will.

Mr. Stibich stated that we are thankful that all these gentlemen are part of our family at City Hall and all of our officers but the extra service the veterans gave to our country.

Matt Sheehan, Fire Chief – No Report

Nick Vitalone, Finance Director

Mr. Vitalone stated that the Bureau of Worker's Compensation issued another dividend in the amount of \$5 billion and he is happy to state that Olmsted Falls will receive \$166,000 in December as part of that dividend, which is good news.

There are two ordinances on tonight's agenda regarding uses of CARES Act funds. Ordinance 50-2020 and Ordinance 48-2020 and he would like to quickly review each one. Ordinance 50-2020 will appropriate the remainder of the CARES Act funds which totals \$516,801.01 to be used for a portion

of police and fire salaries and benefits as they are deemed to be substantially dedicated to responding and mitigating the Coronavirus Pandemic. He echoes the Mayor's comments as far as feeling pretty strongly about being able to utilize the funds for the first responders given all the questions that were asked and answered through the feds. Ms. Jones asked Mr. Vitalone if he listened to the state auditors audio that indicated that you need to look at each employee as some would be assumed certain, but you would have to determine the amount of hours. Mr. Vitalone indicated that he thinks that involves those that are not substantially dedicated. Ms. Jones stated that when she called to ask, they told her that you cannot just assume they are substantially dedicated; they are taking it differently because they think it's still going to change on what you can use. Mr. Vitalone stated that some of what was stated is conflicting because it is clear in the questions and answers through the feds, which it is their program, the auditor is the one that will be auditing, but he listened to the audio and believes that the city needs to go with what we feel they are saying. The guidance states that we can do it and they are presumed to be substantially dedicated, if you are a police officer on the street or a fireman making ambulance runs. Mayor Graven indicated that most of the other cities are doing the same. Mr. Vitalone replied that most of the cities, that he knows of, are doing similar things and using it for other purposes also. Ms. Jones stated that the Mayor wants to plug up the hole in the budget so he can put the rest in the General Fund. Mayor Graven asked Ms. Jones not to speak for him. Ms. Jones replied that is her interpretation. When we can use some of these funds to help the community like Christians in Actions or the Community Center. Mr. Stibich stated that he does not understand why Ms. Jones wants to make this more complicated when Mr. Vitalone has a simple solution. The legislation is intended to satisfy the federal requirements so that we can keep the CARES Act money, otherwise we have to return to the money. Ms. Jones stated that if the state auditor interprets it differently and applies it differently, we could end up with an issue. The question is we are talking \$516,000 why can't \$15,000 go to take care of the community. Mr. Stibich replied we can use the money for other purposes if we have money left over in the General Fund budget, we don't have to do it through the CARES Act. Ms. Jones asked if we could give all \$516,000 to that and then give whatever we need for the computers stuff to take care of all the police cars and the police needs and then \$5,000 to Christians in Action and maybe \$5,000 to the Community Center all at once instead of going through the CARES Act can we just appropriate it. Mr. Stibich replied if that is Council's desire. Currently we have two ordinances on the agenda one of them assigns \$110,000 to the CARES Act funds the other assigns the full amount to police and fire salaries and it's up to Council. Ms. Jones replied however you want to do it, but she would like to do it all in one night and doesn't even know if the police budget needs \$100,000. Mr. Stibich stated that this can be discussed this during the legislation. Ms. Jones replied that it needs to be discussed because there are certain things we need and we have left ourselves wide open with Bailey with the lack of patches and end of life that she brought up at the time; she hates to say that she was right but she knew when they got through that they didn't have patches and Bailey didn't bring anything in. She is happy that we are looking at new companies.

Mr. Vitalone stated that the other ordinance has \$100,000 for computer equipment and two donations of \$5,000 each to Christians in Action and the Olmsted Community Center. He stated that whatever Council decides he will try to carry out. In his opinion and his interpretation of the guidance he believes that we should go with the police and fire salaries. He stated that the city has supported these organizations in the past and they continue to. He stated that Christians in Action pays \$1.00 in rent each year and the city does support these organizations and will continue in the future whether it is CARES Act money or in some other way.

Ms. Jones stated that she thinks it is important because a lot of people in our community are not working because of the CARES Act and they are suffering and they need help now and a lot are receiving food from both organizations. Mr. Stibich asked Ms. Jones to save her comments for her report so that Mr. Vitalone can finish his.

Councilwoman Yvonne Buchholz, Ward III

Ms. Buchholz stated that the Park and Recreation Board met on November 2nd and during that meeting Mr. Alan Perkins resigned from the board. This evening she did receive a copy of his resignation in an email and informed the Clerk that she also received a copy. She stated that Mr. Perkins term expires on 12/31/2021 so there are two openings on the Park and Recreation Board and stated that if anyone knows of someone that would like to participate on the board she would ask that they contact the Mayor and/or Ms. Lukes and make their intentions known. She stated that there are two people with terms that end this year, Donna McCaffrey and Linda Hummel, she has asked Ms. Lukes to speak to them and find out their intentions on staying or leaving the board and to let the Mayor know as soon as possible. The board also voted for Citizens of the Year, there were five nominations and the board has chosen. She is not at liberty to say but Ms. Lukes will be in contact with the Mayor to make arrangements for the presentation. The Board would like to do it in Council Chambers which means there will be a limited number of people in attendance.

She stated that Christmas decorating has begun. Mr. Buchholz, Ms. Gaffney, and Ms. Jansen put the tree up in the Gazebo and put the lights, garlands and wreaths around the banisters on Sunday. Mr. Buchholz went back to test the lights on the tree and it is beautiful. She thanked Ms. Gaffney and Ms. Jansen for putting the lights on. The group will be completing the decorating during the month of November and the tree lighting is scheduled for December 6th and the board is still working out the details.

Councilman Jay McFadden, Ward I – No Report

Councilman Brian Chitester, Ward IV – No Report

Council-at-Large, Jennifer Jansen

Ms. Jansen stated that she would like to remind everyone of tomorrow's ceremony at the cemetery for Veterans Day at 11:00 a.m. The ceremony is hosted by the Olmsted Falls Historical Society and everyone is invited.

She would like to thank Mr. and Mrs. Buchholz and the Gaffney Family for coming out and decorating the Green on Sunday. It is a lot of work and she is happy that we have people come forward to do it.

She would also like to thank Chief Rogers for all his hard work looking into all of the IT issues and also coming up with solutions to fix those issues.

Councilman Cornel Munteanu, Ward II – No Report

Council President Paul Stibich

Mr. Stibich would like to remind everyone of the budget meetings scheduled tomorrow and Thursday evening and next week on Tuesday and Thursday. All of the budget meetings will begin at 6:30 p.m. and will be in-person. Council also has the IT meeting with Chief Rogers next week as well.

Council Pro-Tempore, Lori Jones

Ms. Jones stated that she sent everyone a link to what the state auditor said and asked if everyone listened to it. Her concern isn't as much as specifically but she feels that we need to make a contribution to the two organizations that are helping those in our community that are having a really rough time at this moment and believes it is important that we take care of our constituents as several are suffering. She also believes that everyone sees the importance of having updated computer equipment and we can't have the police have a bunch of antiquated equipment so she thinks we need to "bite the bullet" and upgrade. Mr. Stibich replied there is no questions about upgrades to the computer system. Ms. Jones replied not just the computer system but get the stuff in the cars and upgrade everything down there. Now that we sold the property and are getting the reimbursement from the Bureau of Worker's Compensation and all this COVID money she thinks there is plenty of money to take care of all the computer issues even the ones in the vehicles because its not safe to have our stuff old and at risk. Mr. Stibich replied that she was right and will be doing something about it that is why Chief Rogers has gone out looking for proposals and discussed it with Council on Monday. Ms. Jones replied yes, but this is more than the proposal she is saying the computers in the vehicles are almost as old as the vehicles and they need to be upgraded. Mr. Stibich replied that he agrees. Ms. Jones stated that nothing she is asking for benefits her but does benefit security at the city, charitable organizations, and the people in our community that need help right now. Mr. Stibich replied that is true. He stated that 48-2020 just states that the money is going to come out of the COVID funds but it doesn't have to. Ms. Jones replied it can. Mr. Stibich stated again that it does not have to and our finance director has said that the simplest thing is that he can account for it as being for fire and police so why complicate it, why not just pay for the other things that we need a separate way. He stated that as far as the charities are concerned if there are needy organizations in this city, they should be approaching the Mayor and stating that they are in trouble because they have people in need and they can't give it to them and ask for our help. Ms. Jones replied then we need to let them know to ask because they have a lot of shortages and they do need help. Mr. Stibich stated that they should make us aware of that. Ms. Jones stated that her concern is what happens if the state auditor and the federal government FAQ's aren't on the same page since their actually not even as of the same date. Mr. Vitalone stated that he does not know what specifically happens but would like Mr. Bemer to address that but we do have a case to be made.

Ms. Jones proceeded to play a portion of the video from the state auditor's office. Mr. Stibich replied that playing this was not working. Mr. Vitalone stated that we are not charging the entire salary for police and fire but rather using what we think is a reasonable amount and charging a portion, which is about a quarter. The auditor's question was can you charge the entire salaries for the entire department and that answer is no; we are not doing that. We have talked to the police and fire chiefs to get the determine what they think they do each day that would be justifiable. Ms. Jones stated that she is just making sure because she doesn't want do something that we can't substantiate and get us in trouble later because she doesn't want to lose this money. Mr. Stibich replied he does not think anyone does. Ms. Jones stated that she played a little of the video but sent council the link if anyone wanted to listen to the whole thing. The whole meeting is interesting but its not relevant for this.

Ms. Jones stated that she would like to mention that she is not totally against and would be willing to work if we could give something to the Christians in Action and the Olmsted Community Center and if you want to give it out of the General Fund fine, but also commit to making sure that the police department gets all of the equipment they need for the vehicles and everything to make sure we minimize our risk exposure, which is more than what was asked for. Mr. Stibich stated that this can all be accomplished outside of the CARES Act legislation. Ms. Jones stated that Council does not

have a lot of committee meetings to hash things out; there are no committee meetings where we could do something like this except finance; could we discuss it now; all she wants is some for the charitable things. Also, Chief Rogers stated that he is selling raffle tickets but she is going to make a donation of \$250.00 to the Police Benevolent Fund to cover Christmas with a Cop and she is challenging all her colleagues to dig into their Council funds and make a donation to the Police Benevolent Fund to help give some of the kids in our community a Christmas present. She commits to Chief Rogers \$250.00 and challenges her colleagues to give something. She tries not to consider the salary she gets from Olmsted Falls and just considers it whatever. She asked Councilman Munteanu how he feels about giving something to Christians in Action. Mr. Stibich replied that the question was inappropriate. Ms. Jones stated that she is comfortable asking Mr. Munteanu. Mr. Stibich asked that she not put a Council member on the spot. Ms. Jones replied that is the idea; that is what you do; you talk it out as no one is saying anything so how do we have a discussion if no one talks. Mr. Stibich stated that you want Council to donate. Ms. Jones replied no, that we discuss maybe polling the resolution for the two charitable organizations. Mr. Stibich replied that she can make a motion to give \$5,000 to Christian In Action, Council can consider that motion and vote, this legislation that is on the agenda tonight uses the CARES Act money for that, which is not necessary. Ms. Jones stated that she wants to make sure that we don't neglect our other jobs if we just walk away and don't try to fight for it. Mr. Stibich stated that the city is not here as a United Way to give to charitable organizations but if there is an organization in this city that is suffering and needs the help of the city they should come and meet with the Mayor. Ms. Jones stated that the people need the help of the city too that are benefitting from these organizations and also the police computers can we discuss doing something with that today, we never hold discussions. Mr. Stibich asked how about when we talk about IT with the Chief since the Chief will be there, we can talk about it then. Ms. Jones replied no, she is not talking about which company, she is talking about in theory what they need. Mr. Stibich stated that she is talking about what they need and we can talk about that with the Chief on Wednesday as we don't have time to discuss what they need at this point the Chief isn't prepared to talk about it. Ms. Jones replied yes, he knows what he needs we talked about it at our last IT meeting and the police cars need computers too we talked about it. Mr. Stibich stated that Council was not going to discuss it any further tonight. Ms. Jones asked if that was how Council felt, she wants to make sure does Council feels that they don't think there is any need to discuss what the police department needs. Mr. Stibich replied tonight. He asked if there was anyone else that wanted to talk about this subject tonight. Ms. Jansen stated that she does in regards to some of the topics that Ms. Jones touched on but is waiting to discuss it when we bring up the discussion for the ordinance. Ms. Jones stated that she is just saying these things are important and she will see whoever comes to the Veterans Day tomorrow at Chestnut Grove Cemetery.

Andrew Bemer, Law Director

Mr. Bemer stated to follow up on the Mayor's comments about Forni Landscaping going in on Brookside, they received their final approval from the Planning & Zoning Commission last Wednesday November 4th and they have one more stop with ABR. We also have another parcel of real estate that we have an interest in and a proposed contract from the Behavior Clinic. This property is in the city's landbank and is adjacent to the Behavior Clinic on Columbia Road. He can discuss this tonight because there really is no negotiation ongoing. Since this is land banked property it must be sold for an appraised value and we did receive an appraisal so the price is \$64,500. The city will not receive any revenue from this as it is an addition by subtraction, the tax liens exceed the value so all the money will go back to the county and they will do an apportionment of the real estate proceeds for back taxes. This will be presented to City Council as an urban renewal ordinance. He stated that the Behavior Clinic would like to close around the end of the year or beginning of 2021. Ms. Jones

asked where the property was located. Mr. Bemer replied that the Behavior Clinic surrounds it on Columbia Road. Ms. Jones asked where on Columbia. Mr. Bemer replied by Chapin Street where the old city hall is located.

He would like to comment about the finances from a perspective of being an intelligent observer and his two cents worth. These are very strange times; our budget is looking much better and part of that is because this year we have COVID money that we can use for a good chunk of for our police and fire salaries. However, 2021 is a terrible unknown quantity at this point because all of the individuals that were out of work for a significant amount of time in 2020 their income tax base is not going to be available in 2021 so we have a huge unknown factor. The discussion about upgrading all the necessary technology that seems to be a given according to what Council is doing in reviewing this with Chief Rogers. He learned in his discussions with Mr. Vitalone that making donations proves somewhat of a burden because there must be accounting by the charity as well as by us in order to validate even the \$5,000 contribution and that's additional work. There is also a little bit of a concern in opening that door, who do you include and who do you exclude so he would suggest to Council that they be very cautious about that. Also be mindful that at least in the beginning of 2021 there will be a big blimp in our revenue because of the COVID money that was used for salaries so that is going to be a huge false positive. We have started labor negotiations with our five union's and we have anticipation of expectations with that but at this point that is also an unknown. He suggests to Council that they be very cautious about where money is going to be coming from for the first six months of 2021 and what expenditures are going to be necessary moving forward. Ms. Jones stated that if \$10,000 breaks us we are in trouble. She understands what Mr. Bemer is talking about fiscally and totally fiscally and we don't know, but that amount of money could do a lot of good for people who are suffering now. We are not talking major money to help with the charitable groups that help the people in our community. Mr. Bemer stated that this is certainly not his call. This is a legislative action and all he would tell Ms. Jones is to follow up with what Mr. Stibich is saying and if she feels that way then she should speak with her fellow councilmen separately and talk it out with them but she will not get much of a response by putting people on the spot. Ms. Jones replied that we need to discuss it but no one ever discusses. Mr. Bemer stated that he would suggest she does that individually when people have the time to discuss it in private as that is usually the best way of doing things.

Old Business - None

New Business

Ordinance 47-2020

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO THE FOURTH AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITIES OF OLMSTED FALLS AND STRONGSVILLE FOR REGIONAL DISPATCH SERVICES IN THE SOUTHWEST AREAS, FOR 2021, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY. **First Reading**

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

Ordinance 48-2020

AN ORDINANCE APPROPRIATING MONIES RECEIVED FROM THE CARES ACT FUND TO COVER EXPENSES CONSISTENT WITH THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT ENDING DECEMBER 30, 2020, AND DECLARING AN EMERGENCY **First Reading**

Ms. Jansen moved to **discuss**. Ms. Jansen stated that she made some notes from the earlier partial discussion. She stated that overall she believes that the spirit of the CARES Act fund was done not to just put everything into salaries or wages but it was done in the spirit of helping the community and helping the people get through this together and to also provide us the ability to do updates to our security, our IT and for touchless transactions and for efficiency with communal patients. That is how she feels the spirit of that was and how it should be interpreted. She asked Mr. Vitalone when he would foresee this amount of money being available to us for use in the future if we didn't use CARES Act to fund it. Ms. Jones stated that if they don't use it for payroll it will be in the General Fund because it wasn't used so it should be available now. Mr. Vitalone asked if that is what Ms. Jansen means, obviously it offsets the first responder's salaries and benefits so you would have a higher fund balance and you would have that to utilize immediately. Mr. Stibich stated that if Council wanted to spend \$100,000 on computer upgrades and system upgrades tomorrow or next week, we could do it the funds are there. Ms. Jansen stated that she is curious why it was never done before because we are not talking a couple of years; it sounds like some of our IT issues are over a decade old and some of our equipment is over a decade so if we have always had the ability to do it then why haven't we. Her concern is that we are talking about it but is it actually going to happen, that is why she thinks its important that the ordinance passes so it shows yes, this money is going to go to it and its going to go to it now as it is an urgent need. Mr. Stibich stated that the work and meetings with Police Chief Rogers shows that all of Council is serious. Ms. Jansen stated that the video Ms. Jones played was newer than the other information shared. The other information was, she believes, September and the video that was played for us was a round table discussion with finance directors from all over and the date of that was October 21st so that is a fairly recent update on the information Ms. Jones provided. Another note in regards to what Mr. Bemer said about the issues with the city giving to a non-profit, whether we call it a donation or grant, and the organization having to do some type of tracking and give that to us; she knows that they are both familiar with it and have done it because they did with the Township so they can provide the same thing for us as they know what they are doing, so that is not an issue.

Mr. McFadden asked if Ms. Jansen or Ms. Jones knows if these organizations have applied for their own CARES Act assistance. Ms. Jansen replied that she does not know if they have applied for their own, she does know that the Community Center is requesting more CARES money from the Township as the Township has already given them some but they are requesting more; there is a lot they need to do. As you are all aware, the Community Center takes care of our senior citizens, we are in a contract with them, so these are our people. Mr. McFadden stated that he is asking if they applied for money through the CARES Act because there is money. In the Mayor's report last meeting he reported that there is \$420 million dollars available. Ms. Jansen stated that he would have to reach out to them directly to find out if they did, she is just trying to do our portion. Mr. McFadden stated that we are picking them out of the sky to help them and asked if they have reached out to help themselves. Ms. Jones replied that it is not as easy as you think. She knows what the Mayor read but there is still limited funds and is first come first serve. If you look at even our city or even those organizations nobody really has any real grant writing people and you need grant writing to write those grants. These grants are not like a page or two, it requires almost a whole notebook of

things so if they don't have good grant writing people and the right connections to get the money its not as easy as you think. Mr. McFadden stated that Ms. Jones brings up a good point, if we give that money to those two organizations then we are in charge of making sure that money is used and documented for CARES Act purposes. Ms. Jones stated that then they said if we give it out of the General Fund then we don't isn't that what Mr. Bemer said, so she has no problem just giving them something. She thinks we should help because ultimately, they are helping the people in our community that need it. Mr. McFadden stated that another good idea would be finding someone to help them write their own grants and get some of this money that is available. Ms. Jones replied that grant writers are very expensive. Mr. McFadden stated that he is unsure if Ms. Jones read a report but it states that there is \$25 million dollars in funding for non-profit organizations to be used for different services to help our communities and \$50 million dollars in funding to 47 community action agencies to provide rent, mortgage, water and sewer assistance to aid Ohioans in paying off any of their outstanding balances so that is money available to individuals. Ms. Jones replied right and she has the specifics on where they can go for the money. It is still not as big as the numbers sound and when everything in Ohio is going for it it's not that big but does understand what Mr. McFadden is saying.

Resolution 49-2020

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR MUNICIPAL PROPERTY AND LIABILITY INSURANCE COVERAGE FOR THE ONE YEAR PERIOD COMMENCING NOVEMBER 14, 2020 WITH ARTHUR J. GALLAGHER & CO., AND DECLARING AN EMERGENCY. **First Reading**

Mr. Chitester moved to **suspend**; Ms. Buchholz **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**; During Mr. Chitester's motion Ms. Jones moved to **discuss**.

Ms. Jones asked Ms. Buchholz if this was the bond or the liability insurance. Ms. Buchholz replied this is property and liability insurance including cyber. Ms. Jones replied that in the bond quote cyber was included. Ms. Buchholz asked what bond quote she was referring to. Ms. Jones replied what she received from Ms. Buchholz. Ms. Buchholz stated that was the cyber quote. She stated that Gallagher gave a quote for property and liability and then a separate quote for the cyber because it was under two different package numbers. The \$129,272.00 price is for everything. Ms. Jones asked property and liability. Ms. Buchholz replied yes and cyber. Ms. Jones asked why our property and liability insurance increased. Ms. Buchholz replied that everybody across the board has been increasing their premiums lately. She spoke with one of her former colleagues that she worked with for years to get her take on the industry and she informed me that everybody is getting hit with increases and the carrier's can because they have to recoup the losses that they keep paying out and the only way they can is to obtain premiums. Cyber increased \$3,000 because of our hack and right now we can't argue because this is the only quote the city received; no one else wants to quote us. Ms. Jones stated that the city cannot get quotes just for property and liability. Ms. Buchholz replied no. She stated they we went through five different companies and everyone turned us down due to the fact of loss history because that is their way out. Ms. Jones asked if it was just the lost history on the cyber? Ms. Buchholz replied no, it's the whole picture. Ms. Jones asked what property and liability loss history did we have. Ms. Buchholz replied that she sent out the loss runs. Mayor Graven indicated that the city also has additional vehicles and additional officers. Ms. Buchholz

stated that she does not have the applications to review so she has no idea what they sent and the quotes don't break down every individual piece of property or every auto because its quoted as a fleet. Ms. Jones stated that she was surprised it increased \$20,000 because we haven't had issues. Ms. Buchholz stated that at this point in time we have nowhere to go.

Ms. Buchholz **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Ordinance 50-2020

AN ORDINANCE PROVIDING FOR THE SECOND SUPPLEMENTAL APPROPRIATION OF FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OLMSTED FALLS, OHIO, FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY **First Reading**

Ms. Jones moved to **discuss**.

Ms. Jones stated that the legislation states commencing January 1, 2020 and stated that we cannot do anything before March 1st. Mr. Stibich asked if this was a problem. Mr. Vitalone stated that the program runs from March 1st to December 30th. Ms. Jones indicated that this legislation says January. Mr. Vitalone replied that this is a supplemental for our fiscal year that is all that means. He cannot answer on the legality of an ordinance. Mr. Stibich indicated this is not stating that we are spending money on the Coronavirus it says we had an appropriations at the beginning of the year and we are changing them for January 1st through December 31st. We appropriate the money for the CARES Act fund. Mr. Bemer stated that the city had a temporary budget that carried them the first three months of the year, then you pass the final budget by March 31st but, if you are going to do any supplementals or any amendments they should go back to the first of the year. Ms. Jones stated that it doesn't say CARES Act and that is what she was thinking.

Ms. Jones would like to make a motion from the General Fund budget amendment to guesstimate an appropriation for computer funding for the police department, as part of a budget amendment and also to appropriate some sum amount to give to the two organizations out of the General Fund. So, since this is just a budget appropriation she would like to appropriate up to and she doesn't know what's its going to cost, and asked Chief Rogers if he knew what it might cost for everything, this is just an appropriation its not etched in stone, but an appropriation to look at computers for upgrading all the cars and everything they need to reduce the risk. Mr. McFadden asked if Council was in the middle of a vote. Mr. Stibich stated that Ms. Jones she is attempting to make a motion right now. Ms. Jones stated that this is a budget appropriation amendment so we can add other budget appropriation items to a budget appropriation amendment. Mr. Stibich replied or you can come up with your own ordinance later to look at during the next meeting, she can do whatever she wants. Ms. Jones asked if Council could go back to her other piece of legislation. Mr. Stibich replied that he read that one and Council is now discussing 50-2020. Ms. Jones stated that she is saying that this is a budget appropriation, it is not a CARES Act thing, so she is asking to add into the appropriations budget and asked if Mr. Stibich understand. Mr. Stibich asked what Ms. Jones would like to do. Ms. Jones replied that she would like to amend the appropriations budget. Mr. Stibich asked what she would like to amend in Ordinance 50-2020. Ms. Jones replied yes, at what point does she ask. Mr. Stibich asked what she would like the amendment to say.

Ms. Jones **moved** to appropriate up to \$80,000 to renew all the computers in the cars and everything the police needs to reduce their risk exposure; Ms. Jansen **seconded**. Poll: 2 ayes (Jones, Jansen); 5 nays. **Motion failed**.

Ms. Jones **moved** to amend to include \$5,000 for Christians in Action and \$5,000 for the OCC; Ms. Jansen **seconded**. Mr. Stibich stated that he does not think that it is the purpose of the city to pick winners and losers in the charitable lottery; giving money to this charity or that charity and if someone has a special need, they should bring it to the attention of the Mayor for consideration. Mr. Chitester asked why Council doesn't contact them before just randomly writing and cutting a check to these organizations as he would like to have a conversation with them first before we consider this. Ms. Jansen replied that she did speak with them. Mr. Chitester asked that they make that clear. Ms. Jones stated that right now we are just voting on amending it. Mr. Chitester stated that Ms. Jones and Ms. Jansen have not made it clear that they have been in contact with them; he does not want to sound like a jerk right now but please make that clear at the beginning, say that you contacted them because he would like to know this so it's on the record because he wants to know who have talked to. Ms. Jansen stated as far as Christians in Action, he was going to come speak tonight at our meeting but his wife was ill and had to cancel; the Clerk can vouch for that as he filled out a comment card; he wanted to come here and speak. She spoke with Donna Winter; she is very familiar with Ms. Winter as she helped her all summer long giving out lunches to the needy people in our community and along with the fire chief helped pass out produce; they have done extraordinary things for our community and has stepped up and filled a gap that was needed. Yes, she has been in contact with both of them and they both have already received funds from the Township so the Township has recognized them and she really hopes that we do to. Ms. Jones stated that if he doesn't want to do it today, that's fine, she just made a motion to amend the general ledger budget with the budget appropriation and Ms. Jansen seconded it so just vote how you see fit. Poll: 2 ayes (Jones, Jansen); 5 nays. **Motion failed**. Mr. Chitester stated that he would ask that these individuals be contacted and brought into a meeting so Council can have a conversation with them and then maybe we can make a decision which is the reason he voted no. Ms. Jones replied that she just wanted people to go on the record how they felt.

Mr. Chitester moved to **suspend**; Ms. Buchholz **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**; Ms. Buchholz **seconded**. Poll: 5 ayes; 2 nays (Jones, because they won't take care of the other items; Jansen). **Motion carried**.

Miscellaneous New Business - None

Such other business that may come before Council - None

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

The meeting adjourned at 8:24 p.m.

Paul Stibich, Council President

Angela Mancini, Clerk of Council