

**MINUTES OF THE MEETING OF THE COUNCIL  
OF THE CITY OF NORTH OLMSTED  
DECEMBER 1, 2009**

Present: President of Council Kennedy, Council Members Barker, Brossard, Gareau, Dailey Jones, Kearney, Orlowski.

Also Present: Mayor O'Grady, Law Director Dubelko, Finance Director Copfer, Clerk of Council Gallo.

Absent: Council Member Mahoney

President Kennedy called the meeting to order at 8 p.m. in Council Chambers, 5200 Dover Center Road, North Olmsted, Ohio.

Members of the audience were invited to join Council in the recitation of the Pledge of Allegiance.

The minutes of the Council meeting of November 17, 2009 were approved as written.

Councilman Gareau made a motion to amend the agenda to remove from second reading Ordinance 2009-135. The motion was seconded by Councilwoman Jones and passed unanimously. Ordinance 2009-135 removed from the agenda.

President Kennedy announced that there is no legislation to be considered for passage under suspension of the rules.

**REPORTS**

Mayor O'Grady: 1) He offered sincere and best wishes to Councilman Mark Mahoney and IT Administrator Mark Urbanowicz as they recover from recent illnesses.

2) The city will host the annual Christmas party with Santa at Springvale Ballroom on December 7, 2009 at 7:00 p.m. All are welcome to attend.

3) The Recreation Center will be celebrating National Skating Day on January 2, 2010 from 1:00 p.m. to 3:00 p.m. This is the opportunity to skate for free and to become familiar with some of the city's programs.

4) The North Olmsted Senior Center, along with Chick-Fil-A, is having a fundraiser in which they will be selling twenty dollar gift certificates that can be redeemed for a twenty slice cheesecake from Chick-Fil-A. For each of these certificates purchased, five dollars will be returned to the Senior Center.

5) Medicare open enrollment occurs between November 15, 2009 and December 31, 2009. If any senior needs assistance, they should contact Tiffany Hunt at the Senior Center.

6) On December 17, 2009 the Ohio Ethics Commission will be facilitating two training sessions for North Olmsted employees. The sessions will be facilitated by Susan Willeke, Training and Communications Manager with the Ethics Commission. Council is welcome to attend either of the sessions.

7) The bid opening for the North Olmsted Senior Center and Campus Americans with Disabilities Act Improvement Project will be this Friday December 4, 2009 at 2:00 p.m. Work is anticipated to being in early 2010.

8) The Cultural Activities Commission is sponsoring its second annual holiday lighting contest. Registration forms are available through the Planning Department and are due by December 14, 2009.

9) The city's H1N1 mass vaccination clinic served one thousand five hundred twenty-six people on Saturday, November 21, 2009. Thank you to the nearly two hundred volunteers who donated their time and talents, including CERT volunteers. Thank you to the North Olmsted City School District, area merchants, Fire Chiefs from Lakewood, Fairview Park, and Rocky River who volunteered their time and talents. Generous donations from Chick-Fil-A again helped make this a great event. It is the intent of this Administration to recognize Ken and Kathy Ball of Chick-Fil-A at the next Council meeting. A special thanks and recognition to Safety Director, Dr. Lisa Thomas, for organizing this on very short notice.

10) A representative from the fire district study company, ESCI, reviewed the operations of the North Olmsted dispatch center this past week and more will follow as that study progresses.

11) The Departments of Law and Safety are examining the language of Chapter 755 of the Codified Ordinances regarding second-hand dealers. The rise in the price of gold has caused many jewelry stores to trade in gold. This Ordinance was last amended in 1981 and contains anachronistic language prompting the need for this review.

12) The leaf pick up program will be completed on time and in the middle of this month. The last pick up round began today, and a record amount of leaves have been picked up from our residences this year.

13) At the city's request, hospital signs will be installed on Interstate 480 at the Stearns ramp. Signage will also be placed at the Clague Road exit stating "Northbound Trucks are Prohibited".

Law Director Dubelko: 1) The civil case of *Bertalan vs. Stotz*, which was scheduled for a case management conference on November 19, 2009, has been continued. The judge has informed the parties that the discovery schedule will be set.

2) In the civil case of *Shaffer vs. North Olmsted*, there was a telephone status conference on November 17, 2009. The Plaintiff's counsel has withdrawn from the representation.

3) There are pleas pending sentencing in the real property maintenance case for 30399 Lorain for trash and paint violations, which has been set for sentencing on December 16, 2009. 6627 Wedgewood for gutter violations is set for March 24, 2010.

4) An open case subject to conviction is 3427 Berkshire for maintenance violation. Pretrial has been set for December 22, 2009.

5) Two new cases in which complaints have been authorized are 3076 Clague for a junk car and 5803 Stearns for another junk car.

6) There have been three new cases referred to the Law Department since the last report: 26883 Driscoll for a junk car violation, 23906 Lorain for a gravel lot issue, and 25675 Lorain for a gravel lot violation.

Finance Director Copfer: 1) October revenue and expenditure detail and summaries were distributed today. As of December 1, 2009 the city paid \$6,849,680.01 for a principle and interest payment. That includes \$5,660,000 of principle and the remaining is a half year's interest.

2) In October, the city received an advance of 2010 property tax receipts of \$224,000; \$108,000 in the general fund.

3) The Board of Elections sent notice that the estimated election costs for this past year will be withheld from next year's property tax collections. That number as an estimate is \$82,875.

Councilman Gareau asked Copfer if they broke down how that cost is arrived at because he's curious if an increase in cost is in relation to the absentee process. Copfer was not sure and she said she would ask the Board of Elections. Councilwoman Jones said she knows that the Board of Elections has decreased the size of the voting locations. They have taken away precincts not only from North Olmsted but throughout Cuyahoga County. So, one would think that the cost would be reduced somewhat because of those reduced number of precincts. Copfer said she will ask for a break down.

Council President Kennedy reported that the Committee of the Whole met today December 1, 2009 at 7:05 p.m. to discuss the filling of the vacancy that will be created by the new Law Director-elect moving on from his at-Large position. Present were Council Members Kearney, Barker, Orłowski, Jones and Kennedy. They discussed the timeline, and Council will be accepting resumes until December 15, 2009. They will interview applicants in December and possibly have a new at-Large Council person by the first meeting of Council on January 5, 2010.

Councilman Gareau, Chairman of the Finance Committee: The Finance Committee met on December 1, 2009 at 7:20 p.m.

1) The Clerk of Council had brought to the attention of Council the opportunity to take the Codified Ordinances with Walter Drane and make them available for viewing online as opposed to the hard copy format that the city currently has. There is a one-time cost of \$2,950 with a \$30 per month maintenance fee. Benefits would include that it would be accessible to the community to see the Codified Ordinances at their leisure, and they could be updated four times a year instead of once a year. There were questions about maintaining hard copies, so a survey will be done to see who still needs hard copies. Council's general consensus was that they should move forward. There is some money available in one of Council's line items that will be there at the end of the year. So, there's funding available to take care of that. The Clerk will get back to Finance Committee regarding the cost estimates for hard copies.

2) 2009-135 is an Ordinance to make and transfer appropriations for current expenses and other expenditures for the City of North Olmsted for the year ending December 31, 2009. This piece of legislation contains a number of different transfers. More time was needed

to discuss this, so it will be held in committee and scheduled for its appropriate amount of time next week. Councilman Gareau made a motion to hold 2009-135 in committee. The motion was seconded by Councilman Barker and passed 2-0. 2009-135 was held in committee.

Councilman Barker, Chairman of the Building, Zoning and Development Committee had no report, but he said for his BZD meeting tomorrow at 7:00 p.m. to discuss wind turbines, he would like the Assistant Law Director to attend along with the Planning Director.

Councilwoman Jones, Chairwoman of the Streets and Transportation Committee said the committee did not meet but she has an update regarding the Regional Prosperity Initiative for City Council. On Thursday, November 19 she attended a meeting of the Northeast Ohio City Council Association where they received an update on the Regional Prosperity Initiative, which is a region-wide land use planning structure and new growth tax base. An eleven-county area right here in northeast Ohio is going to be taking part in this. She strongly suggests that members of City Council, the Administration, and residents view the website at neo-rpi.org, or go to the Northeast Ohio City Council Association website to see the video of the presentation and the question and answer session. The group who is putting this together will be approaching each municipality in the spring to have a discussion with cities about participating in this.

### **AUDIENCE PARTICIPATION**

Dennis Lambert, 25057 Carey Lane said he saw on news tonight that Cleveland State has two design engineers that patented wind turbines. The turbines are placed around water towers because they found that the design of a water tower propels the wind and causes the turbine to accelerate. They are smaller and five times more effective than the bigger turbines. He expressed his personal appreciation to his Councilman, Larry Orłowski. Over the past year when he has called Larry, he has answered every phone call. When he gets the phone machine, he gets a call back right away. When he didn't get any brochures for leaf pick up, Larry went out and hand-delivered them to residents on Carey Lane and Allendale. Larry has never been judgmental. He has just gone out and taken care of the residents. He thanked Councilman Orłowski for the great service they are getting on Allendale and Carey Lane.

Marvin Stotz, 6657 Bretton Ridge Drive read his comments from a letter, which has been incorporated into these minutes:

Ideas for Improving North Olmsted. By Marvin Stotz.

Hello, These are some ideas for improving the "perception" that North Olmsted is on the decline, and not a desirable location to buy a home or to open a new business. I do not believe the above statement, but I have been unable to personally sell my house for a realistic sale price, while my friend, in Fairview Park, OH, sold his this Fall 2009 for his asking price in two weeks.

The same four bedroom colonial as mine, built in the early 1990's, across the street from me– same floor plan – sold for \$80,000 off tax appraisal, which is \$290,000, on February 20, 2009. The twenty-something couple got their dream home that it took my wife and I thirty years to acquire for \$210,000.

1. Update or demolish the current Recreation Center. Visit and/or talk with Mayor Eileen Patton in Fairview Park, to see how that city did this upgrade.
2. Beautify and/or update the landscaping and vacant storefronts on Lorain Road. Visit and talk with Fairview Park, and Mayor Eileen Patton to see how that city did this transformation.
- 3.

President Kennedy stopped Mr. Stotz pursuant to Rule 2 of Council which allows the public to speak for no more than 5 minutes unless the Council President permits them to speak longer. Councilman Barker made a motion to extend five additional minutes of speaking time to Mr. Stotz. The motion was seconded by Councilwoman Jones and passed unanimously. Mr. Stotz granted five additional minutes.

Mr. Stotz continued to read:

3. Plant flowers at all the major entrances to the city on the major highways. Maybe the North Olmsted Garden Club could advise and assist in this process. This would be at the locations where we currently have our “Welcome to North Olmsted – Mayor Kevin Kennedy” signs currently.
4. Have hanging baskets at major intersections in the city. See Oberlin, Ohio, or Kidron, Ohio for examples of what a positive effect this has on a city in the warm weather months.
5. Have “Ohio's Longest Garage Sale” along Brookpark Road, from West 220th Street in Fairview Park, to the West end of BrookPark Road, in North Olmsted and the Mall. See the website [www.127sale.com](http://www.127sale.com) or ideas, or email [leaqnnh@jamestownty.org](mailto:leaqnnh@jamestownty.org) or write to P.O. Box 1294, Jamestown, TN 38556, or call 931-879-9948 for more details. This could be the kickoff to Spring and a chance to get rid of all those precious “artifacts” we all have in our garages and basements.
6. Have a “Ride Your Bike in North Olmsted” day, in cooperation with the North Olmsted Schools. Bay Village schools did that this year. They give the carbon footprint, etc. as a result of the school kids riding to their schools. Also have a sample bike route to kick off the event, starting at Country Club and Great Northern Blvd. And going West along the I-480 bikepath, to Stearns Road, and then North on the Stearns – Crocker Extension, even offering the expert bike riders the option to meet at Crocker Park for Coffee, or Whatever!!!! Use your imagination, and and have sponsors, T-shirts (Bike in North Olmsted), and free “ODOT type yellow green reflective vests for the first 100 people to participate.
7. Start an immediate program to fix, level, or replace the sidewalks in North Olmsted. Just ride your bike, or walk along the West side of McKenzie Road, and note the one or two or three inch gaps in the sidewalks.
8. Advertise the “North Olmsted Auto Mile” and promote the new Rec Center, by giving all new car buyers and coupon for one week, or one month, or one year of

- free membership in the new North Olmsted Recreation Center.
9. Promote our Bike Path. Install signs at either end of Great Northern Blvd., and Country Club Blvd., mark the streets with Bicycle Painted Symbols, and get this city certified as a bike friendly city, like Oberlin, OH has done.
  10. Have an annual contest. He remembers 233<sup>rd</sup> street used to have Homecoming Award Winner Street way back ten to fifteen years ago. Each one of the wards have a most “blank” ward in North Olmsted. Most beautiful, best landscaped, best Homecoming decorations, best flower display, most improved landscaping, etc. Have a little competition to beautify our city.

President Kennedy thanked Mr. Stotz and he said he’s been getting a lot of E-mails and he takes them all into consideration. Even though it may not happen exactly the way Mr. Stotz draws it out, hopefully these ideas will draw into other ideas. He thanked Mr. Stotz for his ideas and efforts.

Dan Pangrac, 23470 Sharon Drive said he was asked by his sister-in-law, who lives on Bentley, to see when the street was last cleaned. What are the chances of getting Bentley drive swept and cleaned before the snow starts? Mayor O’Grady deferred to Service Director Limpert. Service Director Limpert said they generally try to sweep the streets twice a year. They will try to get out this fall. Mr. Stotz said that he heard the other day that the senior citizens on social security are receiving a zero increase in social security for the coming year. But, all the federal officials are going to receive a cost of living increase. He would like to see some sort of resolution developed and sent to all of the representatives of this area. This would be reaching out to the seniors and the community to get something on paper to show that they are not happy with this.

## **LEGISLATION**

Resolution 2009-134 introduced by Mayor O’Grady and Councilman Barker was given its third reading. A Resolution authorizing the Mayor, on behalf of the city, to enter into a revenue-generating contract with the Coca-Cola Bottling Company to provide for beverage vending services at all City of North Olmsted facilities, and declaring an emergency. Councilman Barker moved for adoption. The motion was seconded by Councilman Gareau and passed unanimously. Resolution 2009-134 adopted.

Ordinance 2009-139 was introduced and placed on first reading by Mayor O’Grady. An Ordinance to make appropriations for current expenses and other expenditures for the City of North Olmsted for the year ending December 31, 2010.

Resolution 2009-140 was introduced and placed on first reading by Mayor O’Grady. A Resolution authorizing the Mayor to enter into a contract with the State Auditor and Ciuni & Panichi, Inc., Certified Public Accountants, providing for the latter to serve as independent public accountants for the State Auditor’s annual audits of the City of North Olmsted for the years 2009 through 2013, and declaring an emergency.

**MISCELLANEOUS BUSINESS**

Councilman Gareau scheduled a Finance Committee meeting for 7:00 p.m. on Tuesday, December 8, 2009 to discuss legislation 2009-135, 2009-139, and 2009-140; and to discuss the H1N1 POD program reimbursement from the County. The Finance Director and Safety Director are asked to attend.

Councilwoman Jones made a motion to excuse Councilman Mahoney from the Council meeting of December 1, 2009. The motion was seconded by Councilman Kearney and passed unanimously. Councilman Mahoney excused.

With the agenda being completed and there being no further business to come before Council, President Kennedy adjourned the Council meeting at 8:42 p.m.

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Marie Gallo, Clerk of Council

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Kevin M. Kennedy, President of Council