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Actual from September 9, 2008 approved minutes:

Discussion ensued regarding everyone's understanding of what transpired at the workshop, whether or not it would be a standing committee, how often it would meet, etc.

Actual discussion:

Councilman Togliatti stated I thought we talked about it quarterly.

Vice Mayor Riley responded, the reason I said twice was to not force the Committee to meet every quarter. Then you would be scheduling a meeting just to schedule a meeting.

Councilman Narduzzi commented I didn't want to have more than two.

Councilman Piteo added, you have to have two per year.

Vice Mayor Riley stated, you have to have two yearly, but not every month or quarter if there is no need to have one.

Councilman Crooks stated, that may have been said at the Workshop. The Mayor may have said that and obviously if the minutes reflect that then he did. But I certainly wasn't under the impression that this was going to be anything less than a standing committee.

Councilman Klepacz replied, if you review the minutes, I objected to making it a standing committee seeing as the entire Council would be represented. I thought we were just going to pass a resolution that we would meet as a committee as a whole four times per year to do planning. I thought that was what we had agreed to. I believe that the minutes also reflect that the resolution would be binding on other councils until they decide to repeal it. Again, I think we all agree that planning is a good idea, but I just don't see an instance when I see a standing committee that says Council as a whole.

Councilman Togliatti replied, right. The Mayor said, that even if it's going to be a generalized, overall strategic group you can use verbiage any way you want it but it's not going to be a specific committee or to Council. That was what I walked away with.

Councilman Klepacz added, a separate issue occurred to me as you were talking. If we make it a standing committee, it almost certainly says we have to meet here. Whereas, I thought that our meetings were productive when we weren't here. Again, obviously as a public meeting it would be posted and the members of the press would be notified and are welcomed to attend our meetings. But I just think on an informal basis – we don't necessarily hold it here in the Caucus Room. That would be my suggestion. I'd prefer to make it a resolution. Again, I would certainly support a resolution that we would meet four times per year.

Vice Mayor Riley responded, I wanted to pull that out for the reason that we don't have to meet.

Councilman Klepacz replied, I agree with a resolution saying we meet twice per year. I have no problem with that.

Vice Mayor Riley responded, my issue was that we not be forced every quarter to schedule a meeting, but it can't fall by the wayside.

Councilman Klepacz responded again, I think we're bureaucratic if we set up a standing committee. Who is going to be the chairman? It doesn't address who is going to be the chairman. Who is going to call the meetings? Again, my inference would be that whoever is vice mayor would take the leadership role here.

Councilman Crooks stated, in my opinion, we make this a permanent committee and we send a message that this is important. It's my understanding that the last committee added was Community Services. We had just completed the Civic Center and it was determined that there was a permanent need for it and it was added to the committee structure by making it permanent. In my opinion, we've met several occasions to plan. We've made it part of our process, and this makes it permanent. There is a need for planning and now this sends a statement that we are going to continue to plan in the future. This is a resolution if I understand it correctly.

Councilman Togliatti replied right, but we went through this whole chain of discussion at the Workshop and quoting the minutes, "Councilman Crooks stated that if they are so moved to change it, they can do that." That's meaning changing it from a standing committee to a resolution that will be passed every two years, and now we're back to a standing committee. I just don't know how that came about.

Councilman Crooks replied, a council in the future can change it if they want to. I'm sure that's what I was referring to. If they want to change the permanence of this committee, a future council can do it, correct?

Law Director O'Brien replied, yes.

Councilman Crooks replied, that's what I was referring to. I'm certain of it. And if it's not reflected in the minutes, I'm telling the group right now that I don't think we're that far away here. I'm not seeing a non-permanence of this committee. This is a permanent step that the City is taking. And I certainly see this as a permanent committee. We did meet informally. With the Public Lands & Building Committee we have a tour in a couple of weeks. We're going to meet and go around looking at public buildings. I think we can protect the informal nature of this and keep it a permanent committee.

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Mayor Kurtz stated we are not that far apart on this matter. What is important is one, you agree that you are going to meet at least two times per year to talk about strategy for the future. Two, I think it is important that the title be clear that this

Council is committed to strategic planning, future planning. We are going on record with the resolution and what is in the body of it, and you are asking future Councils to continue this tradition. The proof will be in how successful it is over at least the next year and one-half.

Further discussion ensued regarding the type of a committee the members of Council want to create.

Actual discussion:

Vice Mayor Riley asked, so you're saying we would remove Section 1, not amend the rules, but we're still creating the Strategic Planning Committee.

Councilman Togliatti replied yes, like the Mining Committee.

Vice Mayor Riley asked is that okay?

Councilman Narduzzi replied, we're losing focus on what we're trying to accomplish here. It's ridiculous – because of wording on what kind of committee it is? It's like grade school stuff. We're trying to form a committee to help the City down the road. What is wrong with that? I don't see the logic in either one of you appealing that.

Councilman Togliatti replied, I don't have a problem with forming this group. But based on our Workshop, we agreed that it wasn't going to be a standing committee.

Councilman Crooks replied, I didn't agree to that.

Councilman Togliatti replied, you stated that if there is some move to change that, they can do that. That was in reference to a standing committee on the legislation the way it's written. So coming in with a whole different point of view and making it a standing committee is totally opposite what we said two weeks ago. That's what I have a problem with. If we say one thing in a meeting, we follow through with that and that's what we do.

Councilman Crooks replied, you're assuming that I said that I didn't want this to be permanent, nowhere are you going to find that I said that, this should not be a permanent committee.

Councilman Togliatti replied no. We were talking about not making it a specific committee and making it a resolution. You said if so moved, we can change it. Then let's do that. That's the whole purpose of introducing legislation. The Mayor went on and said it could be a formalized meeting. It could be an extension of a Workshop. There would be flexibility in it. My take home was that it wasn't going to be a standing committee. That's the only issue I have with it. I support it wholeheartedly. It's the manner in which we're going about it. We have seven standing committees. We have seven councilmen. We went over this whole process two weeks ago. I thought we all agreed on it.

Councilman Klepacz stated, I would be very happy to support this if we just take out the committee – say we’re going to do all this two times per year, get rid of the committee.

Mayor Kurtz asked, so you’re saying to take out Whereas three and Section 1.

Councilman Klepacz replied yes. I just don’t want to make a committee. I think we’re creating a bureaucracy that we don’t need to do.

Vice Mayor Riley commented what I get is the title.

Mayor Kurtz replied, I don’t have any problem with the title as long as we take out Section 1, right?

Vice Mayor Riley stated, we’re creating a committee. You guys have a problem with amending the Rule 5 of 2008-2009 Council Rules. So we’re creating a permanent committee but it will not be under Standing Committees where you’ll still have seven. Under “other committees” you have one Strategic Planning Committee.

Councilman Klepacz replied, that works for me. You have in there that we meet at least twice per year. That’s fine with me. I’m happy with a committee of a whole.

Vice Mayor Riley asked, Councilman Crooks if he had a problem with that.

Councilman Crooks replied, it’s a good compromise Mr. Vice Mayor. To be honest with you, I thought a good compromise was the fact that we agreed to move off of three people and put all seven of Council on here and make it a permanent committee. In my opinion, I feel like I moved a little bit and they moved off a little bit. I think that is a fair compromise. This committee needs to be permanent.

Vice Mayor Riley replied it is. It’s a permanent committee unless council changes it. It’s just not listed under Standing Committee.

Councilman Crooks asked, where is the word “permanent” going to be?

Vice Mayor Riley replied, once the resolution passes it’s permanent.

Councilman Klepacz added, the resolution says it’s permanent.

Mayor Kurtz stated I see the advantage of what you’re saying. If it was in the Rules, then Council would have to take it out.

Councilman Klepacz replied Council is still going to have to take it out.

Mayor Kurtz stated, if it’s written into the Rules, then the next Council would have to actually take it out of their Rules.

Councilman Klepacz responded, but by the same token according to the minutes, if we just pass a resolution, the next Council still has to take it out.

Law Director O'Brien stated, the way you suggested we draft it up, a new council or this Council would have to repeal this resolution.

Vice Mayor Riley stated, so every new term you have to explain to new council members every committee that has to meet. By passing this, you will also have to mention Strategic Planning that has to meet twice per year.

Law Director O'Brien replied, the Clerk will have to explain.

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Vice Mayor Riley stated, so it is a permanent committee. It's just not listed as a standing committee.

Mayor Kurtz commented, the fact is, we're going to meet to talk strategies in the future. You're committed to do that by passing something like this.

Actual discussion:

Councilman Klepacz commented, I'm happy to meet this year already under whoever's leadership.

Page 6 of September 9th, 2008 Council Caucus minutes discussion of Hemlock Cemetery fence replacement:

Following Director Snyderburn asking if he could get started.

Mayor Kurtz stated, it's not one project. It's components. In the aggregate it will be.

Law Director O'Brien responded, why is it not the same project?

Mayor responded, as long as it's not the same contractor.

Law Director O'Brien responded, they'll look at it as the same project.

Vice Mayor Riley commented, people pull up to the light and look at the cemetery.

Mayor Kurtz replied, they've never seen it. This new fence is going to open it up. You'll be able to see through it.

Director Snyderburn asked, can I get three prices? I can't go out to bid right now.

Law Director O'Brien replied, I'm telling you, unless Council declares an emergency on a fence for a cemetery, you have to send it out to bid. We just went through an audit.

Mayor Kurtz commented, unfortunately, it cost us more to bid it than to do it.

Director Snyderburn asked Don Ramm how fast he could be ready to go out to bid. The specs are easy.

Mayor Kurtz responded the problem is talking about different labor components. We're talking about columns, that's one. Then the fence is a whole different issue.

Law Director O'Brien replied, Mayor, you're talking about one project in a general construction type of setting. I know that we've been very successful in saving money in the past, but in this case it would be a real stretch.

Mayor Kurtz stated, if someone has a problem with it, that's okay. We'll do it either way. We just won't get it done as fast.

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Service Director Snyderburn said, the fence they just took down was dangerous, storms kept damaging it, and because of that there was the possibility of the fence falling down onto someone on the sidewalk and injuring them.

Actual discussion:

Mayor Kurtz replied, we don't have to worry about that anymore. It's down.

Director Snyderburn responded, now we have to put it back up.

Councilman Crooks stated, why don't we just bid it? John Veres has been telling us about the Auditors coming down hard and looking at things with a magnifying glass. How long could it possibly take?

Vice Mayor Riley asked, how much does it cost us to bid something?

Everyone speaking at once.

Mayor Kurtz stated, it will cost us \$2,000 in time. We'll get the specifications. We'll give them to three different contractors, get at least three prices and then we'll make a recommendation. Then you can approve that.

Law Director O'Brien replied, put it on emergency and we'll fight it out with the Auditors.

Mayor Kurtz replied, they might not find a problem. What do we want to do?

Vice Mayor Riley replied, I can't comment on the fencing because I sell to every fencing contractor in Ohio.

Director Snyderburn asked, how did we do it in the park?

Mayor Kurtz replied, we got three prices and accepted the price.

Director Snyderburn stated, right now the cemetery is unsecure.

Councilman Narduzzi asked, what are we doing as far as the private residence there regarding the fence replacement?

Director Snyderburn replied, she is going to pay for her portion of the fence, not the columns, but her portion of the fencing. We didn't have columns there in the past.

Law Director O'Brien stated, having gone through the audit with John Veres and John seems to be (inaudible).

Mayor Kurtz replied, if John Veres has a problem with it, we'll (inaudible) do it that way.

Councilman Klepacz stated, I heard the Finance Chairman (Councilman Crooks). I think I agree with him. If you object, I will support your objection.

Councilman Crooks asked, how long will it take to get three prices?

Vice Mayor Riley replied, that's different than bidding it.

Councilman Crooks asked, can we get three prices?

Engineering Coordinator Don Ramm asked, for the whole project, not just prices for components?

Law Director O'Brien replied, I assume you'd send this out to general contractors.

Mayor Kurtz replied no, we're doing it. It's not big enough. It would cost us more money to put specifications together.

Law Director O'Brien replied, Mayor, I understand the cost of public bidding. We're probably going to spend ten to fifteen percent more.

Several people speaking at once.

Mayor Kurtz stated, we're doing the work. I understand if you have a contractor come in and do everything from the beginning to the end. The problem is that we took the fence down. We are going to remove everything.

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Mayor Kurtz said, we can get at least three prices and make a recommendation. He also said we are going to put the footers in, and we are going to put the electric in. We will buy the stone and other materials and have someone put it in. We can then

bid the fencing out. We can do it like we did the park. He asked if that was ok. There was no opposition.

Actual discussion:

Councilman Klepacz stated, okay. I thought you said that contractors were going to do it.

Director Snyderburn replied, they're going to install the stone.

Councilman Narduzzi asked, is the installation of the stone and the fence over the \$25,000.

Councilman Klepacz replied, it's \$7,500.

Mayor Kurtz stated, the fencing is over \$7,500. We can bid the fencing.

Director Snyderburn stated, we can bid the fencing.

Mayor Kurtz stated, we can do everything else ourselves.

Law Director O'Brien stated, I would feel a lot more comfortable.

Director Snyderburn stated, we'll bid the fencing. Is that okay?

Mayor Kurtz replied Don, if that's not a problem. We'll do it like we did the other one. Council has to approve the aggregate, but we can approve the line items for specific stone, conduit – things we do ourselves. We'll bid the fencing out and make them responsible for installing it.

Law Director O'Brien stated, there was a problem with a couple things in the past.

Mayor Kurtz asked, is Council comfortable with that?

(Bad spot in tape.)

Councilman Klepacz stated, then we have followed the auditors' recommendation.

Mayor Kurtz stated, we will do the components we can do. We will buy the materials and we'll bid out the fence. Is that fair enough? Let's do it that way.

There were no objections noted.