

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

City of Willoughby Hills

COUNCIL:

NANCY E. FELLOWS

DAVID M. FIEBIG

CHRISTOPHER HALLUM

JOE JARMUSZKIEWICZ

MICHAEL KLINE

JANET R. MAJKA

TANYA TAYLOR DRAPER

Special Meeting of Council Minutes of January 6, 2020

Policy No. 2: All Council meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part by Council.

The Special Meeting of Council was called to order on Thursday, January 6, 2020, at 8:00 p.m. in Council Chambers.

Pledge of Allegiance (not repeated since this meeting immediately followed the Organizational Meeting)

Members Present: Councilwoman Tanya Taylor Draper, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Council President Christopher Hallum, Councilman Joe Jarmuszkiewicz, Council Vice President Michael Kline and Councilwoman Janet R. Majka.

Others Present: Mayor Andy Gardner

LEGISLATION

ORDINANCE NO. 2020-01

AN ORDINANCE DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF TWENTY-NINE (29) DELL OPTIPLEX 5070 COMPUTERS EQUIPPED WITH MICROSOFT OFFICE (OFFICE EDITION) IN THE AMOUNT OF \$26,472.07, REPEALING CONFLICTING LEGISLATION, AND DECLARING AN EMERGENCY.

Council President Hallum: I did meet with the Police Chief and his Assistant, Debbie Semik, who is here this evening as well as Gloria Majeski and the Mayor. Just so everyone is aware, there is some time concern here because we are currently on Windows 7 Operating System and as of January 14th that is no longer being supported by Microsoft. So what that means is that as of January 14th, they will not be pushing any security updates out to our computers which leaves us open to any kind of computer viruses, hacking, anything of that nature and as we are connected to other systems within the government, it is not a good thing for us to be open to that kind of attack. I met with them. I asked if they could be here tonight, actually, I asked Mayor Gardner if they could be here tonight to talk to us about that as well because I knew we were going to need them to answer some questions potentially. Since I was already part of that meeting, I will open it up to the rest of Council because I want to make sure that you have any of your questions answered with regard to this Ordinance.

Councilwoman Majka: Mr. President, just looking over the analysis, I had two questions: I would like a little more information as to where each of these computers will be going and I wanted to ask if the Council Office was set to get a computer because, as you know, we asked over the last few years, several times to have a working computer down in that office and to make it Council-friendly so that, you know, if any of us needed to do some work or printing or whatever we would be able to have a space anywhere. It's downstairs right now, but anywhere, so...

Council President Hallum: Great question. Mr. Mayor, do you have an answer to that?

Mayor Gardner: Well as to the Council Office, there are twenty-nine total, primarily with the Administration, Service Department and Police Department. The Fire Department's computers were part of the update that was done last year, so they are already on the Windows 10 Operating System. Gloria, do you want to come up and help out?

Council President Hallum: Gloria, if you know the answer to that, we would be appreciative.

Mayor Gardner: And just for clarity, Council Clerk's office versus Council's office are two separate places.

Executive Assistant Gloria Majeski: Yes, I can verify that it does include Council Clerk's office. There is two in the Mayor's Office, two in the Court, three in Finance, two in Recreation. The Fire Department was actually taken care of when we had the IT Lifecycle Management Program three years ago and they were offset then. There is also back in the Building Department, it would be the City Engineer/Building Commissioner's Office, the Building Clerk, the Recreation Commission Clerk, who is also the BZA and PC-ABR Clerk (that is Katie Lloyd's computer), and Mark Grubiss's computer, so that is a total of four there. And then the balance of them, which is the majority of them really, are in the Police Department. There are 4 in our lower level, there are four SGTS who each have their own computer, Patrol (that way when they are writing tickets they are looking things up) and they are all able to work simultaneously and there are 2 down at the Police Substation. So, like I said, it pretty much takes care of all of City Hall, including the Council {Clerk} Office.

Council President Hallum: And the Council Clerk's Office? Did you say the Council Office and the Council Clerk's Office? Both?

Executive Assistant Gloria Majeski: No, just the Council Clerk's Office.

Council President Hallum: Just the Council Clerk's Office. Okay.

Executive Assistant Gloria Majeski: That computer actually in the Council Office really has not been utilized that much to my knowledge, just like the Law Director's office in the office next to me. There is really no one on it. So if we are going to take a look at that. One thing that I was still waiting for was the quote. This was actually for the software and hardware is what you guys have. So as far as doing the install,

we have Evolve. We have a company that is going to do that. They are the ones we have to really have do because they are in charge of the whole infrastructure. They are also LEADS certified. That means that only certain people can be certified to work on the computers within the Police Department. So we are waiting for that quote so you can figure twenty-nine computers times whatever is going to be per computer. So I am waiting on that quote. I did secure that these computers will take ten to fifteen days to get them. Now I secured the people from Evolve for that timeframe to come and do the install. This way, we know they will be onsite. They will do the Police Department first and then the other ancillary offices to get all of us done in a timeframe. We have scheduled them to come to do that. I am just waiting on the quote from them as to how much it is going to cost.

Councilman Jarmuszkiewicz: Is this company, the Evolve, the company that currently take care of our computers?

Executive Assistant Gloria Majeski: They are. Council has signed a contract that we are under contract with them and it renews.

Council President Hallum: Gloria, could you explain, just so the residents understand, why we are getting this at such a late date...why all of a sudden we need to get these computers now as opposed to doing it sometime last year, for instance.

Executive Assistant Gloria Majeski: I think I would like to have Chief Collins come up and talk about that because that was what really precipitated the urgency to be honest with you, okay?

Council President Hallum: Sure. That makes sense.

Councilwoman Majka: Mr. President, I am still not really clear on whether the Council Office will be getting a computer.

Council President Hallum: It is not.

Councilwoman Majka: We didn't use it because when we went down there, it was either disconnected or not working so that's the reason that nobody was down there working because it was not working down there.

Executive Assistant Gloria Majeski: To my knowledge, that was never reported to anyone. We would have taken care of it.

Councilwoman Majka: It was reported to the former Mayor.

Executive Assistant Gloria Majeski: We can see. If there is some usage and we need to reallocate it, then we can look at that. The other thing is that these computers are all probably at least seven years old so we

will try our best to wipe off the hard drives and see if we can get anything for them on Govdeals, I mean, I don't know but we will do our best.

Council President Hallum: I appreciate that.

Councilwoman Taylor Draper: Gloria, when was the last time these systems have been upgraded?

Executive Assistant Gloria Majeski: It's been a long time. I would say six or seven years.

Council Vice President Mike Kline: Gloria, there is an extension till April 1 from LEADS, I saw. Is there enough time if the equipment comes in in a couple of weeks to get everything installed and up and running by then?

Executive Assistant Gloria Majeski: Every day after January 14th we put our City at risk. Even doing it February 15, which is what we are probably going to, there is a timeframe where we at risk. We are doing the best we can and that is why I know that as a new Council to ask you to approve this large expenditure, I mean this just really came on us. I felt like we really did our due diligence as far as the first step was I did have Evolve in because I thought I am going to do the same thing as I did on my computer at home. I am just going to get the software package and reinstall, to go into Windows 10 from Windows 7. That wasn't a possibility. He came out and he looked at the computers. He said that a lot of the software that you guys are going to be running is not going to be compatible, you know, able to do that. So this has been a process, I am going to say, over several weeks. Debbie Semik worked on it very diligently and myself. Another major thing when we started to go through this process was we thought "what is the county going to want us to do?" Very shortly, with our Dispatch Operations gone to the county and many other functions, it's going to be a year or so down the road, our Police Department will move a lot of their IT functions to the county. We don't want them to sell us something that is not going to interface. So Debbie actually went to the county and got the specs of what the county wants. So that is why when you got your quotes and it said, "5070" and Dell had originally quoted us a "3070", we went back and said we want to compare apples to apples. We need a 5070. Then the county was throwing in the five-year warranty, and I was getting a three-year from the other company. So we went back and forth through those companies, through Staples and through our HP government representative and even Dell is a government representative, so we are going to get that. You will see on your sheet, we looked to see about a volume discount. We went back to them and said, "what would it be? Where is your volume cutoff?" It was thirty and we asked them to give us a price for that. And it still would not beat what our quote was. So I think we really did the work and it has been over several weeks. Could we have come before? We just weren't quite ready to make the recommendation confidently to know that we were going with the right product. But yes, if we get this ok'd on Thursday on a Second Reading, that would be super. We would then submit the order to get the computers started. I actually met with Frank Brichacek. That is another thing that is on Thursday's agenda to reallocate some of the funding. The Temporary Budget Appropriations needed to be fixed. We worked that out. We requested an Ordinance to make that happen. So I feel like we have done as much as we can to present it to Council. If you just say "yes" on Thursday, we can get it rolling and get it fixed as soon as we can. Chief Collins can

certainly outline the risk and support everything I have said. If you want to bring him up, you are welcome to do so.

Council President Hallum: Thank you, Gloria. Chief Collins?

Police Chief Collins: Thank you, I appreciate the opportunity. We got notified of this and I have to apologize, we certainly don't like working like this to put Council and the Mayor under that kind of time constraints. This was kind of a perfect storm with a change in the Administration, the holidays, all of the moving parts and all of the different agencies that we had to coordinate with to get the information we needed. LEADS had notified us really mid summer that we had to make this change and we have been trying to get ahold of all of the parts. The biggest curveball that came in was that all of the years that we have been working with Evolve as our IT provider, they also provided all of the hardware and software and everything else. It was only in the twelfth hour that they told us, "hey, guess what, we are not selling hardware anymore." That is when Debbie Semik and Gloria really had to step in and evaluate everything we had and where it was going and who was going to provide it. All of the work that Gloria and Debbie did is covered under State contract. I wanted to mention that. That is what makes this available for the Council's approval. The other thing I wanted to mention was that this is our security stuff with all of the access we have to the State files, FBI files and everything that we deal with. And again, we are often caught in this where the technology changes, no different than our radio systems and other things. It is kind of like forced obsolescence by the companies that we deal with. You know, we are in the process of having to change out all of our radios because Motorola is not going to support them. The same thing happened with our in-car computers that we had for an extensive period of time, when they stopped providing XP and they were not upgradeable. This is something that we are seeing in the technology and I know we have talked with Mayor Gardner about establishing and continuing the plan that Gloria did as far as lifecycles for equipment and planning. But this one just got away from us a little bit and I apologize for that. There is another issue I was going to mention. The other thing was that as far as the Council, with the number of computers we are getting, I would be happy to transfer one to the Council Office. We will regroup and work through that. You know we are the heaviest ones as far as computer use, but if we have to adjust, we will make that work as far as under this contract.

Council President Hallum: Thank you, Chief. Any other questions for the Chief?

Councilman Fiebig: Chief, I talked to the Finance Director regarding the budget for this and he indicated that he did not plan on it in his three-month Temporary Budget, but that the funds would be there. Then I brought up the issue of other needs that you are going to have and I mentioned the radios that I think we have to do this year...

Police Chief Collins: I am trying to push that back a couple of years. They went from 2019 to 2020 but we have talked to the county offices and I think we are going to be able to get through at least till 2021 to try to prepare better and work on a master plan with the Mayor on major expenses for the City.

Councilman Fiebig: Okay. Good because that was about \$250,000 or in that neighborhood so we were trying to hold that back to make sure that we had those funds readily available, maybe this year. Maybe we still do it this year, but this amount, by the way, I don't know if it was mentioned, is \$30,000 or less for the hardware and the software.

Police Chief Collins: And we will have expenses for the installation, which we are still waiting for that quote from Evolve. That will be in addition to this project.

Councilman Fiebig: Okay.

Mayor Gardner: The rep at Evolve is apparently on vacation through today. We have pushed to try to get something in time for tonight and just couldn't get it. If I could add with respect to the radios, there are a couple of things we are trying to coordinate technology-wise with the county overall so that we don't end up in a situation where we spend money early and then need to spend it again or have something that is obsolete too soon so we are trying to put all of that together. On that calendar that I mentioned, one of the things that we will be putting on there is for somebody to regularly check and see when Microsoft announces that they will stop support of Windows 10 so we have plenty of time to lead into that. Also, I would absolutely support if we need to add another computer here. We have the per price breakdown if anyone wants it. If that will help Council communicate with our residents more effectively, I wholeheartedly support doing that if we can't allocate one from somewhere else. Just a note, we did talk about "should we get an extra one to fill in if something breaks?" The thought was with a five-year warranty, these things will probably be darn close to the end of their life expectancy at two and a half years, let alone five. So having a five-year warranty, we just did not feel the need to go and purchase a back-up unit.

Police Chief Collins: Also, the plan that we had worked on as a Committee with the previous administration was Dispatch we were doing every three years and most of the administrative computers we were planning on five. Again, without the software issues as to whether they can be upgraded or not.

Council President Hallum: Any other questions for the Chief? Thank you Chief, I appreciate it. Okay, I believe we are okay. Mayor Gardner, can we let everyone sleep on this until Thursday's meeting?

Mayor Gardner: No. I appreciate it. I appreciate Councilwoman Fellows calling a Special Meeting for us tonight as we were between administrations and everything else. I will ask during my report on Thursday to pass on Second Reading. One other note, I did talk to the Finance Director. The funds, I think, are coming out of Capital Funds. This is funds that have been in an account for a fairly long term. Some of it goes back to estate tax money so he has reallocated that. That Ordinance will be in the packet for Thursday, assuming we can get a clerk or somebody to put it together. But the reappropriation is to the Temporary Budget.

Council President Hallum: Thank you, Mayor Gardner.

Councilman Jarmuszkiewicz: Mr. President? The Ordinance number "2020-Purchase of City Computers"; didn't they usually have a number after it?

Council President Hallum: Yes. We will have them put a number on this but this is the First Reading and we will amend it with a number once we get one, once we get a clerk.

Councilwoman Fellows: Mr. President? I did have some observations about the draft ordinance and I think that they should be considered to tighten this up a little bit before we do it on Second Reading on Thursday. Obviously, Councilman Jarmuszkiewicz's noticing that that doesn't have a number on that but that can easily be put on. So, the caption indicates that this is repealing conflicting legislation. I would like to know what legislation it is conflicting. I looked and I don't know what legislation it is conflicting. Have we purchased software from this company before? Was that contract with a different vendor? I am not sure what Ordinance that this Ordinance is referring to in terms of repealing conflicting legislation. The other thing is that the third "whereas", so the "whereases" are the story of the Ordinance. So the third "whereas" says "the purchase of these computers is necessitated by the fact that effective January 14, 2020, Microsoft will no longer support Windows 7 Operating System, no longer provide the security updates and hot fixes on online typical content after January 14th." This is part of the legislation. This is why we are doing this. So that should be moved to Section 4 because the Section parts of the Ordinance are what the law will be. That is what we will vote on. And then going to the sections, Section 1 speaks to "all Ordinances or there parts in conflict with this provision and repealing that." Again, I don't know what that means. Section 2 should actually be Section 1 because we, as Council, need to authorize the Mayor first to do whatever he needs to do, so that should be Section 1 before it is put down in any other sections. And then Section 4, this does not have an Emergency Clause on it. So Section 4, if you want this to be an Emergency Clause so that it can be acted on immediately, though the Emergency Clause is listed in the caption, the caption in the way I understand it to help me understand better, the format of an Ordinance, the caption is like the title of the book. It is not the law. So Section 4 needs to have the Emergency Clause in it because that is what we are going to be voting on. And then, of course, President Hallum needs to be put on here and your clerk will change. The other thing that I want to mention in looking at the quote for consideration for Dell: the billing and the shipping is to Richard Harmon. So Chief Harmon has not worked for the City for two and a half years, so this is a legal document and I think somewhere along the line, the representative, Mr. Todd Mayfield, through maybe the Mayor's Office needs to adjust who the billing and shipping is going to because Chief Harmon is not here. So those are just my thoughts in terms of my observations that I saw on buttoning up this Ordinance.

Council President Hallum: Thank you, Councilwoman Fellows. I appreciate that. Any other comments with regard to this Ordinance? Okay. So that is on First Reading then. There are a couple of other things that I would like to do: One is to allow Mayor to go out to bid for asphalt and limestone.

Mayor Gardner: That is not for the Special Meeting. Those are all notes for Thursday.

Council President Hallum: Okay. Fair enough.

Councilman Jarmuszkiewicz: Excuse me, Mr. President. Now are all of those Ordinances, those changes, do they have to be in for the Second Reading?

Council President Hallum: Yes, they will be. They will need to be. We can't pass an Ordinance if it is incorrect. That would not be good. Okay. So the next order of business is Public Portion.

PUBLIC PORTION

Public Portion opened at 8:22 p.m.

Laurie Feltham – 2605 Timberline Drive, Willoughby Hills, Ohio. Well, is there any discussion on a new brush pile? And that's what I bring to the table for discussion.

Public Portion closed at 8:23 p.m.

Council President Hallum: I guess I would ask, I hate to put you on the spot, Mark, {Grubiss}, but since you are here....

Road Superintendent Mark Grubiss: This is something we are going to have to discuss with the new Mayor because there are a lot of costs allocated now with the dump. The dump is just closed for the winter. We are planning on opening the dump in April. But where we take our stuff, they are charging everybody. They are going to be charging us. So we need to sit down and figure out all of these numbers, costs versus keeping the dump or maybe start brush pickup with Republic or somebody else like that. So we are going to have to weigh out all of the options for that. But as of right now, it is closed for the winter because it is going to be hard for us to man. We only have four guys on days and four guys on nights, but it will be open in April. We will continue to take the brush, but it is something that we have to look at pricing to get all of the costs.

Council President Hallum: Also, Mark, while I have you up here...I know that there was some Christmas tree acceptance. Is that still happening or is that over?

Road Superintendent Mark Grubiss: Only till January 4th, so it is done. Four trees were dropped off over there and we just hauled them to Gullybrook Park. You may be able to still take them there, but I think that their deadline was also January 4th. And that is something that we can look at in the future if we decide to buy a chipper or something like that. It is easy to set up for one week and everyone can bring their tree and it will just disappear.

Council President Hallum: Okay. Thank you. I appreciate it.

Mayor Gardner: Henceforth, it will not be referred to as "the dump" but rather the "brush recycling facility."

ADJOURNMENT

Motion was made by Councilman Jarmuszkiewicz, seconded by Councilwoman Fellows to adjourn.

**Roll Call: AYES. Taylor Draper, Fellows, Fiebig, Hallum, Jarmuszkiewicz, Kline and Majka
NAYS: None
AYES 7/0 NAYS**

Motion carries to adjourn the meeting.

The Special Council Meeting of January 6, 2020, was adjourned at 8:26 p.m.

**APPROVED: January 23, 2020
Date**


**Christopher Hallum
President of Council**

**ATTEST: Sharon Meyer
Clerk of Council Pro-Tem**