

**Cuyahoga Falls City Council**  
**Minutes of the Finance Committee Meeting**  
**April 13, 2009**

**Members:** Don Walters, Chair  
Debbie Ritzinger  
Carol Klinger

Mr. Walters called the meeting to order at 6:38 p.m. All members were present.

**Legislation Considered**

Temp. Ord. B-29  
Temp. Ord. B-30

**Discussion:**

**Temp. Ord. B-29**

An ordinance authorizing payment of the moral claim of Scott and Cherie Zdanowicz as approved by the Claims Commission, and declaring an emergency.

Mr. Arrington stated this was a claim heard last week. There were several claims that arose out of sewer back-ups from the August storm, February snow melt and March storm. This claim was a result of the August storm. Mrs. Zdanowicz submitted a claim that was originally for \$4,000. Administration has been struggling with how to handle claims, especially when some people have insurance and some do not. Under state law, if a person has insurance, the insurance is to pay for the damage vs. having the taxpayers pay for it. A person who has insurance will submit their claim and the City will pay the deductible. When people choose to not have insurance, the City pays more into those claims. There is a concern that the City is rewarding people who do not have insurance. The Claims Commission wrestled a little on this claim and a motion was made to pay one-half of the claim. The amount to be paid is \$2,161.50.

Mr. Walters stated he is on the Commission as well. This claim was a new resident who was not aware of the past flooding problem in that area. He does not know if the majority of the population of that area carry the rider or not. Mrs. Klinger stated this is a rider that a lot of people do not know whether or not to have it and may feel they do not need it. She feels the City needs to be more diligent in making residents aware of problem areas that they need this rider added to their insurance. Mr. Walters felt that flooding problem areas should also be disclosed on transactions of home sales.

Mrs. Pyke stated that Scott and Cherie did participate in Project Partner and it passed. They moved in after the previous floodings so they were not aware of any problem. This money would cover their clean-up costs. They are the only ones in that area who filed a claim that did not have insurance. Other than one vacant home, they are the only new residents in the area. Mrs. Hummel clarified Mr. Arrington's statement about the taxpayers paying these types of claims by pointing out that they are paid out of a different fund.

Roger Brouse, another flood victim, stated when he presented his one claim he was asked why he didn't have flood coverage. He had his lawyer review his policy and it was determined he did not have the coverage. The reason he does not have coverage is because when he first went with Allstate, they did not offer it. He didn't worry about it, though, because the City had installed additional pumps to handle overflow. He had no back-up for 30 years. Allstate said they do not cover Cuyahoga Falls because of so many claims.

Mr. Walters stated that Council was currently discussing the claim for the Zdanowicz family and would be discussing Mr. Brouse's claim next.

*Committee recommended bringing out Temp. Ord. No. B-29.*

**Temp. Ord. B-30**

An ordinance authorizing payment of the moral claim of Roger A. Brouse as approved by the Claims Commission, and declaring an emergency.

Mr. Arrington stated that Mr. Brouse was in a similar situation as Scott and Cheri Zdanowicz. This back-up occurred in February. Mr. Brouse's total claim was \$2,500, and his insurance situation was the same as Scott and Cheri. In trying to maintain a level of consistency, the Commission approved the claim for one-half which will be a \$1,250 payment.

Mr. Brouse does not feel he should be penalized since the City put in the pump station. They did a camera scope and found nothing. He asked why his house was the only one who had flooding and he was told by the camera operator that Mr. Brouse just had the bad luck of being in the lowest spot.

Mr. Walters stated there are some insurance companies that would write a rider for Mr. Brouse. If people in other neighborhoods can get it, he should be able to get it, too. The City's work is on-going to make improvements and it is trying to be proactive. He believes that a lot of the problems come from residents whose homes are draining into the City's sewer system, so too much rain water introduced into the sewer increases the risk of flooding.

*Committee recommended bringing out Temp. Ord. No. B-30.*

The meeting adjourned at 6:49 p.m.