

City of Willoughby Hills

Special Council Meeting

Minutes of March 31, 2015

All Council Meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part of the official records and minutes. Written minutes of Council shall be shortened whenever possible.

Meeting Called to Order at 7:01 a.m. by President Raymond C. Somich

Pledge of Allegiance

Roll Call of Council

Members Present: Vice President Nancy E. Fellows, Councilman David M. Fiebig, Councilwoman Jennifer Sommers Greer, Councilman Christopher Hallum, Councilman John Plecnik, President Raymond C. Somich, Councilman Christopher L. Biro

Also Present: Mayor Robert M. Weger, Finance Director Frank J. Brichacek, Jr., Clerk of Council Victoria Ann Savage

President Somich welcomed everyone to the meeting; thank you for getting up early and being with us today.

LEGISLATION

Councilman Fiebig: Point of Order, isn't Public Portion usually before Legislation? **President Somich:** It can be put any place on the Agenda and it was assigned for these three meetings after the legislation. **Councilman Fiebig:** You assigned it? **President Somich:** I did. **Councilwoman Fellows:** Public Portion was first at the first meeting. **President Somich:** No it was not; it was at the same place for all. I did that as a courtesy in case anybody had to leave quickly, again knowing that we were meeting here at an early hour and that people may have other comments. So at this point they were here when we immediately began the meeting and then if they had to leave they could do so.

ORDINANCE NO. 2015-15 – THIRD READING

1st Reading: March 29, 2015

2nd Reading: March 30, 2015

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2015; REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Hallum to adopt Ordinance No. 2015-15.

Councilwoman Greer: If we move for amendments would that happen now, before. Procedurally how does that work? **President Somich:** It would. Yes, it would. This happens doing discussion which is what we are in right now, so yes.

Councilman Hallum: Before we make any amendments, can I ask a question? Please. One of the things that I wanted to clarify, I am still learning a lot of this, if we pass this budget and several Members of this Council have made suggestions on how we might be able to amend it but my concern is that I would like some time to make sure

that the impact of what those changes would be, is going to be. Can we, have we in the past amended after the fact? Do we have the ability to come up with an ordinance saying that we would like to propose that we want to reduce this particular budget amount by this amount and pass that after the fact? **President Somich:** The answer is that any time we can propose any adjustments to the budget, upward, downward, anyway that we want to do them. And as long as there are four Members of Council who agree with that then that change can be made.

Councilman Plecnik: To Councilman Hallum's question, it is true that we can change it but once the budget is passed those expenditures are authorized and you obviously can't "un bark" a dog. So if the money is spent you can't necessarily get it back. But yes, you can change it provided that the money has yet to be spent.

Councilman Hallum: So would that be correct in understanding that if we have intentions of trying to improve this, we don't want to wait six months to make any....we would want to meet immediately within the next week or two here and really start to buckle down here and look at these things, correct.

Councilman Plecnik: Correct.

Councilman Fiebig: I also had disseminated to Council some suggestions and obviously there wasn't enough time to really vet all of those because of the lack of meetings that we have had on the budget. But we can for example, I would rather see us budget low and have a balance or perhaps a carryover and make those adjustments as we need and let's say fill positions or buy other things that we need at some time a month from now or two months from now we can revisit all of those items and budget up but it is important in my mind and we made that abundantly clear that we need to produce a balanced budget for our City and look forward to being fiscally responsible and spending our money appropriately.

Councilwoman Greer: In line of these discussions, I would just like to know that going forward it would be prudent to have these budgets earlier. We received them just in time to have the Three Reading Rule and pass them. I don't think that it's well advised that Council be the ones that go through this budget, line item by line item to try to cut the budget. I think that it would be wiser if we could as a Council body tell the Administration we would like this budget cut by at least "x" amount of dollars and the Department Heads and the Administration could figure out best where that comes from.

Councilman Fiebig: I would be okay with the idea too and would propose that you could even look at say the 2014 budget amounts and say let's pass that and then come back and revisit those items as need be. So we could simply pass the numbers that we spent last year as a budget and then come back and make those adjustments for other additional projects, maybe make some considerations for the road projects that are coming up for example but yah, we could do that.

Councilman Plecnik: We have had several debates in the past few days so I will be brief. As written this budget is a deficit budget and I will vote no on it. Thank you.

Councilman Hallum: Just one other thing that I wanted to point out. We have had a lot of conversations about deficit spending budget and that kind of thing and that is talking about this particular year's income and expenses and there has also been discussion about how I wouldn't run my household like that. However, I do want to point out and partially we have left out this whole part is that personally you know, last year for instance, I added a garage and things to my home. Now that money was not created last year it was money that I had saved over time to be able to pay. So my point is that just because the money coming in and going out this year are not coming in from this year, does not mean that the City had not prepared by saving for the previous year to spend for some things this year.

Councilman Fiebig: To the point, great point, but we have a million dollar road project for next year, so we need to be prudent for what we are spending for next year. **Councilman Hallum:** Agreed.

Councilwoman Greer: If we look at our budget, we are looking at the budget line item by line item but what we should really be looking at is the revenue side. We have lost a whole bunch of revenue in recent years and my problem with this budget is not necessarily the deficit spending but that we do not have plans in the next year or two

years to increase our revenues. So if we kept to spending at this pace we would have no money in our coffers in the very near future.

President Somich: Thank you very much for your comments. Is there any other further discussion? Hearing none, Madame Clerk please call the roll.

Councilwoman Greer: I move to waive the 48 Hour Rule so that we may amend this budget. What I intend to do is to move to waive the 48 Hour Rule and to waive the Three Reading Rules so that we may amend this budget so that we can vote on an amended budget this morning.

President Somich: The actual sequence on that would be that if amendments were proposed, okay than following that we would waive, we would propose...a motion would be called to waive the Two Day Notification Rule and the Three Reading Rule following that the amends were made. At this point, since no amendments were made that is not necessary. So the sequence would be slightly reversed. If there were going to be motions for amendments to be made first.

Councilwoman Greer: Is it allowed to be done in a different order or is that required?

President Somich: I don't believe that it makes sense to do it the way that you are proposing because nothing has been proposed that is a change. So the sequence, as I understand it would follow that we would make the changes first and then now there is a reason to waive the Two Day Notification.

Councilwoman Greer: The reason that I am proposing it in this order is that waiving the 48 Hour Notification Rule and the Three Reading Rule requires five votes and passing the budget only requires four votes. So we may have more votes to amend the budget then we will have to actually pass the budget and I would like to have passed the budget here to today, I do not want to see our government shut down.

Councilman Fiebig: I have a budget to....I have an amendment to the budget to propose, I emailed it out last night, I have copies of them here (distributed copies of the amendments). May I suggest that if you had an amendment that you tell us what your amendment is or give it to us so that we can consider that.

Councilman Biro: As we had just discussed, I think that these amendments that were just presented to us late last night, I don't think that it is appropriate to include them in the legislation because we don't have a considerable amount of time, we don't have any time to discuss them. And these are....after glancing at them some of them need to have considerate discussion on. Bring the right people in you know, Police Chief, Finance Director to discuss whether these are viable options. An amendment at this time, I don't think is appropriate. I think as we discussed, let's not shut the City down and let's take a concerted effort after this meeting to look at all these issues, look at the budget as whole and look at individual items, look at these amendments and see if they are viable and institute them, but at this point I am not ready to support an amendment that we haven't had significant discussion on. I think that it would have been nice to have had these presented to us about a month or two ago, I know that we just got the budget recently, but at that point it would have been good in subsequent meetings to have had that discussion. So I won't support an amendment. I think that we need to not shut the City down because of the safety implications and because of the legal implications so I think that's important. I know that I respect my colleagues' views but we as a body have the ability to go and refine our budget after we pass it and look at these issues, so I appreciate that.

Councilwoman Fellows: What does it mean, what are the specifics when people say shutting the City down? I don't know what the specifics are then...What does that mean?

Mayor Weger: Shutting the City down means taking all non-essential personnel and shutting it down. So we would work on a limited Police Force, a limited Fire Department and City Hall would be closed.

Councilwoman Fellows: So limited Police Force, what does that mean? Nobody that is on contract?

Mayor Weger: Nobody that is non-essential. So we won't have Detectives and we will have one Dispatcher, no Part-Time.

Councilwoman Fellows: We have about two and half Part-Timers, so...we have three.

Mayor Weger: No we have more than that.

Councilwoman Fellows: How many do we have?

Mayor Weger: Ten.

Councilwoman Fellows: We have ten, may I ask the Chief?

Mayor Weger: Sure.

Councilwoman Fellows: We have ten on the books being paid?

Chief Collins: That's correct, they work different aspects, some work Traffic...there are different applications.

Councilwoman Fellows: So, if a call would come through from a resident, for an emergency there would be personnel to address that.

Mayor Weger: There would be emergency personnel but the billing, the ambulance billing all that stops.

Councilwoman Fellows: But can be addressed once the City is not shut down.

Mayor Weger: Maybe.

Councilman Hallum: Depending on who's having a heart attack or fire or accident...

Councilwoman Fellows: No, I am talking billing; the last comment from the Mayor was about billing. So if billing can't be done because we don't have the individuals there to do it, the billing is still on the books and then would be addressed once the non-essential individuals are back to do that.

Mayor Weger: Yes.

President Somich: Mrs. Fellows, since you asked me originally and I deferred to the Mayor, he didn't mention one area which I was informed from our Law Director, my conversations with him yesterday, we have 338 people scheduled here tomorrow for Mayor's Court and of course if City Hall was closed, then that wouldn't happen. He said that we were under certain time frames in terms of allowing...contacting people so that they know what date to come in and he is fearful that with the regular time frame that they have already been given and the additional notification that would need to be had to come back again that we would be unable to process most of those tickets that are there and he said that he wants us to know that he estimates that based on 338 people, about \$10 to \$15,000 of that revenue that we would be losing because of not having that available tomorrow. Not to mention the fact that we really...it would be very difficult to reach those people in the next twenty hours so that we would probably have a mad house here tomorrow from those people coming. So he wanted that to be known since you had asked me what the ramifications are; I believe that's pertinent.

Councilwoman Greer: I have no doubt that a City shut down would affect the integrity of our City. But my question is if we shut the City down will the safety of our residents be affected or are we able to handle the Police and emergency services with the emergency personnel that will be put into place.

Mayor Weger: We may have to relieve on mutual aid but that's the fact. Mutual aid, a second ambulance we just have one leave, if another one was requested it would have to go mutual aid and therefore, time to get there would be longer; ten minutes, fifteen minutes whatever it takes mutual aid to come to our City.

Councilwoman Fellows: But that's no different when our forces are already tied up and another emergency is called in and we still depend on mutual aid to help in those instants as well, correct.

Mayor Weger: Yes, but we are going to have limited resources so we are only going to have three on duty instead of five or six. So it is not the same case. Let me state that you had this budget for thirty-one days or thirty-seven days, you didn't come with an amendment till twelve hours before the deadline. Why weren't you looking at it thirty-seven days ago? Was it not important?

Councilman Fiebig: I came here yesterday to work on this budget and the Mayor and the Finance Director didn't bother to show up. I have compiled the suggestions that we have had over the last thirty days and placed it into a spread sheet and disseminated it as best I could and I am going to propose it as an amendment. And it does things like lowers the amount of the Mayor's Secretary back to levels that we had in 2008; it takes the City's newsletter out; it lowers the amount of a IT contract; it takes away the Mayor's fuel for his car, \$4,000 a year; it reduces meetings and seminars and travel budgets; it cuts in half the Whisper Program; it defers the cost of computer software upgrades for a year. These are some things that I think are reasonable and it balances the budget. And not only balances, it would show a surplus of almost \$95,000. Now this isn't set in stone, I'm not proposing that it is this way or the highway which we have been given that sort of stance from the Administration that you've got to pass this budget or there is no negotiating. And certainly the Council President is also the Chair of the Finance Department, I mean Finance Committee and you have called one meeting since we have handed the budget out. So I know that our Mayor is going to try point fingers at Council but I came to work yesterday and I know several of us did; I wish we had that cooperation to talk about these issues these are serious and we need to keep the City running.

President Somich: We will allow our Finance Director to respond to some of the comments that were made.

Finance Director Brichacek: The only comment that I would like to make is relative to Councilman Fiebig's statement regarding my attendance at yesterday's meeting. I did not attend yesterday's meeting because if you look at the public notices the Finance Director was requested to attend the first Council Meeting and the third Council Meeting and was specifically excluded from the second Council Meeting. I'd interrupted the fact that normally I would have attended all Council Meetings as a matter of role but I interrupted the fact that I was not invited to the second Council Meeting as Council had desired to discuss the budget without my presence. So had Council invited me to that meeting I would have attended.

Councilman Plecnik: Thirty-seven days in my view is not enough time to spend on a multi-million dollar government budget. In fact it is unacceptable to budget one year at a time; we need a five year plan for this City of Willoughby Hills. Those aren't my words; those are Bob Weger's words 2007 in his debate with Mayor Ken Lorenz. I agree with the candidate who ran for Mayor in 2007; we can't budget one year at a time, we need a plan and thirty-seven days is nowhere near enough time to do due diligence and Council could only begin to address the Mayor's proposals after they were given this budget. So let's have a five year budget; let's finally keep our promises for Willoughby Hills.

President Somich: I will make a comment replying to Mr. Fiebig and it will not be an opinion, it will be fact so I won't pass the gavel. There were two meetings that were called for Finance both of those meetings were only adjourned when all conversation ceased, all ideas ceased, all discussion ceased and at that point I entertained if anyone wanted to adjourn the meeting and we did. Not one member of this Council asked for any additional meetings relative to this including Mr. Fiebig and Mr. Plecnik and Mrs. Fellows and Councilman Hallum and Mr. Biro and Mrs. Greer, not one person asked for an additional meeting. If additional meetings would have been asked for, or if any specific amendments would have been suggested, if any details would have come through other than general statements. If the great work that was done the last few days by several of you to actually get specific, if that would have been done we would have been very happy to meet relative to these, but everything was spoken in generalities.

Mayor Weger: In your amendment Dave, you say you are going to save \$31,000 in refunds does that mean we don't give any deposits back? That's the fund that we've taken a deposit for the Community Center and we give the deposit back. So we're only give \$5,000 of the deposits back and keep the rest. Our computer software, we have contracts with IT, we have to then determine what the breaking the clause of the contract and Whisper, it runs on donations only, that's Whisper's money, it is just run through the City. You know all your....out of all your suggestions, they don't make sense. Where're we going to get a \$103,000 in revenue? You know it's got to be talked about. You just put a \$103,000 in revenue.

Councilman Fiebig: Well, these are good questions to ask and I would have loved to have had this conversation a month ago. I would have loved to have had this conversation yesterday but you didn't show up, so I can address these specifically and I would like to talk about them. For example in the Whisper, I suggested, now this is my suggestion, is that we simply use the number from last year which was \$2,400 and that is why I picked \$2,500. As far as the IT support, I wanted to suggest that we go out for bids and take a look at that again. As far as the website development, we spend, I believe it was \$38,000 a year on a website. I had my own website for years; it doesn't cost more than a \$100. So there are definitely specifics that we can get into. But we also have discussed let's just come up with an overall, here's the line..Administrative service and we will give you a number and you can come up with that; that's Administration, that's the Mayor's job. Council's job is to authorize the funds, Administration and the Mayor's job is to do what we say with the funds that you have been given. And you have proposed that we spend more than a half-a-million dollars more then we take in, I say that is irresponsible and we can't do that especially looking at a million dollars that we need to come up with for next year. So we need to budget appropriately; are these set in stone, I've said this already, no they are not but this is a starting point, it's a jumping off point and certainly it's a place to begin with at least a balanced budget with even a surplus and we can start witting it down and we can pass this with an amendment, we can pass the budget today, we don't have to shut anything down essential or non-essential. We don't have to shut anything down by simply adopting these and then we'll meet tomorrow, we can call an emergency session after this one and I will be here. I'll be here all day if we have to. But I'll make sure that the City doesn't shut down but I cannot vote for a budget that spends almost \$600,000 more than we take in.

President Somich: This Chair will acknowledge again what I sent out to everyone yesterday, and that is any changes that we are proposing, any amendments that we are proposing will require five affirmative votes to waive both the Two Day Notification and the Three Reading Rule. And I would like to point out that there have been many, many, meetings and many discussions and many situations where we did not allow the processing of ordinances on a timely basis on the technicality, the formality of honoring the Two Day Notification and particular the Three Reading Rule. There were times when budgets were totally paid for and totally approved and yet on the technicality of Three Readings we've held them because there was a strong statement made that the people of this community have the right to know what's going on, have the right to read, have the right to ask questions and to discuss. If in fact we are just doing a starting off, a starting point, with either of these because we've decided that we are going to come back on the budget and talk about it further or any of the amendments to talk about it further, do we want to deprive our community of the opportunity to even see these documents and understand what we are doing. If we are using a starting point, why don't we use a starting point the ordinance as presented for the last thirty-seven days and had Three Readings and that point we can agree that we are going to make changes to this but our people, our community have had the opportunities of reading this and an understanding of what is in this budget.

Councilwoman Greer: I don't recall who, but I remember someone mentioned this morning that passing last year's budget as it stood may be an option today. Can...

President Somich: It is if we waive the Two Day Notification and the Three Reading but we don't even...I'm not sure if we can...not sure how we would do that because we don't have an ordinance number like that, I guess we could make a blanket statement to say to amend this to equal the 2014 budget.

Councilwoman Greer: I'm not sure how that would...perhaps that warrants more discussion. Because that would give the community opportunity they saw that last year, I wasn't here but all of you saw it last year perhaps that would be a good faith starting point for all of Council. It reduces spending but we also still have the opportunity to amend and I think that's what we are looking for here, is some middle ground. I personally am not asking for a

balance budget this year. I just believe this to be over spending so if we could look at something like that I would like to explore it further.

Councilman Hallum: I agree with Councilwoman Greer about that potential. My concern is and maybe this could be answered, is that there are for reasons, there are differences between last year's 2014 budget and this one that I want to make sure that if we did something like that we don't impact something that we put in there for a good reason, it's going to be a negative impact on the City. If we are going to discuss that I would want to understand, for instance, I believe Councilman Fiebig mentioned the road projects aren't in the 2014 budget so we need to somehow if we decide to do that to include those to be included so that would potentially might even make those numbers back to where they are now in the 2015 budget, I don't know. So, I guess my other question and one question to the Chair is, if we do make some kind of an amendment here and then either the 48 Hour or the Three Day Reading Rule is not or we can't get that approved through then are we even able to go back and approve any budget? Or has it now been amended and it is what it is. Just want to make sure that we don't stick ourselves.

President Somich: I asked the Law Director for his opinion on that and he felt that if we did make the amendments and tried to pass the waiving and that did fail at that point that would leave us in a precarious position. Because he said it would be questionable whether we could go back and entertain the ordinance without those amendments. So his suggestion would be that we pass, if we are going to contemplate that, that we pass the ordinance as suggested and then we can come in today and consider the ordinance again with the amendments. And he said that he would prefer to make sure that we are compliant with the law and compliant with the deadline that we would introduce this first as is and then introduce it with the amendments.

Councilman Hallum: To Mr. Fiebig's point earlier, I have stuff going on this morning but I would be happy if we could get this budget approved today. I have this afternoon that I am happy to get together with whoever to start working through this stuff and try to find out things more quickly than not.

Councilman Fiebig: Mr. President to that point though of the process; now I know that we need the five votes to waive the Two Day and that but for an amendment though you would think that the amendment is just simply voted on the amendment and if the amendment fails to the budget then you can go back, I don't understand why he would suggest that we can't go back to the original legislation if an amendment failed.

President Somich: That is the way that I had interrupted his legal opinion.

Councilman Fiebig: I don't think that is correct though.

Councilman Plecnik: I largely share Councilwoman Greer's comments, I do just want to point out for Councilman Hallum and my sake though that neither of us did vote on prior year's budget because it was actually passed in December of 2013 before either of us took Office of Council so like you Councilwoman Greer this is our first budget that we are voting on. I do believe that the previous year's budget was superior to this one given that its deficit was substantially smaller but I don't intend to vote for any deficit budget today.

Councilman Hallum: I'm pretty sure that we did vote on that John, I checked the records, 2014-5, I think were the budget. Was it not, am I wrong?

President Somich: I believe we did again, just the three month.

Councilman Plecnik: We did vote on a three month extension for this budget but we did not vote on a 2014 budget that was passed in December 2013.

Councilman Fiebig: To one more point, the page two here, the first amendment, the two page front and back the one that is attach is an alternate amendment and it is what we are discussing now would be to simply go with, it is kind of a fallback position, let's just pass the 2014 budget. And there was, for example, the debt service, we would use the 2015 numbers for debt service so that we can make sure that's in there and then the street maintenance we would have to make sure that number was accurate in there so that we are funded fully for the road projects and

streets and then Economic Development Department, I think that we would want to adjust that. But if we did that we 'd have a balanced budget. If we did that, what's on page two.

Mayor Weger: No we don't. You subtracted the Administration twice, reduce it by \$371 and then you go down the column and you further reduce it by \$242 that's where you get your five hundred and sum thousand dollar reduction but you are reducing it twice.

Councilman Fiebig: I was actually talking about this page two, All City Funds 2014 Budget.

Finance Director Brichacek: You can't budget from that page, it is a summary page you are combining funds that have to be appropriated separately.

President Somich: There are a lot of legal considerations in this process that we have to be compliant with and again, this Chair urges us to be responsible in terms of how we do this, doing things properly, doing things allowing our constituents to weigh in on it. Once again, thirty-seven days may not be long enough, we may need to have ninety days in the future and we can spell that out and demand that but this time we had thirty-seven days and we didn't receive the first amendments that we proposed...that were proposed were received yesterday morning and the second set of proposed amendments were received last night. That's not enough time to discuss them, that's not enough time to let the public weigh in on them. This Chair urges us to do the responsible thing, pass this ordinance and then meet and then meet as many times as we need to as Finance, as Service, as Safety, to really get into the discussions of what needs to be done. To talk to the people around City Hall, to talk to the managers one-on-one about what can be done. To talk to Frank, sit down with him and go through this list so that you can understand what needs to be done. To talk with Gloria Majeski, to talk with the Fire Chief, the Police Chief, etc., etc. Talk with the Mayor and discuss what can be done intelligently so that we don't just...or if we chose to amend the amounts, the total amounts and say do it, that's an option too. But to try to rush through everything this morning to make all these changes when we are not even sure what we are doing, in the opinion of this Chair, is not sensible and it is not responsible and perhaps it is not even legal in terms of some of the discussions that we may be having or some other proposed changes that we may make.

Finance Director Brichacek: Relative to the discussion that was just pointed out if the 2014 numbers are adopted and certainly its Council's option to do that it would be a deficit budget and by statements made here Councilman Plecnik would be unable to vote for that proposal.

Councilwoman Fellows: I agree with a lot of what was said here this morning but I will reiterate my thoughts in terms of our financial responsibilities for the City, all of what we have because of the taxpayers who pay money into. We are \$13,000,000 dollars in debt. We borrowed for a much needed refurbished ambulance and a service truck. By borrowing that money, now we are borrowing more this than we are paying down on our debt. Last year's budget was approximately \$190,000 in deficit spending which means that we are spending on paper, that we are spending more than we are bringing in and this year it is over half a million. I cannot support this budget the way that it is presented today, so if we vote on that my vote would be no.

Finance Director Brichacek: As a correction, the City's debt as noted on multiple occasions both verbally and in email and in writing the City's debt at the end of 2015 will be lower than it was in 2014. So the City will actually be...the City will actually have less than debt at the end of 2015 than it will have had in 2014. So to say that the City is going to have more debt at the end of 2015 is not correct.

Councilwoman Fellows: Mr. President, may I ask so then what is our debt number? I don't doubt that your comment is correct, then what number are we in debt for?

Finance Director Brichacek: The City's total debt as at the end of 2014 was \$13,909,000.

Councilwoman Fellows: So we are still \$13,000,000 in debt, correct.

Finance Director Brichacek: That is correct. And the bulk of that debt is Sewer Fund debt.

Councilman Fiebig: Mr. Brichacek, Frank, you had mentioned that if we did pass this, you said “IF”, so is there a way to pass this in a responsible way even if it was a deficit, a small deficit like we did pass in 2014 that we can make this happen today. In other words would you be able to put together those numbers, could we have an acceptable form that we could work with that we could amend this legislation to keep City operations running and then start hammering away at the specifics?

Finance Director Brichacek: Not in a matter of minutes. **Councilman Fiebig:** What would it take?

Finance Director Brichacek: It would take sitting down and running through each of these items. It was stated that by law, the State of Ohio requires all local governments to adopt annual budgets and requires that those budgets be adopted at the start of the year; it provides an out in that it allows for a temporary appropriations not to exceed ninety days. By the end of the ninetieth day of the year it requires that an annual budget be adopted. I think we have a bit of a tempest in a tea pot here because the State of Ohio also allows on the ninety-first day for example that the budget that was adopted can be amended. In most cases, the budget that was presented is basically a steady state of operation similar to 2014 with a few exceptions which and we noted for example the large one being there is more street repair in this budget then there was in the past; the ambulance and the snowplow were added. The budget as presented could be adopted and in April it could be amended. The thing of it is that there are certain expenditures most of the City’s expenditures occur are circular in nature, they occur throughout the year but some of them which don’t really seem to be in dispute, the larger expenditures most of...some...we are committed to for example it is no longer possible to take out, the police vehicles; it is no longer possible to take out the snow plow because that money was borrowed but in terms of other contractual commitments we have to pay fees charged by the County Auditor for the collection of property taxes, we have to pay fees to the Regional Tax Agency for the collection of Income Taxes, things like that. We are committed under our Labor Agreements to our healthcare. The budget as proposed contains an allowance of 20% increase when healthcare contracts are renewed that may or may not come to pass. As noted previously, the budget doesn’t contain an allowance for the impact of the Affordable Care Act and right now it appears that we may be required to cover up to eleven more people then provided for in budget. We may have to increase the appropriation for that depending on where healthcare contracts come in the 20% allowance on July 1st might fund those positions. Things like our debt service payment we are contractually committed to making those debt service payments. We could not pay them but that would be catastrophic because that would put the City in a position of default. We have our negotiated Labor Agreements which Council approved those essentially unless Council is choosing to...would choose to alter the staffing of the bargaining units; at the point that Council authorized those contracts, it pretty much committed itself to appropriating those funds. So you know in general, my recommendation would be to, rather than just going through and willy-nilly revising these numbers without really knowing what we are going to end up with, you know what my suggestion would be is to pass the budget as proposed and continue to look at it.

Councilman Biro: Mr. President, I agree with our Finance Director. I think that this discussion warrants more discussion in terms of amendments and we are talking about previous budgets now and things like that. I think, like he says, let’s...his suggestion is to pass the budget and then come back and I am part of Finance and I am more than happy to do that but I think at this point there has been a lot of discussion on this and I think that we need to **Call for the Vote. And at this point I would like to Motion to Call for the Vote.**

Councilwoman Greer: Before we vote, I just want to make it clear that a no vote on this budget today will diminish the integrity of our City and it would put our residents’ safety in jeopardy and I am unwilling to do that. But I do not want a yes vote on my behalf to signify that I think that this budget is the best thing for our City. If I vote yes today I am considering this a temporary budget in my mind that Council must revisit.

Councilman Hallum: Mr. President, I want to echo those comments as everyone on this Dais knows, Councilwoman Greer and I were the first ones to come up with pen on paper and actually give some suggestions and we have all had concerns about the timing of this and I don’t think compounding that issue by trying to rush to an amendment makes sense when we have all stated here today that we would be willing to sit down after this meeting and really look at this and try to make good judgment, good decisions on where to make these cuts and we can do that and I think that is the right way to go. **So I am seconding the Call for the Question.**

President Somich: Alright we do have a Motion....**Councilman Fiebig:** Mr. President....**President Somich:** I am sorry Mr. Fiebig, as ironically you put it out last week that once there is a Call and a Second then we have to proceed to the vote. That's the way it works, so...**Councilman Fiebig:** I didn't hear that there was a Motion, I hear...he said he would like to Vote. **Councilman Biro:** I said that's a Motion to Call for the Vote. **Councilman Fiebig:** Oh, okay. All right.

President Somich: We have a Motion from Councilman Biro a second from Councilman Hallum to Call for the Question so we will proceed to vote. Madame Clerk please call the roll on Ordinance No. 2015-15.

Vice President Fellows: No, we are calling for the Question, not the Ordinance.

President Somich: We are Calling for the Question to end debate.

Roll Call: Biro-yes, Fellows-yes, Fiebig-yes, Greer-yes, Hallum-yes, Plecnik-no, Somich-yes

Motion Passes: 6-AYES/1 NAY

President Somich: Okay we have a Motion from Councilman Biro, Councilman Hallum seconded the Motion to adopt Ordinance No. 2015-15. We have had discussion, it was Called for the Question. Council Clerk: It is call for the Adoption. **President Somich:** That is what I was trying to say, we are now calling for the adoption of Ordinance No. 2015-15.

Roll Call: Biro-yes, Fellows-no, Fiebig-no, Greer-yes, Hallum-yes, Plecnik-no, Somich-yes

Motion Passes: 4-AYES/3-NAYES

President Somich declared that Ordinance No. 2015-15 has been adopted.

President Somich: I will reiterate what has been said numerous times before; we will have a number of meetings, ongoing meetings to discuss this further and to make adjustments to this budget, hopefully to everyone's satisfaction.

Councilman Biro: May I be excused. I am extremely late for work and unfortunately my job is very regimented and I am about two hours late now. If you don't mind I apologize...

MOTIONS WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Hallum to excuse Councilman Biro from the remainder of the Special Council Meeting of March 31, 2015.

Roll Call: Fellows-yes, Fiebig-yes, Greer-yes, Hallum-yes, Plecnik-yes, Somich-yes

MOTION PASSES: 6-AYES

President Somich declared that Councilman Biro has been excused from the remainder of the Special Council Meeting of March 31, 2015.

PUBLIC PORTION

Section 107.08 – Public Meetings of Municipal Bodies of the Codified Ordinances of the City of Willoughby Hills:

(a) All meetings of any municipal body are declared to be public meetings open to the public at all times. All meetings shall provide a reasonable opportunity to hear public opinion.

Public Portion was Opened at 7:53am

1. Linda Fulton

2990 Marcum Boulevard

Re: Addressing question to President Somich, it is easy to point fingers at the rest of your colleagues and put the blame on them that they didn't come forward and ask for a meeting, a Finance Meeting. You are the Chair and if you didn't have the foresight to know that you needed more meetings on this budget then shame on you.

2. Mark Grubiss

2895 Cricket Lane

Re: Not only am I a resident, but I am the City's Service Superintendent and I just want to say that all the men and women in this Administration have done a very, very good job in my opinion. And I don't see how to eliminate anyone of their positions or possibly cut their pay and they not leave. That's all I have to say.

3. Debbie Semik

36170 Maple Grove

Re: I too am a resident that elected some of you in office. I too, am probably the longest paid employee here from all the non-essential people. I too can tell you that my job has changed drastically since the day that I came to work for Willoughby Hills. I can also tell you in the eighteen years that I have been here not one of you have walked into my office and asked me what I do every single day. I am quite certain that many of you could tell me what the job description is of a public servant; I can tell you what the job description is or what I am made to feel like: overworked, underpaid expected to do more with less, and have seven people that run a popularity contest every two to four years and come in and presume to take someone else's opinion on what I do and what I am worth. That can presume to make a decision to determine my career and my pension and whether I am worthy of staying another day. I have heard a lot of discussion this morning and what kind of cuts we can make but I haven't heard any discussion on what you plan on doing to increase our revenue, to clean up our West End to bring businesses into this community. You were elected, each and every one of you to do a job. Each and every one of you approved the contracts or some of the contracts. Each of you approved of the appointment of the Mayor's hires and who he chose to do those jobs so I would presume that you had confidence in those people. I welcome any one of you to come and walk in my shoes for one day. After last meeting, after I found out that we might not have a budget and come Wednesday, I may not even have a job, I still came here after 8:00 at night to work a camera system for a thirteen old missing child. The first five years that I was here I got \$65,000 worth of computers replaced at no cost to the City because I took the effort to make a phone call and continued to harp on a business so that our computers were replaced even though they were out of warranty. I can't tell you the number of dollars that I have brought into this City writing Grants, which by the way, is not part of my job description. Little things that I do every day and we don't even get a thank you. I don't get bonuses, I don't get a company car, I get nothing. I have no incentive to do any better than the person seating next to me. Welcome to Public Service. I encourage all of you to take a good hard look at your responsibilities and what you can bring forth to not only me as a resident but for the rest of the people that put you in office.

4. Gloria Majeski
2717 Graylock Drive

Re: I have to echo what Debbie just said about the Council not really being in tune with what's going on at City Hall. No one comes in other than to pick up their mail, usually after hours so that they don't need to see anybody or to see who is working or who is not. Or how many things are really taken for granted. Instead you are criticized for helping with a contract and it is all turned around. What is different, since I started, is that there is an election in November and that is why I have to say that this whole budget thing even though people passed deficit budgets in the past, and other cities do it and all that all of sudden there is an election and this is what has been the problem. I can tell you I reviewed and I am glad to be...that the people at home get an opportunity to know that one of the things that Mr. Fiebig recommended is to cut my salary by \$20,000 that would make it equal to the Council Clerk's who is a part-time employee by Charter, who is suppose to be working twenty (20) hours a week but this year has capped it so that she now qualifies for healthcare. Mr. Fiebig you cut her pay \$2,000 but come Affordable Health Care time, like Frank referred to, we are going probably going to have to waive the people who are now offered, the eleven (11) people if they do not take it they are able to waive it which is one of the benefits that the full timers get and that is \$225 a month. So that, then all of a sudden, the Council Clerk that you cut \$2,000 would now get a \$225 increase when that mandate comes down in July. So I just want to put it all in perspective for the people who really want to know. You recommended about the IT; I can tell you that you are not in tuned to know that our IT Email Person actually relinquished the responsibilities of doing the Email that is all of City Council's email that is all your Police and Fire Safety, all the things that you want to support. Well guess what we have to out and shop for a new Email Provider. And that is going to cost some money to do. Any you go and cut that, you have no vision of what is going on at City Hall to know and to cut the seniors I think is despicable. In this age of Whisper, we are one of the very few communities that provide a service and we don't come to the City and ask for money to do our deeds, it is all based on donations. So we don't ask for the City...so to cut our seniors which is something in the waive of the future that the Commissioners are working on right now to try to get a group together because they realize the baby boomers are coming of age that will increase our seniors, so seniors are the way of the future. So your vision of these cuts is just so short sided and so political. I think that it needs to be looked at.

Public Closed at 8:01am.

Councilman Fiebig: Can I just respond because this was obviously the Mayor's secretary and campaign manager getting up here and speaking specifically to me in a proposal that I didn't cut anything, I didn't cut any seniors, I didn't cut her pay and I didn't do the things that she alleged. So I just want to set the record straight. One of the roles and responsibilities of an elected official of a Council is to look at the budget and I am sorry if she felt that her line

item, particular, I know that would be a personal thing, but it certainly is not that, it is not personal, it's simply doing my job as Council representative and working for the residents here in the City to use their money effectively. So while many times you look at a budget, things are difficult, these were simply just suggestions and obviously they are talking points for moving forward, so I welcome anyone in the Administration, I would love to come and sit down with you Ms. Semik, and Mark, you know that I have visited you over in the Service Department and had great conversations, so I am welcoming anyone at this time, you know, to continue that dialogue...

President Somich: I will entertain a Motion for Adjournment.

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN HALLUM, seconded by Councilwoman Greer to adjourn the Special Council Meeting of March 31, 2015.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Somich declared the Special Council Meeting of March 31, 2015 to be adjourned at 8:03am.

APPROVED:

April 23, 2015
Date

Raymond C. Somich
Raymond C. Somich
President of Council

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council