

City of Willoughby Hills

Special Council Meeting

Minutes of September 1, 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 7:30 p.m. by President Raymond C. Somich

Pledge of Allegiance

Roll Call of Council

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

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

President Somich: Thank you all Members are with us here this evening. Our first order of business is Public Portion.

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 7:31pm and with no one coming forth from the general public was promptly closed at 7:31pm.

LEGISLATION

ORDINANCE NO. 2015-36 – THIRD READING

Three Readings Suspended August 25, 2015

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE BID OF HENDERSON TRUCK EQUIPMENT-OHIO FOR A NEW HENDERSON MUNIBODY FULL SNOW AND ICE CONTROL SINGLE AXLE PACKAGE AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Hallum to amend Ordinance No. 2015-36 by eliminating the Emergency Clause/Measure.

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

MOTION PASSES: 5-AYES/2 NAYS

President Somich declared that the Emergency Clause/Measure for Ordinance No. 2015-36 has been removed.

MOTION MADE BY COUNCILMAN BIRO, seconded by Councilman Hallum to adopt Ordinance No. 2015-36-As Amended.

President Somich: For the record, this previously had the Three Readings suspended on August 25, 2015; we have had meetings to still do three public readings on this Ordinance.

Councilwoman Fellows: I just wanted for the record and I said it before, I will not vote for this and it is not because I'm denying the City a service vehicle. We began our year with a half million dollars in the red, there was a \$150,000 borrowed to purchase this vehicle and we should have stayed within our budget.

Councilman Plecnik: If I could just second Councilwoman Fellows' statement, I agree absolutely and I would just add on my own part, once again as a Law Professor, I believe it's important to follow the law and I think that this Council and Administration going forward need to have a far stronger philosophy in terms of following the law whether it be bidding practices, contract practices, any practices for the City and I don't feel that we've sufficiently followed procedure and law here so for the same reasons as Councilwoman Fellows, I will be voting no.

Councilwoman Greer: I would like to urge fellow Council Members if there is some type of question on anything whether it be this issue or another I would rather hear first over perhaps email that there is some type of issue so that we can research it independently it came up at the last meeting when this issue was Tabled. I believe that it was brought up specifically to confuse Council and we weren't able to vote on it and it cost us time. And if we could hear these issues before and research them it would be very helpful; I feel that they are brought up first in a public forum as a political tool and it is not helpful for the City of Willoughby Hills.

Councilwoman Fellows: I know that we shouldn't have a discussion now but Councilwoman Greer, many weeks ago I sent some emails out about this not only on the bid structure, not complying with the Ohio Revised Code and also identifying that when we went out for bid for the chassis and the cab that also had not been followed in terms of the Ohio Revised Code and I said it in a couple of other venues that my concerns have been because of our budget. So I don't know and for me this is not political. This is about the City being fiscally responsible. I don't know when people use the word "political" what that means. My concerns are budget.

Councilman Biro: Call the question. **Councilman Biro:** I'm sorry Nancy; this is something that we have been discussing for a long time. **Councilwoman Fellows:** But Jennifer said that we haven't.

Councilman Biro: We had a great explanation last night, yes there were certain things that may have not been done perfectly but this is an item that we need; I understand our limitations in the budget but this is something for the safety of our citizens so it's an important issue, I think that we need to move on now, let's get this passed.

Councilwoman Fellows: I understand all that, Chris, I don't disagree. **Councilman Biro:** We really just need to move on right now.

President Somich: We have a Motion that has been made to Call for the Question. Councilman Hallum: Second.

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

MOTION PASSES: 4-AYES/3 NAYS

President Somich declared that the Ordinance No. 2015-36-As Amended has been adopted by majority.


President Somich: If there is no other business to be brought forth this evening I will entertain a Motion for Adjournment.

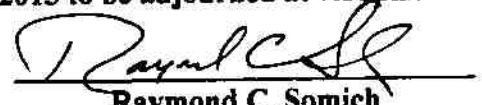
MOTION WAS MADE BY COUNCILMAN BIRO seconded by Councilman Hallum to adjourn the Special Council Meeting of September 1, 2015.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Somich declared the Special Council Meeting of September 1, 2015 to be adjourned at 7:38pm.

APPROVED: 
Date


Raymond C. Somich
President of Council

ATTEST: 
Victoria Ann Savage, CMC
Clerk of Council