

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

DAVID M. FIEBIG
CHRISTOPHER HALLUM
LAURA LENZ
JANET R. MAJKA
LAURA PIZMOHT

ORDINANCE NO. 2018-33

AN ORDINANCE REPEALING ORDINANCE NO. 2017-6 AND ANY CONFLICTING ORDINANCES, AND ENACTING IN LIEU THEREOF A NEW ORDINANCE AMENDING PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 923 – SEWER RATES, SECTION 923.01 – SEWER RATE CHARGES ESTABLISHED, SUBSECTIONS (c) AND (d) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City Willoughby Hills adopted Ordinance No. 1987-19 on April 9, 1987 to provide for the maintenance, repair and capital improvements of central sanitary sewers in the City which are served by the City of Euclid’s Wastewater Treatment Plant; and

WHEREAS, Mayor Robert M. Weger and his Finance Director proposed to raise our taxes in the form of sewer fee hikes each year for five consecutive years on September 23, 2013 at the Utilities Committee of Council and it was the consensus of that Committee to accept the proposed sewer rate schedule as prepared by the Finance Director; and

WHEREAS, on September 26, 2013 based upon the recommendation and request of Mayor Robert M. Weger and his Finance Director, the three-reading rule was waived and Ordinance No. 2013-41 was adopted which mandated the following Willoughby Hills sewer rate increases with each increase to be effective as of January 1st of each year: 2014 - \$40.26 per one thousand (1,000) cubic feet of water consumed; 2015 - \$47.26; 2016 - \$54.26; 2017 - \$57.76; 2018 - \$61.26; and

WHEREAS, the Mayor’s sewer fee hikes resulted in the majority of Willoughby Hills residents who are currently sanitary sewer customers paying the highest sewer fees in all of Lake County; and

WHEREAS, the Honorable Janet R. Majka and John Plecnik “pledged to vote to repeal the next sewer fee hikes in 2016, 2017, and 2018” if elected in 2015, and

WHEREAS, the Utilities Committee of Council met throughout 2016 as its Members performed research and reviewed the Mayor’s sewer fee hikes with the hopes of abating them; and

WHEREAS, on January 26, 2017, the Honorable Janet R. Majka and John Plecnik kept their promise to lower our sewer fees and repeal the Mayor’s sewer fee hikes for 2016, 2017, and 2018 with strong support from Council President Nancy E. Fellows and the Honorable David M. Fiebig when Council voted to adopt Ordinance No. 2017-6, and

WHEREAS, under Ordinance No. 2017-6, the sewer fee hikes scheduled for 2016, 2017 and 2018 are repealed, and the minimum sewer charge is cut in half to benefit our seniors and anyone with low water usage; and

WHEREAS, the City of Willoughby Hills is grateful to the Honorable Janet R. Majka and John Plecnik for their service on the Utilities Committee of Council and their hard work in cutting our taxes by passing the biggest sewer fee cut in our City’s history; and the sewer fee cut was recognized by The News-Herald in its January 20, 2017 article, entitled “Willoughby Hills residents will see reduced sewer rates,” which quoted Mr. Plecnik as saying, “We just passed the biggest sewer fee cut in the history of Willoughby Hills,” and noted Ms. Majka’s promise “to continue her line-by-line review of the sewer budget to find still more cost savings”; and

WHEREAS, Council passed a Balanced Budget on March 29, 2018, which eliminated administrative overhead and reduced the City debt while increasing funding for our Safety Forces and repaving our Roads; and

WHEREAS, the Balanced Budget included an amendment proposed by the Honorable Laura Pizmoht to cease the practice of using our sewer fund to pay for administrative salaries, such as the salaries of the Finance Director and Assistant Finance Director—these tax savings in the Balanced Budget along with continued responsible budgeting of our sewer fund make it possible to further lower our sewer fees for the benefit of our residents; and

WHEREAS, the tax cut presented within this Ordinance in the form of a sewer fee cut will rollback our sewer rates in 2018 to the old 2014 rates and is the direct result of Council’s efforts to provide relief to our residents from the highest sewer fees in all of Lake County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Section 923.01, Subsection (c) and Subsection (d) be amended to read and provide in their entirety as follows:

“923.01 SEWER RATE CHARGES ESTABLISHED.

(c) The sanitary sewerage charge shall be the sum of the rates imposed by the cities of Euclid and Willoughby Hills at a rate as follows for each one thousand (1,000) cubic feet of water consumed on each lot, parcel of land or premises connected with, or which is in the future connected with, the sanitary sewerage system of the City as such water consumption is measured by the water meter reading.

Willoughby Hills Operating Rate:

The rate for maintenance, repair, operations and capital improvement of the sanitary sewage system shall be \$40.26 per one thousand (1,000) cubic feet of water consumed on each lot, parcel of land or premise connected with the sanitary sewage system.

Euclid Processing Rate:

In addition to the Willoughby Hills sewer rate, Euclid’s sewer treatment charges will be that in effect by ordinance adopted from time to time by the City of Euclid per the original Agreement with the City of Willoughby Hills dated April 1, 1998 and the several amendments subsequent to that date.

Administrative Fee:

In addition to the Willoughby Hills and Euclid rates, there is a fixed administration fee equal to the fixed fee charged the City by the Lake County Department of Utilities for water meter reading and billing services. This fee shall be added to each quarterly sewer bill issued by the Lake County Department of Utilities.

Minimum Charge:

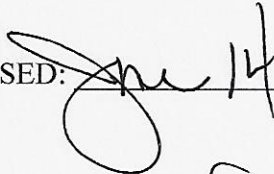
Notwithstanding anything contained herein to the contrary, the minimum sanitary sewerage charge shall be the rate charged for five hundred (500) cubic feet of water used plus the Lake County Department of Utilities Administration Fee.

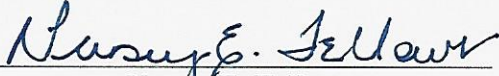
(d) New sewer rates shall be effective in 2018 on the water consumption meter reading date performed by the Lake County Department of Utilities that includes April 1st. Subsequent sewer rate changes shall be effective on the water consumption meter reading date that includes January 1st of the year the change is to be effective unless otherwise specified in the legislation authorizing the rate change.

SECTION 2. Ordinance No. 2017-6 is hereby repealed in its entirety.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

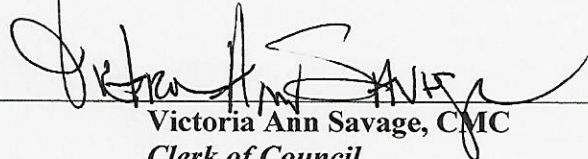
SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operations of a municipal department and further reason being that it will provide for the established sewer rate to take effect as stipulated within this ordinance; wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

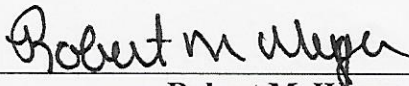
PASSED: , 2018


Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval on this 14 day of June, 2018

Approved by the Mayor
June 14, 2018

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council


Robert M. Weger
Mayor