

City of Willoughby Hills

Regular Council Meeting Minutes of December 13, 2012

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 7:00 p.m. by President David A. Reichelt

Pledge of Allegiance

Roll Call of Council

Members Present: Vice President Nancy E. Fellows, Councilman Frank A. Germano, Councilman Kevin D. Malecek, President David A. Reichelt, Councilman Raymond C. Somich, Councilman Christopher L. Biro

Absent: Councilman David M. Fiebig

Also Present: Mayor Robert M. Weger, Law Director Thomas G. Lobe, Finance Director Frank J. Brichacek, Jr., City Engineer Richard Iafelice, Clerk of Council Victoria Ann Savage

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Biro to excuse Councilman David M. Fiebig from the Regular Council Meeting of December 13, 2012.

Roll Call: 6 AYES

MOTION PASSES

President Reichelt declared that Councilman David M. Fiebig has been excused from the Regular Council Meeting of December 13, 2012.

Oaths for Matt Naegele and Mike Geradi for Sergeant Promotions – were given by the Mayor on November 28th; therefore were not performed during this evening's meeting.

Disposition of the Journal Regular Council Meeting of November 8, 2012

President Reichelt stated that the Minutes of the Regular Council Meeting held November 8, 2012 would be addressed by Council at the next Regular Council Meeting.

Correspondence

- Clerk of Council to Robert M. Weger/Service/Safety Director, dated November 9, 2012, re: Ohio Division of Liquor Control – Liquor Permit – C NEW 7160469 (Emailed: November 9, 2012)
- Email from Dave Kalman of W.M. Associates, Inc. to Members of Council, Building Commissioner, re: Maplegrove Speed Limit (Emailed: November 9, 2012)
- Chief Christopher J. Collins to Mayor Robert M. Weger, Council President Dave Reichelt and City Council Members, dated November 14, 2012, re: Speed Limit & Stop Sign Changes – Maplegrove Road (Emailed: November 14, 2012)
- Mayor Robert M. Weger to Council President David Reichelt, Council Clerk Victoria Savage and Law Director Thomas Lobe, dated November 26, 2012, re: Paragrid IT Proposal (Emailed: November 26, 2012)
- Mayor's Court Monthly Report for November 2012 (Emailed: December 10 2012)

- **FINANCIAL REPORTS FOR THE MONTH ENDING OCTOBER 2012 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: November 16, 2012)**
- **FINANCIAL REPORTS FOR THE MONTH ENDING NOVEMBER 2012 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: December 12, 2012)**
- **CITY ENGINEER'S STATUS REPORT FOR DECEMBER 2012 (Emailed: December 12, 2012)**
- **CLERK OF COUNCIL TO ROBERT M. WEGER/SERVICE/SAFETY DIRECTOR DATED DECEMBER 13, 2012 RE: OHIO DEPARTMENT OF LIQUOR CONTROL TRANSACTION AND NUMBER C STCK 3253839 (Emailed: December 13, 2012)**

Notifications

- Board of Building and Zoning Appeals will not meet December 11, 2012 for there were no appeals (Emailed: December 7, 2012)
- Cuyahoga County Airport Noise Abatement Council Meeting scheduled for December 12, 2012 (Emailed: November 26, 2012)
- Dominion East Ohio – Notice of Filing New PIR Adjustment Case: PUCO Case No. to be assigned on November 30, 2012 (Emailed: December 10, 2012)
- Finance Committee Meeting of December 13, 2012 (Emailed: December 10, 2012)
- Planning & Zoning Commission and Architectural Board of Review - Cancellation of November 15, 2012 Meeting (Emailed: November 12, 2012)
- Planning & Zoning Commission and Architectural Board of Review Meeting of December 6, 2012 (Emailed: December 4, 2012)
- Recreation Commission Meeting of December 5, 2012 (Emailed: November 28, 2012)
- Rules & Legislation Committee Meeting of December 10, 2012 (Emailed: December 5, 2012)
- Utilities Committee Meeting of December 10, 2012 (Emailed: December 5, 2012)

Minutes

- Finance Committee Meeting of November 8, 2012 (Emailed: December 10, 2012)
- Planning & Zoning Commission and Architectural Board of Review Meeting of August 16, 2012 (Emailed: November 9, 2012)
- Planning & Zoning Commission and Architectural Board of Review Meeting of October 4, 2012 (Emailed: November 8, 2012)
- Planning & Zoning Commission and Architectural Board of Review Meeting of November 1, 2012 (Emailed: December 7, 2012)
- Rules and Legislation Committee Meeting of November 5, 2012 (Emailed: November 6, 2012)

MAYOR'S REPORT – Robert M. Weger

- Two new snow plows being prepared for release to us by Christmas – In the interim, purchase of a used snow plow immediately available is being presented to Council tonight. The Truck is actually nine years old but it will replace a truck that is twenty-two years old, so the truck that has no floor board and no shifter will be replaced with the purchase of a used snow plow and Kirtland has loaned us one of their back up snow plows until our plows arrive. Hopefully the trucks will arrive soon, these are the trucks that we purchased last January, the trucks were delivered in June, the fabricator making the beds and the plows, run into problems with a shortage of hydraulics; so all the parts are there, they are painted, they are just putting the finishing touches and hopefully we will have them soon.
- New City Sign (Economic Development Program) arrived for entrance to the City: “City Comforts, Country Charm”
- Property valuations arrived at WH households – average 10% reduction in property taxes citywide

- **Acknowledgements**

Thanks to all the volunteers and attendees at our two recent Recreation events: Winterfest and Breakfast with Santa

Congratulations to Matt Naegele and Mike Gerardi on their Sergeant promotions – sworn in on November 28th

Welcome to Part-time Police Officer Steve Jones and Auxiliary Police Officer Ralph Spidalieri, also sworn in on November 28th

- **Upcoming Events**

City Music Concert – St. Noel Church – Friday, December 14th at 7:30pm

First Covenant Church (29400 Chardon) Monthly Luncheon on Saturday, December 15th at 12:30 - \$5 for lunch, speaker is Kevin Hamilton of the City Mission

City Hall closed Christmas Eve and Christmas Day

LAW DIRECTOR'S REPORT – Thomas G. Lobe, L.P.A.

- Reported that the Maple Grove Subdivision is back on application before the City. The Law Director presented Council with a brief overview of the property and status of the proposed project. (Note: On July 26th, Council adopted Resolution No. 2012-10; a Resolution approving the preliminary plat for Maple Valley, a single family residential subdivision located at 36470 Maple Grove Road, Willoughby Hills, Ohio).

FINANCE DIRECTOR'S REPORT – Frank J. Brichacek, Jr.
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- No formal report given.

CITY ENGINEER'S REPORT – Richard J. Iafelice, P.E., P.S.

- Referenced Status Report of December 2012
- Update ODOT Project – SOM/91 Bridge – project is incomplete, contractor to return in the Spring
- Drafting Letter - Improvements Lamplight Lane (Fowler/Rosewood)

COMMITTEE REPORTS

President Reichelt asked if there were any Committee Chairs who would like to provide a report. Committees Reports have been listed alphabetically.

FINANCE – Kevin D. Malecek, Chair

Committee Members:

Christopher L. Biro, Nancy E. Fellows

COMMITTEE MEETING OF DECEMBER 13, 2012

<u>Members Present:</u> Councilman Kevin D. Malecek Chair, Councilman Christopher L. Biro, Vice President Nancy E. Fellows

<u>Also Present:</u> Councilman Frank A. Germano, President David A. Reichelt, Mayor Robert M. Weger, Finance Director Frank J. Brichacek
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<u>Purpose of the Meeting was to discuss City Finances and the 2013 Temporary Budget and any other business.</u>

<u>Meeting convened at 6:12pm</u>
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<i>Order of Business</i>

<u>Ordinance 2012-53:</u> Contract to Paragrid for Management of our Information Technology Services Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).

<u>Ordinance 2012-57:</u> Surplus Item – Ford Dump Plow Truck Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).
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<u>Ordinance 2012-59:</u> Re-appropriations for 2012 – upgrade of CMI software – CMI supporting for all other vendors, improves functionality of the software. One feature of the upgraded software – dashboard display – Council would have

the ability to access the CMI system to see the up-to-the-moment information. Proprietary software – CMI is the only one that can upgrade the software. Auditors do require us to have current software moving forward – ability for CMI to support itself becomes less and less with no software upgrade. Software should last into the foreseeable future.

Additionally, **Ordinance 59** deals with the purchase of a truck – snowplow – still waiting on order for the new trucks. **Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).**

Ordinance 2012-62: Formal Contract with Creative Microsystems for CMI Upgrade – per same discussion on Ordinance 59.

Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).

Ordinance 2012-60: Purchase of replacement snowplow truck – still waiting on order of another truck – see discussion before.

Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).

Resolution 2012-14: Then and Now Certificate

Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).

Resolution 2012-15: Then and Now Certificate

Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).

Ordinance 2012-61: Temporary Appropriations for the First Quarter of 2013 (through March 2013).

Allows us to move forward with a temporary appropriation – debt service requirements for the first three months of the year – look for a full year operating budget in January/February of 2013. Income taxes will be negatively affected with income tax projection for next year – loss of \$200,000 with Eaton Corporation leaving the City. Slight overestimation in income tax collections for 2012 – about \$150,000 less than what is projection – 2% has been reasonable in the past. Primarily where we fell short – net profits category – withholding tax has been up, indicating higher employment. 4.4 million dollars projected for 2013 – below projected for this year. Lose about \$110,000 in Local Government Fund revenue – certain degree that the State will fund at the same reduced level right now. State budget only goes through June 30 of this year – will have to see what happens in six months. Personal property taxes away from local governments. Big unknown still property taxes – based on preliminary valuations – down 10.5% for residences, 15% for cities – about a \$200,00 reduction – about a \$300,000 loss in revenue – income tax could be at about \$600,000. Internet cafes pay us \$5,000 registration and per machine every month – could be another \$150,000 reduction. No estate tax in Ohio after January 1st. Snowplow and financial system – those items are going to have to be funded by the General Fund – major challenges in the revenue side – normal challenge on operating side – health care, budgeting a 20% increase. Biro – plan for the worst, hope for the best.

Recommendation to waive Three Reading Rule and Adopt at tonight's Council meeting (Regular Council Meeting of December 13, 2012).

Public Portion (6:38pm): No one spoke.

Meeting adjourned at 6:38pm

RULES & LEGISLATION – David A. Reichelt, Chair

Committee Members: Nancy E. Fellows, Kevin D. Malecek

COMMITTEE MEETING OF DECEMBER 10, 2012

Members Present: President David A. Reichelt, Chair, Vice President Nancy E. Fellows, Councilman Kevin D. Malecek

Also Present: Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Raymond C. Somich, Finance Director Frank Brichacek, Law Director Thomas G. Lobe, Mayor Robert M. Weger

Purpose of the Meeting was to discuss Pending Legislation and any other business.

Meeting convened at 6:37pm

Order of Business

Ordinances 2012-53 – Authorizing the Mayor to execute a contract for Professional Information Technology Services contract with Paragrid LLC. This Ordinance was briefly discussed at a previous meeting and was held in committee for research which resulted in the finding that the contract can be awarded without competitive bidding because it is considered, by the State Auditor, a professional service that is exempt from those rules. **It was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2013).**

Ordinances 2012-55 – Authorizing the Mayor to execute a Public Works Non-Emergency and Emergency shared services agreement to formalize our participation in this new program. **It was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2013).**

Ordinances 2012-57 – Declaring an old snow plow truck as surplus and authorizing its sale. The vehicle is not in running condition and cannot be reasonably repaired. **It was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2012).**

Ordinances 2012-58 – Amending Section 941.07 to establish a new rate structure for rental of facilities at the Community Center. Councilman Malecek requested language be inserted regarding the manner in which the determination of non-sanctioned Civic Organizations is made. With that amendment agreed upon, **it was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's meeting (Regular Council Meeting of December 13, 2012).**

Ordinances 2012-59 – Amending Ordinance 2012-13 with revised appropriations to comply with the Ohio Revised Code. The Finance Committee will review this in more detail at their upcoming meeting on Thursday evening (before the council meeting) but it was the consensus of this committee to waive the three reading rule and recommend all for adoption at Thursday's Council meeting upon the approval of the Finance Committee. An upgrade of the Finance Department's Software System is included in this Ordinance and will be discussed in detail by the Finance Committee at their upcoming meeting on Thursday, prior to the meeting of City Council.

Ordinances 2012-60 – Authorizing the Mayor to purchase a used truck and snow-plow on an emergency basis at a total cost, including the plow and hitch, of approximately \$45,000.. The Mayor explained that the new trucks we ordered last year are still being outfitted and will not be ready until the end of December, at best. We've recently lost the service of some of our other trucks, so we do not currently have enough to handle a serious snowstorm. Thus, this is an emergency measure to keep our fleet ready. **It was the consensus of the Committee to waive the Three Reading Rule and recommend all for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2012).**

Ordinances 2012-61 – Creating the temporary budget and appropriations for the first quarter of 2013. The Finance Committee will review this in more detail at their upcoming meeting on Thursday evening (before the council meeting) but **it was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2012) upon the approval of the Finance Committee.**

Resolution 2012-14 – Approving a then-and-now certificate for the purchase of diesel fuel from Melzer's Fuel Service. The facts relating to this purchase and certificate were outlined in a memo to Council from the Finance Director, dated December 7, 2012. **It was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2012)**

Resolution 2012-15 – Approving a then-and-now certificate for the purchase of the annual maintenance contract from AT&T Global services for the City's 9-1-1 system. The facts relating to this purchase and certificate were outlined in a memo to Council from the Finance Director, dated December 7, 2012. **It was the consensus of the Committee to waive the Three Reading Rule and recommend for Adoption at Thursday's Council meeting (Regular Council Meeting of December 13, 2012).**

The Mayor requested an Executive Session, estimated to be approximately 30 minutes, to discuss a personnel matter and invited the officials in attendance (as listed above). The Committee adjourned to Executive Session at 7:17pm and returned at 7:47pm.

Public Portion

Opened: 7:47pm Closed: 7:47pm

Nobody came forward to address the committee

Meeting adjourned at 7:47pm

UTILITIES – Frank A. Germano, Chair

Committee Members:

David M. Fiebig, Raymond C. Somich

COMMITTEE MEETING OF DECEMBER 10, 2012

Members Present: Councilman Frank A. Germano, Chair, Councilman David M. Fiebig Councilman Raymond C. Somich

Also Present: Councilman Kevin D. Malecek, President David A. Reichelt, City Engineer Richard Iafelice, Mayor Robert M. Weger

Purpose of the Meeting was to discuss Sanitary Sewer Rates and any other business.

Meeting convened at 7:48pm

Order of Business

Discussed sewer rates of Euclid to Willoughby Hills and Willoughby Hills projected rates. Committee to meet mid-2013 to review numbers; projections for future rates.

Public Portion

Opened: 8:30pm Closed: 8:30pm

No one came forth from the Public Sector and therefore Public Portion was promptly closed.

Meeting adjourned at 8:30pm

OTHER COUNCIL REPRESENTATIVE REPORTS

- **President Reichelt, serving as City Representative on the Cuyahoga County Noise Abatement Council, reported on the Noise Abatement Council Meeting held on December 12, 2012 at 10:00am. This meeting was a routine quarterly meeting at which the following 2013 meeting dates were established: March 27th, June 26th, September 25th and December 11th. The meeting minutes will be published on the Cuyahoga County Airport's Website.**

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 7:28pm

1. Linda Fulton

2090 Marcum Boulevard

RE: Adjourned into Executive Session during the Rules and Legislation Committee Meeting, for what purpose? President Reichelt replied for a Personnel Issue and is reflected in the Minutes.

Public Portion closed at 7:29pm

UNFINISHED BUSINESS

- **There was no unfinished business brought forth to the Members of Council.**

LEGISLATION

ORDINANCE NO. 2012-53

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE MANAGED SERVICES PROPOSAL AND ENTER INTO CONTRACT WITH PARAGRID FOR PROFESSIONAL INFORMATION TECHNOLOGY SERVICES AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2012-53.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-53 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilwoman Fellows to adopt Ordinance No. 2012-53.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-53 has been adopted.

ORDINANCE NO. 2012-55 – SECOND READING

AN ORDINANCE ADOPTING THE OHIO PUBLIC WORKS NON-EMERGENCY AND EMERGENCY SHARED SERVICES AGREEMENT AUTHORIZING INTERGOVERNMENTAL SHARED SERVICES AND THEREBY ESTABLISHING A COUNTYWIDE PUBLIC WORKS SHARING AND USE PROGRAM.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2012-55.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-55 has been suspended.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilwoman Fellows to adopt Ordinance No. 2012-55.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-55 has been adopted.

ORDINANCE NO. 2012-57

AN ORDINANCE TO DECLARE CITY VEHICLE(S) AND/OR EQUIPMENT AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE(S) AND EQUIPMENT ON THE OPEN MARKET, UPON SUCH TERMS AND AT SUCH PRICES AS ARE DEEMED MOST ADVANTAGEOUS TO THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2012-57.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-57 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilwoman Fellows to adopt Ordinance No. 2012-57.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-57 has been adopted.

ORDINANCE NO. 2012-58

AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES & PUBLIC SERVICES, TITLE FIVE – OTHER PUBLIC SERVICES, CHAPTER 941 – USE OF PUBLIC PROPERTY, SECTION 941.07 – WILLOUGHBY HILLS COMMUNITY CENTER OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Malecek to suspend the Three Reading Rule for Ordinance No. 2012-58.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-58 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilwoman Fellows to adopt Ordinance No. 2012-58.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-58 has been adopted.

ORDINANCE NO. 2012-59

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2012-13 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Malecek to suspend the Three Reading Rule for Ordinance No. 2012-59.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-59 has been suspended.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilwoman Fellows to adopt Ordinance No. 2012-59.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-59 has been adopted.

ORDINANCE NO. 2012-60

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH OHIO PAVING & CONSTRUCTION FOR THE PURCHASE OF A 2003 INTERNATIONAL TRUCK, MODEL 7400 TO BE EQUIPPED WITH ONE HEAVY DUTY WAUSAU HSP4110—SQH SNOW PLOW INSTALLED BY CONCORD ROAD EQUIPMENT MFG., INC. AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2012-60.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-60 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adopt Ordinance No. 2012-60.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-60 has been adopted.

ORDINANCE NO. 2012-61

AN ORDINANCE PROVIDING FOR TEMPORARY APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE CITY OF WILLOUGHBY HILLS, STATE OF OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2013 THROUGH MARCH 31, 2013; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2012-61.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-61 has been suspended.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Somich to adopt Ordinance No. 2012-61.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-61 has been adopted.

ORDINANCE NO. 2012-62

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE PROPOSAL OF AND TO ENTER INTO A CONTRACT WITH CREATIVE MICROSYSTEMS, INC. TO UPGRADE THE CITY'S CURRENT ACCOUNTING SOFTWARE PROGRAM AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2012-62.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-62 has been suspended.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Biro to adopt Ordinance No. 2012-62.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-62 has been adopted.

RESOLUTION NO. 2012-14

A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE AND TO AUTHORIZE THE FINANCE DIRECTOR TO DRAW A WARRANT FOR THE ORDERS OR CONTRACTS ASSOCIATED WITH SUCH CERTIFICATE AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to suspend the Three Reading Rule for Resolution No. 2012-14.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2012-14 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to adopt Resolution No. 2012-14.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2012-14 has been adopted.

RESOLUTION NO. 2012-15

A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE AND TO AUTHORIZE THE FINANCE DIRECTOR TO DRAW A WARRANT FOR THE ORDERS OR CONTRACTS ASSOCIATED WITH SUCH CERTIFICATE AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to suspend the Three Reading Rule for Resolution No. 2012-15.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2012-15 has been suspended.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilwoman Fellows to adopt Resolution No. 2012-15.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2012-15 has been adopted.

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to declare a 1994 Ford Dump Plow Truck, VIN#1FDXK82E6RVA25237, mileage of 96,721 with an estimated value of \$500.00 as surplus property..

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the abovementioned service vehicle (VIN#1FDXK82E6RVA25237) has been declared as surplus property.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to adjourn into Executive Session following "For the Good of the Order", inviting Members of Council, the Mayor and the Law Director to address Personnel Matters.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt that Council will adjourn into Executive Session immediately following "For the Good of the Order" inviting Members of Council, the Mayor and the Law Director for the purpose of discussing Personnel Matters. At such time of adjournment, the Finance Director and the City Director shall be excused from the Regular Council Meeting.

FOR THE GOOD OF THE ORDER

Councilman Somich:

- Unique Nativity Exhibit at the Kirtland Visitor Center – Open 7 days a week - Free
- Free Admission to Penitentiary Glen Reservation's "Winter Wonder Land for the Twelve Days of Winter Game - Noon to 5 pm every day (*Noon to 3 pm Christmas Eve and New Year's Eve; Closed Christmas Day),

President Reichelt:

- City Music Concert – St. Noel Church – Friday, December 14th at 7:30pm

The Members of Council, the Mayor, and the Law Director adjourned into Executive Session at 7:47pm. The Meeting was reconvened at 8:34pm with all the Members of Council, the Mayor and the Law Director present.

ADJOURNMENT

MOTION WAS MADE BY COUNCILWOMAN FELLOWS seconded by Councilman Germano to adjourn the meeting.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared the Regular Council Meeting of December 13, 2012 to be adjourned at 8:34pm

APPROVED: _____

Date



David A. Reichelt
President of Council

ATTEST: _____

Victoria Ann Savage, CMC
Clerk of Council