

City of Milloughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
FRANK A. GERMANO
CHRISTOPHER HALLUM
JOHN PLECNIK

Regular Council Meeting

Minutes of February 13, 2014

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 Raymond C. Somich

Pledge of Allegiance

Roll Call of Council

Members Present: Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Christopher Hallum, Councilman John Plecnik, President Raymond C. Somich, Vice President Nancy E. Fellows

Absent: Councilman Christopher L. Biro

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

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilwoman Fellows to excuse Councilman Christopher L. Biro from the Regular Council Meeting of February 13, 2014.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich stated that Councilman Biro has been excused from the Regular Council Meeting of February 13, 2014.

President Somich took a moment to memorialize our former Mayor who passed away very recently.

CORRESPONDENCE

WH Community Center Rental Report for January 2014 (Emailed: February 11, 2014)

City Engineer's Report dated February 6, 2014 (Emailed: February 6, 2014)

FINANCIAL REPORTS FOR THE MONTH ENDING DECEMBER 2013 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: February 3, 2013)

NOTIFICATIONS

Finance and Service Committee Meeting of February 10, 2014 (Emailed: February 7, 2013)

Cancellation of the Finance and Service Committee Meeting of February 10 2014 (Emailed: February 7, 2014)

Personnel Relations Committee Meeting of February 4, 2014 (Emailed: January 29, 2014)

Planning and Zoning Commission and Architectural Board of Review Meeting of February 6, 2014 (Emailed: February 3, 2014)

Planning and Zoning Committee Meeting of February 13, 2014 (Emailed: January 30, 2014)

Cancellation of the Recreation Committee Meeting of February 5, 2014/**Rescheduled** for February 11, 2014 (Emailed: February 4, 2014)

Rules and Legislation Committee Meeting of February 10, 2014 (Emailed: February 7, 2014)

Cancellation of the Rules and Legislation Committee Meeting of February 10, 2014 (Emailed: February 7, 2014)

Rules and Legislation Committee Meeting of February 11, 2014 (Emailed: February 7, 2014)

MINUTES

Personnel Relations Meeting Minutes of February 4, 2014 (Emailed: February 7, 2014)

ON FILE

Vibrant NEO 2040 January Newsletter (Emailed: January 27, 2014)

WH Senior Center News Letter for February 2014, Issue No. 70

MAYOR'S REPORT – Robert M. Weger

NOPEC – residents will be receiving NOPEC pricing update for gas with an option to Opt In to a variable pricing program, or Opt Out to choose another supplier. Information is available at City Hall kiosk and website, or call Gloria or Sharen at City Hall for questions or explanations.

Engineers Reports – now available on City Website – Council and residents can check on project status very easily now

City Newsletter – finalized this week – at the printer – coming out by end of the month

Acknowledgements

Get Well – John Smicklas – recovering from surgery

Sympathy to the families of:

Former Mayor Mort O'Rayn

John Paciorek

Harry Zimmerli

(All passed away in the past weeks)

Events

Reminder: city Hall closed on Monday, February 17th in observance of President's Day

Library is closed on Monday, February 17th, also for a Staff Development Day

Pancake Breakfasts – beginning Sunday, March 2nd

LAW DIRECTOR'S REPORT – Thomas G. Lobe

Updated the status on the Union Labor Negotiations for the Service Department and the Fire Department

FINANCE DIRECTOR'S REPORT – Frank J. Brichacek, Jr.

Year-End Financial Statements for 2013

Reported that the General Fund had a deficit of a \$101,000 compared to the budget deficit of \$546,000 – that was a result of actual revenue exceeding our estimates by 4.2% and expenditures being under our estimates by 2.9%; of the Funds that were dependent on the General Fund which is the General Fund, the Safety Forces Fund and the Fire Levy Fund revenue exceeded our estimate by 1.5% and expenses were 7.6% less than what was budgeted. In addition, the Finance Director noted that every department was under their authorized expenditures for 2013.

The Finance Director requested that Ordinances No. 2014-14 and Ordinance No. 2014-19 be withdrawn. Ordinance 2014-14 was unnecessary because that project was completed this year without incurring any additional obligations other than what had already been charged to the 2013 budget and the Engineer had advised the Finance Director that the Euclid Creek East Bank Tributary Project had been cancelled so that appropriation is unnecessary.

The Finance Director requested that Ordinance Nos. 2014-11 through 2014-19, storm water management projects throughout the City be passed tonight on First Reading.

Councilwoman Fellows questioned the Finance Director with respect to withdrawing Ordinance No. 2014-14 and Ordinance No. 2014-19 as to what would happen to the sequence of the appropriation schedules. The **Finance Director** replied that the Appropriation Schedules would all need to be revised.

Councilwoman Fellows had questions pertaining to the appropriation process and the letting of a Purchase Order.

Councilman Fiebig questioned why the Finance Director requested the withdrawing of Ordinance No. 2014-19. The **Finance Director** replied that the Project had been cancelled. **Councilman Fiebig** questioned if he was referencing the cancellation of the Lamplight Lane Culvert Replacement Project. The **Finance Director** stated that he was talking about the Euclid Creek East Bank Tributary Project. The **City Engineer** stated that he could clear the confusion up; there are two projects with the same name, one project was CT's proposal which was for \$361,000, that project was cancelled and we still have the Lamplight Culvert Project which we are proceeding with this year. The **Finance Director** stated that was the confusion with the two engineers and the two names and he was never advised that the project was cancelled.

Law Director requested that the Members consider a Motion to Table Indefinitely Ordinance No. 2014-14 as well as Ordinance No. 2014-19.

CITY ENGINEER'S REPORT – Pietro A. DiFranco, P.E.

Reviewed Contracted Retainer Services and the following Projects:

- (1) Assisting homeowner at 2926 Bishop Road with basement flooding issues; experiencing issues since new sewer project
- (2) Working with the residents of Stratford Place who are also experiencing basement flooding issues
- (3) 36401 Eddy Road – Storm Water Management Project where (4) properties are being flooded due to a clasped storm sewer pipe installed by a property owner
- (4) Working with Administration to replace the doors at the Community Center through a CDBG Grant
- (5) Plan review for the Clover Congregate Care Facility
- (6) Plan review for the Maple Valley Subdivision
- (7) Maple Grove Pavement Improvement Project
- (8) 29341 Eddy Road – aka Knecht/O'Brien Culvert – this is another culvert installed by a private property owner – project being funded through the Lake County Storm Water Management Department and are currently in the design phase – hoping to go out to bid sometime in the spring and/or summer
- (9) Lamplight Lane Culvert Replacement Project – approved by the Lake County Storm Water Management Department – replacing culvert with a larger capacity culvert and rise the road so that it doesn't flood during frequent rain events
- (10) Resident of Pine Valley Subdivision – spoke with a resident (2396 Michelle Court) regarding a drainage concern that he had with the new Maple Valley Subdivision; City Engineer explained that the new Maple Valley Subdivision will not affect the Pine Valley Subdivision - detention is being proposed which will reduce the amount of run-off leaving the Maple Valley Subdivision

City Engineer reported that there are currently eight Purchase Orders open from the Lake County Storm Water Management Department; most of the projects are being done by the Service Department crew; two of the project involve the City Engineer: one is the Lamplight Project and the other is the Knecht/O'Brien Culvert

City Engineer requested that the Members Table Indefinitely Ordinance No. 2014-2 which is the Modification to the Bowen + Associates, Inc. Contract and would prefer to continue under the current Contract Agreement

Councilman Hallum questioned if there was a plan to avoid any issues pertaining to ingress/egress for the property owners. **City Engineer** responded that they are definitely planning on keeping one lane open throughout construction and three residents may require their drive aprons to be redone this would be part of the project and would require minimal time disruption.

Councilman Germano question if the Ordinance pertaining to the Trailard Lane Storm Sewer Extension as passed this evening, would it allow for you to get the Army Corp of Engineers approval to get the project going. **City Engineer** presented overview of the project; Project discussed with the Lake County Storm Water Management Department and the permit may not be required; however the City Engineer still wants to confirm with the Army Corp of Engineers. Once the project gets approved that would be the next step.

President Somich stated that would be pertaining to Ordinance No. 2014-11.

President Somich passed the gavel to Vice President Fellows to comment on the City Engineer's verbal and written reports. **President Somich** stated that the ordinances presented this evening represent a total of over a quarter million dollars in grant money received from various sources to pay for services that the City is receiving or being reimbursed for

and the great majority of this is being done through the efforts of our City Engineer. **President Somich** stated that we will take in consideration the City Engineer's request to withdraw Ordinance No. 2014-2; however, it would be his preference to leave it Committee for further discussion.

Councilman Fiebig stated that we are all appreciated all the good work that the City Engineer is doing; want to continue the good working relationship. **Councilman Fiebig** also provided commentary on the modification to the contract with respect to what retainer services are being provided that could be modified and/or reconsidered.

COMMITTEE REPORTS

The following Reports have been listed alphabetically by Committee.

RULES & LEGISLATION – Nancy E. Fellows, Chair

Committee Members: David M. Fiebig, Raymond C. Somich

COMMITTEE MEETING OF FEBRUARY 11, 2014

Members Present: Vice President Nancy E. Fellows, Chair, Councilman David M. Fiebig

Also Present: Councilman Frank A. Germano, Councilman John Plecnik, Law Director Thomas G. Lobe, Finance Director Frank Brichacek, City Engineer Pete Di Franco and Mayor Robert M. Weger

Purpose of the Meeting was to discuss **2014 Proposed Budget and the Schedule of 2013 Appropriations – Revisions 8** and any other business.

Meeting convened at 6:02pm

Order of Business

Ordinance No. 2014-1 – An Ordinance to increase the bid limit for purchases in excess of \$25,000 to \$50,000.
Committee recommends Second Reading.

Ordinance 2014-2 – An Ordinance to double the retainer of the City Engineer and the Assistant City Engineer from \$6,500 to \$13,000 annually each. This was suggested to be placed in a combined Service/Finance committee meeting for further discussion; meeting yet to be scheduled. **Rules Committee recommends Second Reading.**

Ordinance No. 2014-7 – An Ordinance to amend Section 9.04 of the 2014-2016 Dispatcher Contract, where cutting and pasting of a previous contract from the Patrol and Sergeants hours worked was used, which was an error, as the Dispatchers hours are different. Reviewed in Personnel Relations Committee meeting held Feb. 2, 2014. Recommendation from Personal Relations Committee meeting was to pass without an emergency measure. **Rules Committee recommends Second Reading.** (Personal Relations Committee recommendations not discussed at Rules).

Ordinance 2014-8 – An Ordinance pertaining to compensation for the City's Dispatchers. While processing payroll the Asst. Finance Director noted an error in the Salary Schedule. This error has caused an overpayment to the Dispatchers. The legal representative for the Ohio's Patrolmen's Benevolent Association stipulated that there would be no recoupment of monies paid. Due to the error and the overpayment of the Dispatchers, **the Committee recommends that the 3 Reading Rule in this instance be Waved and the Ordinance be adopted.**

Ordinance 2014-9 – An Ordinance authorizing the Mayor accept the proposal of Richard L. Bowen & Associates to provide professional engineering services (\$30,800) for the design of the Lamplight Culvert Replacement Project, **the Committee recommends that the 3 Reading Rule in this instance be Waved and the Ordinance be adopted.**

Ordinance 2014-10 – An Ordinance aligned with Community Center weekend rates for Sanctioned and Non-Sanctioned Civic Organizations. Question arose concerning the urgency of passing this Ordinance with ongoing bookings through the Recreation Coordinator. **At this time, the Rules Committee recommends First Reading.**

The following Ordinances 2014-11 through 2014-18 have been appropriated through the Street Construction, Maintenance and Repair Special Revenue Fund No. 250, as they are aligned with storm water management and not sanitary sewers.

Ordinance 2014-11 – Aligned with Trailard Lane Storm Sewer Extension Project – project carried over from 2013, fully

funded by the Lake County Storm Water Management Department (LCSMD) (\$3,700), our Service Dept. assigned to project. **Rules Committee recommends First Reading.**

Ordinance 2014-12 – Aligned with Rockefeller/White Storm Water Crossover Replacement Project - project carried over from 2013, fully funded by the LCSMD (\$7,300), our Service Dept. assigned to project. **Rules Committee recommends First Reading.**

Ordinance 2014-13 – Aligned with the Knecht/O'Brien Culvert Stream Restoration Project - project carried over from 2013; fully funded by the LCSMD (\$201,750 rounded up to \$201,800 by the Finance Director). **Rules Committee recommends First Reading.**

Ordinance 2014-14 – Aligned with Erich Drive Drainage project - project carried over from 2013, project completed, fully funded by the LCSMD (\$10,332.72 invoiced to County on Feb. 2, 2014, County originally appropriated \$20,000), our Service Dept. completed the project. Even though this project has been completed this Ordinance needs to stay in sequential order due to the appropriation schedules incorporated into each proposed Ordinance. **Rules Committee recommends First Reading.**

NOTE: When providing the minutes orally, Chair Fellows reported that the Finance Director stated that this Project has been completed.

Ordinance 2014-15 – Aligned with SOM Center Road (Rt. 91) Storm Sewer Repair Project - project carried over from 2013, fully funded by the LCSMD (\$11,600, County appropriated \$15,000), our Service Dept. assigned to project. **Rules Committee recommends First Reading.**

Ordinance 2014-16 – Aligned with Eddy Road Storm Sewer Overflow Swale Project - project carried over from 2013, fully funded by the LCSMD (\$17,000) our Service Dept. assigned to project. **Rules Committee recommends First Reading.**

Ordinance 2014-17 – Aligned with Pleasant Valley Road (West) Storm Sewer Project - project carried over from 2013, fully funded by the LCSMD (\$16,500) our Service Dept. assigned to project. **Rules Committee recommends First Reading.**

Ordinance 2014-18 – Aligned with the design cost of \$30,800 for Lamplight Lane Culvert Replacement Project (formally Euclid Creek East Branch Drainage Improvements). As I was preparing the minutes it occurred to me that this Ordinance should stay on First Reading as all Ordinances from 2014-11 through 2014-19 appropriation revisions are in sequential order. Therefore, **this Ordinance must stay on First Reading rather than the original recommendation from Rules that the 3 Reading Rule be Waved.** Ordinances 2014-11 through 2014-19 as prepared requires that all the Ordinances be enacted in sequence order as submitted by the Finance Director.

NOTE: When providing the minutes orally, Chair Fellows reported now that we had a discussion this evening, about pulling out one of these ordinances and the Finance Director said that appropriations schedules can be redone, then our original thought from Rules was that we Waive the Three Reading Rule and Adopt the Ordinance. This is to allow the City Engineer to begin the project.

Ordinance 2014-19 – Aligned with Lamplight Lane Culvert – appropriated from the Road Levy Fund 270. Estimate cost of the project (minus engineering services) \$409,500, \$339,500 to be provided by the LCSMD, with a balance of \$70,000 to be paid from the Road Levy. **Rules Committee recommends First Reading.** Important to note – previously shared with Council that \$150,000 of our \$250,000 Road Levy will be used for salary/wages in 2014, leaving a balance of \$100,000 which approximately \$70,000 has been appropriated for this project leaving a grand total of \$30,000 available for road projects. This is disconcerting!

NOTE: When providing the minutes orally, Chair Fellows noted that a request was made to withdraw this Ordinance.

Should Ordinances 2014-11 through 2014-19 be reviewed in a Service Committee meeting inviting Nate Catania? Resolution No. 2014-2 – A resolution honoring Joan Motuza. **Rules recommends to Wave the 3 Reading Rule.**

Note Worthy:

From our Charter: Ordinances and/or Resolutions providing for the appropriation of money, take effect unless a later time be specified therein, upon signature by the Mayor, or upon the expiration of the time within which it may be disproved by the Mayor, upon its passage after the disapproval by the Mayor as the case may. In other words, there is no emergency measure required and the Ordinances were prepared by the Council Clerk in accordance with the Charter.

Council Germano voiced his opposition with 3 Readings of an Ordinance. He further stated that this just gives the residents the opportunity to “complain” and potentially “disagree with a project”; “with Waving the 3 Reading Rule this would not happen”. A 3 Reading Rule is a state statute stated in the Ohio Revised Code. It provides an opportunity for our residents to come forth and voice their opinions and concerns whatever they may be. In certain instance, such as an emergency, it would be appropriate to Wave the 3 Readings. This action has been overused, not only by us, but many communities.

In reviewing all the appropriations brought forth, we have been awarded nearly \$1,000,000 in grant money from LCSMD! Kudos to Nate Catania and Pete Di Franco for securing these grants for the City. We still must be conscientious of the fact if we did not have the grants, how would the City manage these projects financially? Finance Director Frank Brichacek indicated that projects would have to be “(re)prioritized, some projects would have to be deferred, and would have to review lack of revenue”.

Public Portion

No one came forward for public portion.

Meeting adjourned at 7:00pm

UTILITIES – Frank A. Germano, Chair

Committee Members:

Christopher L. Biro, Nancy E. Fellows

Chair Germano announced the following schedule for Utilities Committee Meeting held in 2014:

<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	August	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
3 & 31 7:30pm	28 7:30pm	12 7:30pm	2 & 30 7:30pm	14 & 28 7:30pm	Recess	2 & 29 7:30pm	14 7:30pm	3 7:30pm	1 7:30pm

PLANNING & ZONING – David M. Fiebig, Chair

Committee Members:

Christopher Hallum, John Plecnik

COMMITTEE MEETING OF FEBRUARY 13, 2014

Members Present: Councilman David M. Fiebig Chair, Councilman Christopher Hallum, Councilman John Plecnik

Also Present: Councilman Frank A. Germano, Vice President Nancy E. Fellows, Economic Development Director Steve Roszczyk, Building Commissioner Fred Wyss, Mayor Robert M. Weger

Purpose of the Meeting was to discuss **Zoning Code** and any other business.

Meeting convened at 6:02pm

Order of Business

Introduced Economic Development Director Steve Roszczyk to get his perspective and the perspective of our Zoning Code and how planning and future zoning would all benefit Economic Development within the City. Steve did a presentation to Council and the Members who are present here and had requested an electronic copy to be posted on the City’s Website. The Economic Development Roszczyk pointed out the strengths and weaknesses; the opportunities, the threats that exist in the City with the current Zoning Code. Discussed new development possibilities or redevelopment possibilities; incentives, what developers want and need; how to strike a balance between the commercial interests and the residential interests in the City. We discussed the 2006 Code that was updated and in fact some changes had been made to that; and we are going to continue to move forward in updating that; continue to make sure that it is meeting our current needs; we introduced a new term called a mix-use overlay district that would perhaps be another tool in the toolkit that an Economic Developer could have that would perhaps not change zoning but yet attract and offer some flexibility to a developer who might be interested in certain areas of the City. The meeting was open to provide the opportunities for questions, there was a good dialogue, pretty free-flowing dialogue by Council Members Hallum, Somich, Plecnik, all asked some good questions and there was some back and forth – got example what can we do for development, talked about some specifics down at DDR that owns a significant portion of west-end of the City, Office Max, Giant Eagle. What other opportunities that might exist with some of the land that is called industrial but we are talking about industry and commerce not smoke stacks and industry that one might think. Getting that creative mix that in turn creates a vibrant unity is what we are striving for and what are those elements and how do we reach those; how do we reach the critical

mass to be able to bring in both people and business and commerce that benefits the tax base of this City without raising taxes and provides services for the citizens in our community. We do hope to have a continuing on-going dialogue about that. The Committee hopes to have the Economic Development Director Roszczyk back again and would like to have the Building Commissioner Fred Wyss back again to talk about some specifics cross-access of zoning that we might want to bring in to help develop the Dunkin' Donuts and the area right next to the old Sears Hardware.

Public Portion

The following people came forth at 6:40 p.m. with questions/comments: John Lillich: perspective on why an area is "hot" why others are not. Where is the data on this? Steve, one retailer begets another. Setting a pin, circle the area. Frank Cihula: Swagelok. Property is under deed restriction. Split Zoning. Charlotte Schryer: Will update Zoning Code Map, will continue along with Zoning Code Changes, next week all invited. Linda Fulton: Loehmann area, perception needs to change that it is unsafe. Public Portion was closed at 6:50pm
President Somich claimed that the area is safe, can get the records to verify. Most major retailers look primarily at demographics.

Announced that a Work Session will be held prior to the Planning & Zoning Commission and Architectural Board of Review Meeting to be held on February 20th at 6:30pm

Meeting adjourned at 6:53pm

SERVICE – Christopher Hallum, Chair

Committee Members:

Frank A. Germano, John Plecnik

COMMITTEE MEETING OF JANUARY 28, 2014

Members Present: Councilman Christopher Hallum, Chair, Councilman Frank A. Germano, Councilman John Plecnik

Also Present: Councilman Christopher L. Biro, Vice President Nancy E. Fellows, Councilman David M. Fiebig, City Engineer Pete DiFranco, Assistant City Engineer Dan Collins and Mayor Robert M. Weger

Purpose of the Meeting was to discuss **Contract Modification Agreement by and Between City of Willoughby Hills, Ohio & Richard L. Bowen +Associates, Inc.** and any other business.

Meeting convened at 6:30pm

Order of Business

The meeting was called to discuss:

- (1) Contract Modification Agreement by and between the City of Willoughby Hills & Richard Bowen & Associates, Inc.;
- (2) Lamplight Lane Culvert Replacement

Mr. DiFranco gave background information concerning the Bowen contract and the request to modify it. Engineers understood the hours required per month to be an average of 20 ours. Actual average was closer to 50 hours/mo. Councilman Plecnik asked about tracing of hours. Mr. DiFranco and Mr. Collins admitted that they had not kept close track of the hours.

Councilman Hallum asked if they could indicate where most of the hours spent were categorized based on the categories A-F in the Contract

Mr. DiFranco stated that most would have fallen under categories A,B, & C. (See Contract)

Councilman Fiebig asked how much of the additional hours were due to a first year learning curve.

Mr. DiFranco could not estimate.

Councilman Fiebig asked if more of the work made more sense to handle under retainer activities rather than contract work.

Mr. DiFranco stated that that was true.

Mayor Weger indicated that we had spent less with Bowen + Associates last year than with the previous year with the last engineer.

There was some discussion as to whether that was a fair comparison due to all of the sewer project work in 2012.

Questions were also raised as to where the money would come from even if we did agree to modify the retainer, and how the hour clause should read, or whether it should be removed all together.

Agreed to schedule a joint meeting with Finance to make final determination on a recommendation to Council.

Mr. DiFranco discussed the Lamplight Lane Culvert plans.

Plan will eliminate flooding ini the 10 year flood zone. Mayor Weger stated that the project has already been approved by the county, but that council must approve in order for the city to write a PO to be reimbursed.

Councilwoman Fellows asked if there would be any downstream affects.

Mr. DiFranco stated that they don't expect any since the pipes downstream are as big or bigger than the purposed pipe at Lamplight Lane.

Councilman Biro asked about cleanup as well as ongoing cleanup in the culvert.

Mr. DiFranco stated that some areas were cleaned during the Gatsby Lane Project, but other would be done during this project. The City will continue to maintain the cleanliness of the culvert.

Public Portion – Opened at 7:00pm

Linda Fulton asked why there is usually no Service Committee report if there is so much work being done by the Engineers. She also asked that the City look at the Marcum and Parkview culverts for potential need of being cleaned.

Public Portion – Closed at 7:10pm

Councilman Germano made a motion to recommend approving the Lamplight Culvert Project to Council and Councilman Plecnik seconded.

Meeting adjourned at 7:25pm

PLANNING & ZONING – David M. Fiebig, Chair

Committee Members: Christopher Hallum, John Plecnik

Chair Plecnik stated that although the Recreation Committee of Council has not met since our last Regular Council Meeting, we did have a meeting of the Recreation Commission for Willoughby Hills and both prior to and after the Commission Meeting which immediately followed the Rules & Legislation Committee Meeting chaired by Councilwoman Fellows, the Recreation Coordinator approached him about Ordinance No. 2014-10 and she expressed one more substantive concern, she wanted to make sure that funeral rentals were restricted to four (4) hours and a few other changes in language that do not change the meaning of the statute were then run through the Council Clerks Office, so his recommendation would be to Table Ordinance No. 2014-10 until the next Regular Council Meeting and then put it on First Reading in the form because it has yet gone through Rules in its current form.

FINANCE – Raymond C. Somich, Chair

Committee Members: Nancy E. Fellows, Frank A. Germano

President Somich reported in meeting with the Finance Director, Standing Finance Committee Meetings have been established; the Committee will meet the Monday prior to the Regular Council Meeting held on the fourth Thursday of every month; the Monday before the fourth Thursday of every month. The next Finance Committee meeting would be Monday, February 24th.

PERSONNEL RELATIONS – Christopher Biro, Chair

Committee Members: John Plecnik, Mayor Robert M. Weger

In Councilman Biro's absence, President Somich presented the Minutes from the Personnel Relations Committee Meeting held February 4, 2014

COMMITTEE MEETING OF FEBRUARY 4, 2014

Members Present: Councilman Christopher L. Biro Chair, Councilman John Plecnik, Mayor Robert M. Weger

Also Present: Vice President Nancy E. Fellows, Councilman David M. Fiebig, President Raymond C. Somich, Law Director, Mayor, Mayor's Assistant

Purpose of the Meeting was to discuss **Amendments to the Collective Bargaining Agreement between the City and the Ohio Patrolmen's Benevolent Association (Dispatchers)** and any other business.

Meeting convened at 6:02pm

Order of Business

Ordinance No. 2014-7: Amendment regarding changes to Dispatchers Contract in reference to consecutive days off. Gloria Majeski explained that Section 9.04 of the Patrolmen's Contract currently states: "Employees shall be assigned a regular work schedule with the same 2 consecutive days off each week. Seniority shall be considered in designating employee days off. The City reserves the right to change work schedules for operational reasons but shall not arbitrarily and capriciously change schedules. To the extent practical, the City will implement schedule changes so as to avoid assigning an employee to work six (6) or more consecutive days when the schedule changes."

Section 9.04 of the Dispatchers Contract should read "Employees shall be assigned a regular schedule with consecutive days off each week." Seniority shall be considered in designating employee days off. The City reserves the right to change work schedules for operational reasons, but shall not arbitrarily and capriciously change schedules".

Consensus of Committee is to recommend to Council passage without Emergency Measure.

Ordinance No. 2014-Salary Table: Amendment to the Salary Table in the Dispatchers Contract. Rates effective Jan 1, 2014, 2015, 2016 for 1 Year of Service and 2+ Years of Service were incorrect. Correct rates referenced in Memo dated January 21, 2014 to Gloria Majeski from Debbie Doles. Consensus of Committee to recommend to Council to wave 3 Reading Rule and Adopt as an Emergency Measure.

Public Portion

The following people came forth with questions/comments: Fay Sivazlian came forward with commentary regarding her taxes and the need for help with replacing her mailbox.

Meeting adjourned at 6:52pm

OTHER COUNCIL REPRESENTATIVE REPORTS

Councilman Hallum provided that the Economic Development Task Force met earlier today and received an update from the Economic Development Director Steve Roszczyk regarding some of the new businesses that are considering moving in the area as well as planning into the area. Dunkin' Donuts of course was discussed and there is some interest in the Sears Building. Karen Tercek from the Willoughby Western Lake County Chamber of Commerce reported that the Chamber has created a new "Team Do" that is specifically looking at Willoughby Hills and the merchants within the City to try to improve and increase involvement in City/Community activities.

The Task Force also discussed moving the responsibilities of events/activities held at the west-end of the City arranged by the Task Force to "Team Do". The Task Force also is considering creating a 501(c)(3) Real Estate Trust for residents to be able to donate property; the 501(c)(3) would then be able to utilize those funds for City events/activities; this would be a separate entity not related to or maintained by City personnel. The Task Force to consultant with the Law Director on the feasibility of the 501(c)(3).

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 7:56pm

1. Rick Farone
2396 Michelle Court/Pine Valley Subdivision
Re: Thanked everyone for responding to his concerns; wanted to make Council formally aware that he did experience a water problem in his basement this past summer, July 20th with the heavy rain had 6 inches of water resulting in about \$20,000 worth of damage
2. Gloria Majeski
2717 Graylock
Re: Responded to statements made at the Regular Council Meeting of January 23rd pertaining to Corn Fest; stated that she had been on the Executive Committee of this entity and has worked very hard to provide a fun venue for the residents as well as assume the liability of the fireworks contract once Community Days ended. Ms. Majeski felt the need to give Council information that will provide education about what Corn Fest Plans are for 2014 and had provided documents that proved that Corn Fest had indeed proclaimed its plans for 2014.

Public Portion was closed at 8:04pm

UNFINISHED BUSINESS

Councilwoman Fellows, Councilman Plecnik and Councilman Fiebig all responded to Ms. Majeski's commentary and questioned the information which Ms. Majeski provided to the Members. The Mayor requested Councilman Fiebig to provide a list of the businesses who had complaints with respect to the Color Run.

President Somich passed the gavel to state that over the years we have had some situations where there have been questions between what the responsibility of the legislative branch of government and the administrative branch of government and the residents of the community. **President Somich** stated that he thinks at this point, some of us are even a little confused in terms of what is the role of the various divisions of government. The 501(c)(3) status

that pertains to the Corn Fest means that is a nonprofit organization completely distinct from the City and completely distinct from City Council. City Council Members can serve on it and some of the Members do; residents can serve on it and many of them do; the Mayor can serve on it, if he chooses to and he is allowed to. The decisions that are made by that independent 501(c)(3) nonprofit organization are not subject to approval from the Mayor or subject to approval by City Council. Truly we are all trying to work together so if there are Members of City Council that want to have a voice in what that does, he believes that they should be more vocal on that committee and explain what they want and do that. President Somich further stated that it isn't really appropriate for this Council Body to discuss that.

President Somich stated that the Color Run, he thinks is a different issue because that is, while it is put on by a private individual organization and there is actually no City sponsorship of that officially; there are good attributes to that and there are negative attributes to that, just as in anything in life, and he believes that City Council should be heard from regarding that and he has found in his cases, when he has talked to Administration who ultimately has approved that because that is their role to approve it, they have heard him and they have listened to his complaints and his concerns and his complaints and have followed up on those.

President Somich urged any City Councilmen that do have concerns and complaints from your constituents and from businesses that they would be related to Administration and President Somich is confident that they would follow up on them accordingly.

LEGISLATION

ORDINANCE NO. 2014-1 – SECOND READING

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE ONE – GENERAL PROVISIONS, CHAPTER 115 – METHODS OF PURCHASE, SECTION 115.04 – EXPENDITURES IN THE AMOUNT OF \$25,000 OR MORE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

President Somich declared that Ordinance No. 2014-1 would remain on Second Reading.

ORDINANCE NO. 2014-2 – SECOND READING

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT MODIFICATION AGREEMENT BY AND BETWEEN CITY OF WILLOUGHBY HILLS, OHIO AND RICHARD L. BOWEN + ASSOCIATES, INC. AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.

President Somich stated for the record that there was a Joint Meeting of the Finance and Service Committees scheduled for February 10th, the evening of the late former Mayor's wake and out of respect to him the meeting was postponed as well as the Rules and Legislation Committee Meeting scheduled for the same evening. The Joint Meeting of the Finance and Service Committees has not yet been rescheduled but will be and with all due respect to our City Engineer, we may perhaps honor your request, but we are going to put this back into Committee for further discussion and Ordinance No. 2014-2 would remain on Second Reading.

ORDINANCE NO. 2014-7 – SECOND READING

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (DISPATCHERS).

President Somich stated that the Personnel Relations Committee met (February 4, 2014) and recommended passage and the Rules and Legislation Committee met (February 11, 2014) and recommended to leave on Second Reading; what are the wishes of Council. The **Law Director** wanted to make it clear that it takes five affirmative votes of the members of Council to suspend the Three Reading Rule.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Hallum to suspend the Three Reading Rule for Ordinance No. 2014-7.

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

MOTION FAILS: 4-NAYS/2 AYES

President Somich declared that the Motion to suspend the Three Reading Rule for Ordinance No. 2014-7 has failed and Ordinance No. 2014-7 will remain on Second Reading.

ORDINANCE NO. 2014-8

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (DISPATCHERS) AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2014-8.

Roll Call: 6-AYES

MOTION PASSES

President Somich declared that the Three Reading Rule for Ordinance No. 2014-7 has been suspended.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to adopt Ordinance No. 2014-8.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that Ordinance No. 2014-8 has been adopted.

ORDINANCE NO. 2014-9

AN ORDINANCE AUTHORIZING THE MAYOR ACCEPT THE PROPOSAL OF RICHARD L. BOWEN + ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION ENGINEERING OF THE LAMPLIGHT LANE CULVERT REPLACEMENT PROJECT.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to suspend the Three Reading Rule for Ordinance No. 2014-9.

Roll Call: 6-AYES

MOTION PASSES

President Somich declared that the Three Reading Rule for Ordinance No. 2014-9 has been suspended.

MOTION WAS MADE BY COUNCILMAN PLECNIK, seconded by Councilman Hallum to adopt Ordinance No. 2014-9.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that Ordinance No. 2014-9 has been adopted.

ORDINANCE NO. 2014-10

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, SUBSECTIONS (f)(3), (g) AND (h) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN PLECNIK, seconded by Councilwoman Fellows to Table Ordinance No. 2014-10 for reasons previously stated by Chair Plecnik until the next Regular Council Meeting. **Roll Call: 6-AYES**

MOTION PASSES

President Somich declared that Ordinance No. 2014-10 has been Tabled until the next Regular Council Meeting.

President Somich passed the gavel to comment on the next series of Ordinances to be read; it has been recommended this evening by the Rules and Legislation Committee to leave these Ordinances on First Reading. **President Somich, speaking as a Councilman** would like to express his concern with that. To place all of the following Ordinances under the blanket of First Reading would be inappropriate. The Administration and in speaking with the Finance Director, the Mayor and hearing second hand comments made by the Service Director is that many of these are in motion because all of these were fully approved and fully funded as of 2013. None of these are new appropriations; all of these are being funded by outside sources so there is no direct cost to the City, to our taxpayers, to our residents. Perhaps most

importantly of all, some of these issues such as Ordinance No. 2014-11 could be costing problems eminently for some of our residents if we hold them up another 4 to 6 weeks. President Somich suggested that we look at each Ordinance on an individual basis and not as a blanket and left on First Reading for these all could have been done and finished in the 2013 year.

The Law Director recommended that the Caption for the Ordinances be read first and then any commentary may be given.

ORDINANCE NO. 2014-11

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE TRAILARD LANE STORM SEWER EXTENSION PROJECT AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Hallum to suspend the Three Reading Rule for Ordinance No. 2014-11.

Councilman Germano stated that this project was already authorized in 2013, Trailard Lane has a Project Number and Construction has already been approved by the County.

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

MOTION FAILS: 3-AYES/3-NAYS

President Somich declared that the Motion to suspend the Three Reading Rule for Ordinance No. 2014-11 has failed and Ordinance No. 2014-11 will remain on Second Reading.

ORDINANCE NO. 2014-12

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE ROCKEFELLER/WHITE STORM WATER CROSSOVER REPLACEMENT PROJECT AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Hallum to suspend the Three Reading Rule for Ordinance No. 2014-12.

Councilman Fiebig stated that the Rules and Legislation Committee recommended that Ordinance No. 2014-12 remain on First Reading. **Councilman Germano** stated that this Ordinance was approved by Ordinance No. 2013-40 on September 12, 2013, it has a Project Number and it has been approved by the County; can't see holding it up, it is being funded by grant money, free money. **Councilwoman Fellows** stated that it isn't an issue that these are funded, it is an issue of appropriateness of the climate to do some of these projects; if she was the Service Director/Safety Director she wouldn't have service members out in temperatures 2 degrees, 10degrees doing these projects in the middle of February, so it is not an issue that these were approved last year, it is not an issue that these are fully funded, not an issue that they have a number attached to them. Rules and Legislation met for a long time, we went through all of these and a recommendation was made to Council, if you want to go through the exercise of going through all of these to not waive the Three Reading Rule, we will be happy to do that. **Mayor Weger** replied that the temperature was 2 degrees yesterday, next week it is going to be 50 degrees so there is no snow plowing, what does he have his service department do, they could start doing some of this work, instead on Ordinance No. 2014-11 the flooding will happen on Trailard and Members voted no against it. There are many other things that will happen because members voted no, just be aware that three members did vote yes to remedy the situation that is now, not in six weeks; we have three degree weather with a thaw coming, some of these jobs can get done, but no we are not going to do that for six weeks. **Councilman Plecnik** stated that it is not about the weather, it is about the Three Reading Rule itself and the legislative purpose of the Three Reading Rule, both in state statute and in the City Charter; he strongly believes that it is good policy to give every resident the chance to review every piece of legislation unless it is something along the lines of a Resolution honoring the Boy Scouts which doesn't engender any cost to the City or it is a true emergency that absolutely, positively must be done and to the extent that a project needs to be earlier than the First Reading should occur earlier or it should come to Council earlier because the average resident is not going to be able to come to every Council Meeting or watch every Council

Meeting, the only opportunity that they have to review what we do is if we read it at least three times so that they have a one out of three chance of catching our legislation. **Councilman Plecnik** stated that he understands that can make the process slower and it required more advance planning for all of us but that is precisely why our City Charter requires the Mayor's office and the Administration to give a three year budgetary plan to Council every year and he is not making a direction toward our current Mayor, he is under the impression that this three year budget hasn't been provided by any Mayor of Willoughby Hills, but this is on us to do more work and more advanced planning as opposed to complaining about the Three Reading Rules which was put in place out of respect for our residents which are supposedly are First. **Councilman Germano** stated that according to Councilman Plecnik, you can waive the Three Reading Rule if it doesn't cost the City any money, these projects are fully funded, the City has no money into this, why can't it be passed, a little different than a Resolution. **Councilman Plecnik** responded that nothing in life is free, whether we are spending the tax payers dollars to directly in the City's budget or from Lake County it still comes from our residents and he respects that money as much as any dollar that we raise into the City's coffers.

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

MOTION FAILS: 3-AYES/3-NAYS

President Somich declared that the Motion to suspend the Three Reading Rule for Ordinance No. 2014-12 has failed and Ordinance No. 2014-12 will remain on Second Reading.

ORDINANCE NO. 2014-13

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE KNECHT/O'BRIEN CULVERT STREAM RESTORATION PROJECT AND REPEALING CONFLICTING LEGISLATION.

Councilman Fiebig stated that the Rules and Legislation Committee recommended that Ordinance No. 2014-13 remain on First Reading for further review. **Councilman Hallum** stated that according to the minutes, this project has already been completed, is that correct. **President Somich** replied, no that is Ordinance No. 2014-14.

President Somich stated that Ordinance No. 2014-13 will remain on First Reading.

ORDINANCE NO. 2014-14

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE ERICH DRIVE DRAINAGE PROJECT AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Plecnik to Table Indefinitely Ordinance No. 2014-14

Roll Call: 6-AYES

MOTION PASSES

President Somich declared that Ordinance No. 2014-14 has been Tabled Indefinitely.

ORDINANCE NO. 2014-15

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE SOM CENTER ROAD (RT. 91) STORM SEWER REPAIR PROJECT AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Hallum to suspend the Three Reading Rule for Ordinance No. 2014-15.

Councilman Fiebig stated that the Rules and Legislation Committee recommended that Ordinance No. 2014-15 remain on First Reading for further review. **Councilman Hallum** questioned that these are all service related projects, are these Ordinances in order of priority as far as what needs to be done, sooner or later or do we have that type of list or do

we know, is there a particular one that has more of a priority than the others that we should be aware. The **Mayor** replied when talking with the residents, theirs are more important than the others. **Councilman Hallum** replied, he understands, but do we have any consensus that is not directly related to, from our Engineering. **City Engineer** responded, no not one project that has more priority, no. **Councilman Germano** that this project here, on Rt 91, the pipe has separated and it is causing infiltration and washout amongst the pipe and if it continues on any longer, we will have a sink hole on Rt 91 and will cause a serious problem on 91 and maybe someone might hurt; this one should be going real fast, there is a clear cut danger in this one. **Councilman Fiebig** stated that we did not hear that discussion in Rules and Legislation. **Councilwoman Fellows** stated that in her report it was mentioned that these projects should go into Service for discussion, just like we are having tonight at Council Table for each and every one of these. **Councilman Germano** stated that he did his homework and he sat with Nate yesterday and talked about these projects and he told Councilman Germano that if we don't get going on this one, we are going to have a sink hole on Rt 91.

Roll Call: **Councilman Fiebig** questioned if it was possible to pause and caucus to discuss that. The **Law Director** ruled not during the pendency of a motion, Councilman Fiebig stated because that is new information that has just come to light, the Law Director replied that he understands, and we should not have closed the discussion. Councilman Fiebig stated that as these were brought forward, these were budgetary, Councilman Hallum, these were budgetary issues; the ones that did relate to some needed to go ahead quickly, for example the Engineer's design fee, we went ahead with that because that needs to be expedited; but with this information that was just brought to light, he wished was shared prior, if it does create a safety issue, then we should move forward with it. **Councilwoman Fellows** requested **point of order**, the Mayor and the Finance Director continue to have sideboard conversations and she wishes that they would share their comments with the Members. **President Somich** replied noted as such. **President Somich** passed the gavel just to respond to one point, we all know, for all of us who have been on Council, and even if not, for these to have gone through a process to be applied for funding by an outside party like Storm Water Management, and to have them approved, and to have them willing to fund these, shows already that on a service need, there is a serve need for these funds, they ranked these amongst the County and they determine which ones are very serious and need to have the work done, so to hear that the Committee is suddenly hearing for the first time that these are serious doesn't make sense because all of these have already gone through a multi-tier review including our Council Body in 2013 when we approved these back in September and to the point of even having Three Readings necessary to approve them now, if any residents had concerns they could have spoken about those concerns back in September, October, November, December or January to any of the Council Members or the Administration about these issues. The point is now is that they need to be done, so he doesn't know how anybody could be thinking that they are not serious. Councilman Fiebig thanked the Law Director for the latitude and because the information was just brought to light, if it does, a compelling reason would be the health, safety, and welfare of the residents, he would vote yes.

6 AYES

MOTION PASSES

President Somich declared that the Three Reading Rule has been suspended for Ordinance No. 2014-15.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to adopt Ordinance No. 2014-15.

Councilwoman Fellows stated as President Somich began the meeting this evening, he spoke about the differences between Administration and Legislation. What we are voting on tonight is legislation, this is appropriations for these projects to be funded, whatever we discuss last September, we have new Council people on the docket now, we should have had these projects brought to us at a Service Committee Meeting or a combined Service and Finance meeting so that we could have gone through each one of them, we should have the Road Superintendent here so that he could discuss the projects in terms of possibly prioritizing them according to where the needs are to be met first, in terms of the residents, so tonight is really on legislation and we have gotten off of that and we started talking about the projects which clearly should be in our Committee meetings.

Roll Call: 6 AYES

MOTION PASSES

President Somich declared that Ordinance No. 2014-15 has been adopted.

ORDINANCE NO. 2014-16

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE EDDY ROAD STORM SEWER OVERFLOW SWALE PROJECT AND REPEALING CONFLICTING LEGISLATION.

President Somich declared that Ordinance No. 2014-16 will remain on First Reading.

ORDINANCE NO. 2014-17

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE PLEASANT VALLEY ROAD (WEST) STORM SEWER PROJECT AND REPEALING CONFLICTING LEGISLATION.

President Somich declared that Ordinance No. 2014-17 will remain on First Reading.

ORDINANCE NO. 2014-18

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE LAMPLIGHT LANE CULVERT REPLACEMENT PROJECT AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2014-18.

Councilman Germano wanted to re-iterate that this project already has a project number as approved by the County and it is the same money that we are going to approve here that we did not approve on the other ones. Councilman Plecnik stated that with respect to this motion, he does support waiving the Three Reading Rule because this legislation is not only urgent as explained to Council in its Committees, it went through the Service Committee for a fully discussion, it went through the Rules Committee for fully discussion and the Rules Committee after concerning the issues recommended the waiver of the Three Reading Rule; he feels that this legislation has gone through the appropriate process.

Roll Call: 6-AYES

MOTION PASSES

President Somich declared that the Three Reading Rule for Ordinance No. 2014-18 has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Hallum to adopt Ordinance No. 2014-18.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that Ordinance No. 2014-18 has been adopted.

ORDINANCE NO. 2014-19

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE EUCLID CREEK EAST BRANCH DRAINAGE IMPROVEMENTS AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Plecnik to Table Indefinitely Ordinance No. 2014-19

Roll Call: 6-AYES

MOTION PASSES

President Somich declared that Ordinance No. 2014-19 has been Tabled Indefinitely.

RESOLUTION NO. 2014-2

A RESOLUTION HONORING JOAN MOTUZA FOR HER DEDICATED SERVICE TO THE CITY OF WILLOUGHBY HILLS.

MOTION WAS MADE BY COUNCILMAN PLECNIK, seconded by Councilwoman Fellows to suspend the Three Reading Rule for Resolution No. 2014-2.

Roll Call: 6-AYES

MOTION PASSES

President Somich declared that the Three Reading Rule for Resolution No. 2014-2 has been suspended.

MOTION WAS MADE BY COUNCILMAN PLECNIK, seconded by Councilman Fiebig to adopt Resolution No. 2014-2 honoring Clerk Joan Motuza.

Councilman Plecnik commended Joan Motuza for her years of providing service to the City and he along with the BZA Chair Frank Cihula would like to be given the honor of presenting the Resolution to Joan.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that Resolution No. 2014-2 has been adopted.

NEW BUSINESS

There was no new business brought forth to the Members of Council.

FOR THE GOOD OF THE ORDER

Councilman Fiebig:

Wanted to take this opportunity to respond to the Mayor's request regarding the list of businesses that had concerns/issues with the Color Run. Councilman provided the following businesses: Baker's Square, Dr. Lemo, Union Eye Care, McDonalds, BP, Kim's Nails, PNC Bank and NTB Tire; if there are any more he will certainly pass them along. The Mayor questioned if the concerns were raised after the first Color Run or the second Color Run. Councilman Fiebig replied the second. The Mayor stated that the course was changed after the first Color Run. Councilman Fiebig stated yes, exactly and that it did help the residents, but there were mix of comments from both Color Runs. Councilman Fiebig didn't want to take up too much time, and we should have dialogue, in moving forward.

Recognized the passing of resident Betty Kazen, owner of a beautiful piece of property and had preserved it very well and she and her husband built so much of Euclid in their day.

Councilwoman Fellows:

Wished everyone a Happy Valentine's Day!

Councilman Somich:

Lake Farm Parks – Quilts 2014 opens tomorrow and continues for about a month.

Maple Sugaring begins on February 22nd; they do a fabulous job with this at the Farm Park, they actually let you tap the trees and enjoy the sweet syrup that comes forth.

City of Eastlake Annual Boulevard of 500 Flags Fundraiser – The Boulevard of 500 Flags Committee will be holding their annual fundraiser on Friday, February 21, 2014 from 6:00pm to 11:00pm. Due to the immense popularity of this event, it will be held this year at the Patrician Party Center located at 33150 Lakeland Boulevard in Eastlake.

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN PLECNIK, seconded by Councilman Hallum to adjourn the Regular Council Meeting of February 13, 2014.


Roll Call: 6 AYES - unanimous

MOTION PASSES

President Somich declared the Regular Council Meeting of February 13, 2014 to be adjourned at 8:58pm

APPROVED:


Date


Raymond C. Somich
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council