

City of Willoughby Hills

Regular Council Meeting Minutes of February 26, 2015

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

Due to technical difficulties with the audio recording equipment the written minutes of February 26, 2015 shall serve as the official records and minutes.

Meeting Called to Order at 7:00 p.m. by President Raymond C. Somich

Pledge of Allegiance

Roll Call of Council

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

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

CORRESPONDENCE

Interoffice Memorandum from Law Director Thomas G. Lobe to the Members of Council dated February 18, 2015 re: Public Records Request (Emailed: February 10, 2015)

Email to Rodger A. Pelagalli, Attorney at Law dated February 18, 2015 re: Public Records Request (Emailed: February 18, 2015)

City Engineer's Report dated February 19, 2015 (Emailed: February 19, 2015)

EMAIL FROM CLERK OF COUNCIL TO MAYOR SERVING AS SAFETY/SERVICE DIRECTOR, DATED FEBRUARY 25, 2015 RE: OHIO DEPARTMENT OF LIQUOR CONTROL – 28601 CHARDON ROAD, WILLOUGHBY HILLS, OHIO

NOTIFICATIONS

Board of Building and Zoning Appeals Meeting scheduled for March 10, 2015 has been cancelled (Email: February 20, 2015)

Notification of Charter Review Commission Public Hearings scheduled for March 2 and March 16, 2015 (Emailed: February 19, 2015)

Civil Service Commission Meeting of February 26, 2015 (Emailed: February 20, 2015)

Finance Committee Meetings scheduled for February 23rd, March 23rd, April 20th, May 25th, June 22nd, July 20th of 2015 (Emailed: February 13, 2015)

Revised schedule of Finance Committee Meetings. Meeting have now been only scheduled for February 23rd, March 23rd and April 20th of 2015 (Emailed: February 17, 2015)

Planning & Zoning Commission and Architectural Board of Review Meeting of February 19, 2015 (Emailed: February 17, 2015)

Recreation Commission Meeting scheduled for February 11, 2015 (Emailed: February 10, 2015)

Recreation Commission Subcommittee Meeting scheduled for March 4, 2015 at 7:45pm (Emailed: February 24, 2015)

Rules and Legislation Committee Meeting of February 23, 2015 (Emailed: February 13, 2015)

Ohio Department of Natural Resources Urban Deer Management Meeting scheduled for February 26, 2015 (Emailed: February 13, 2015)

Email from Ohio Department of Natural Resources dated February 20, 2015 re: Deer Management: Invitation to attend Urban Deer Management Meeting – Extending RSVP

NOTIFICATION OF SERVICE COMMITTEE SPECIAL MEETING OF MARCH 2, 2015

MINUTES

Charter Review Meeting of November 3, 2014 (Emailed: February 19, 2015)

Charter Review Meeting of February 3, 2015 (Emailed: February 19, 2015)

Planning & Zoning Commission and Architectural Board of Review Meeting of January 15, 2015 (Emailed: February 17, 2015)

Rules and Legislation Committee Meeting of February 9, 2015 (Emailed: February 24, 2015)

ON FILE

WH Senior Center News Letter for February 2015, Issue Number 82

The Housing Center/Research & Advocacy Center News Letter for Winter 2014-2015

Dominion East Ohio Notice of filing of Extension of Approval for PIR Program PUCO Case No. 15-0362-GA-ALT, dated February 19, 2015

MAYOR'S REPORT – Robert M. Weger

AARP Tax Assistance appointments are still available. Call the Mayor's Office to schedule.

RITA will be here for City Income Tax on Thursday, March 5 from noon to 6pm – no appointment necessary.

Charter Review Commission – Public Hearing on Monday, March 2nd – 7pm in Council Chambers – Public is welcome to come and present any Charter concerns to the Commission

City Newsletter out to all homes this week

Bids opened for Lamplight and Knecht-O'Brien Projects – City Engineer Di Franco will report on this – they did a fine job for us on the specs and bidding

Chuck holes are being addressed by the Service Department. Reminder to drive slowly and be careful until weather permits us to make permanent repairs.

Acknowledgements:

Condolences to Police Officer Dave Broadwater on the recent passing of his wife Laurie.

Condolences to the family of Eurico Monteiro of White Road who passed away last week.

Events:

WH Lion's Club and Recreation Commission's Pancake Breakfasts – the first 3 Sundays in March beginning on Sunday, March 1st.

Art Gallery Reception, Friday, March 6 from 7 to 9pm at the Community Center

LAW DIRECTOR'S REPORT – Thomas G. Lobe

Reported on the Tabling of Ordinance No. 2015-5 – an Ordinance establishing the position of Community Service Officer. Law Director Lobe stated that there were several attempts to meet with the Union Representative to further discuss the responsibilities of the CSO position, but these meetings have been cancelled.

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

Reported that the US Department of Labor has released the January Consumer Price Index for All Wage Earners and Clerical Workers in the Cleveland Akron Area today. The January 2015 CPI declined by 0.14% (to 208.542 from 208.829) from the January 2014 CPI.

In accordance with the requirements of Section 121.02 of the Codified Ordinances, the 2015 salaries of the Mayor, Council President and Members of Council will be decreased by .14% over the 2014 salary. In accordance with Ordinance Nos. 2002-119 and 120, the 2015 salaries of the Safety and Service Directors will also be decreased by 0.14% over the 2014 salary. These changes are retroactive to January 1st. These changes will be included in the March payroll, along with a retroactive adjustment for January and February 2015.

President Somich thanked the Finance Director and explained that it was a system that was put into effect a number of years ago that everyone here that you see, certainly all of Council and most of the key administrators of the City are tied-in to that Index, so if there is an increase, whatever the Government says it is, we receive and if there is a decrease, we also receive that. So that's the way it works when you follow that system.

Councilwoman Fellows stated that it would include all the non-union individuals that we just tied their raises to the CPI as well, correct? **The Mayor** replied that it is only Council and the Mayor. **Councilwoman Fellows** stated that it was a 1.12% increase granted to the non-union employees based on the CPI, so this did not affect them. The **Mayor** replied no and further stated that the non-union employees were not affected. He said that it was a 0.14% decrease for Council...**Councilwoman Fellows** replied no, that she was not asking that, and went on to say because we voted a couple meetings back to increase the wages of the non-union employees in the City and the number that was used for the was tied to the CPI, the rate of increase being 1.12%. So this doesn't affect them. The **Mayor** and the **Law Director Lobe** replied no.

Councilwoman Fellows inquired as to the recent liquor license for the building that use to be Baker Square. **Law Director** explained that the land owner Musca Properties, Inc was applying for the liquor license. The Building Commissioner is checking it out; there is a possibility that a Mexican Restaurant will be coming into the area.

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

Received bids for Knecht/O'Brien and Lamplight Culvert Projects. There was a lot of interest; we received 10 to 12 bids and we received several bids for each project that were below the Engineer's estimate. We are still reviewing the bids but should not have a problem finding a contractor for under the budget amount.

Took a moment to say thank you to the City. Bowen and Associates, we have just completed two years. Dan, his assistant, is here in the audience. On behalf of Dan, himself and Bowen, we just wanted to say thank you.

If the City should decide to approve Bowen + Associates for the next contract we are proposing to add an Assistant and he is seated next to Dan; his name is Kevin Trepal.

COMMITTEE REPORTS

The following Reports have been listed alphabetically by Committee.

FINANCE – Raymond C. Somich, Chair

Committee Members:

Christopher L. Biro, Nancy E. Fellows

COMMITTEE MEETING OF FEBRUARY 23, 2015

Members Present: President Raymond C. Somich, Chair, Councilman Christopher L. Biro

Also Present: Councilman David M. Fiebig, Councilwoman Jennifer Sommers Greer, Councilman Christopher Hallum, Councilman John Plecnik, Finance Director Frank Brichacek, Mayor Robert M. Weger

Purpose of the Meeting was to discuss **City Finances** and any other business.

Meeting convened at 6:03pm

Order of Business

The Chair explained that there will be at least two meetings to discuss the proposed 2015 Annual Budget. Having just received the materials today, he asked that the Finance Director (FD) to give an overview, especially accenting the changes from the 2014 Budget and 2014 final actual numbers.

The Finance Director FD explained how we will continue to run very lean in 2015. Annual revenues are projected to be relatively flat. Mayor's Court Revenue is projected to be down from 2014 Budget, but a little higher than 2014 actual. Mayor's Court Revenue is only on a cash basis, and does not count outstanding fines due to the City that have not been paid. We again looked at the reductions in funding from the state, which totaled \$1.7m in 2012 and is now \$1.1m in 2015. With wages being the largest expense, we discussed how the budget includes all union contract increases, as well as a 1% increase for non-union staff. The budget for wages is not that much different from the 2014 Budget, but it is much higher than 2014 actual amounts because a good portion of the 2014 Budget was not spent last year, helping to give the City a carryover last year. We are projecting a 20% increase in health care costs, and that does not include any ACA specific costs or penalties because this area is still unclear. Other major expense changes will be the increases in road salt, due to the much higher cost, and we have already appropriated funds for major street repairs, road striping and engineering in

2015 for the Route 91 Project scheduled for 2016. We again reviewed the previously approved purchases of new safety and service vehicles. After significant discussion and questions from Council, the Chair suggested that we all individually review the proposed budget, and either email the FD and all Council Members with questions, or bring questions to the next committee meeting (date not yet announced). The plan is that the budget will be read three times and put up to a vote at the Council Meeting of 3/26/15.

Councilman Biro and the Chair thanked the FD for the highly detailed reports and exhibits. The Chair also asked the Mayor for his input on the budget and the financial status of the City.

Public Portion

Opened at 7:33pm – no one came forward. **Closed at 7:33pm.**

Meeting adjourned at 7:33pm

RULES & LEGISLATION – Nancy E. Fellows, Chair

Committee Members:

David M. Fiebig, Raymond C. Somich

COMMITTEE MEETING OF FEBRUARY 23, 2015

Members Present: Councilman David M. Fiebig – Acting Chair, President Raymond C. Somich

Also Present: Councilman Christopher L. Biro, Councilman Christopher Hallum, Councilwoman Jennifer Sommers Greer, Councilman John Plecnik, Mayor Robert M. Weger

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

Meeting convened at 7:33pm

Order of Business

Legislation for the Council meeting of February 26, 2015:

Ordinance 2015-1 – An Ordinance providing for the issuance and sale of not to exceed \$800,000 notes for the purpose of paying, but limited to the following:

- A portion of the costs of renovating, improving and equipping the City's existing fire and police communication center
- Acquiring a fire truck
- Rebuilding and resurfacing various roads including Gatsby Lane and Hanna Road

This note will mature on March 12th.

The Rules and Legislation Committee recommended that this Ordinance be on 3rd Reading and Adopt.

Ordinance 2015-4 – An Ordinance authorizing and directing the Mayor to enter into a contract agreement with Bowen Associates, for our City Engineer and Assistants. This new contract incorporates an additional Assistant and increases retainer fees. It was brought to the attention of the Committee that the rationale for two assistants in the contract is reflective of the current assistant training the new assistant for transitional purposes; so ultimately the City will be back to one assistant along with the Engineer. ***The Mayor said this was not the case, but acknowledged that he told Chair Fellows that it was. The Contract calls for 2 Assistant Engineers. Rules and Legislation recommend that this be on 3rd Reading and Adopt.***

Ordinance No. 2015-8 – Authorize the Mayor to accept the Limestone Bid presented by Osborn Concrete & Stone, as recommended by Mark Grubiss, Road Superintendent. ***This is similar to the next legislation. Roads cannot be worked on with asphalt and limestone until the plant opens, later in March or early April. With the emergency tag, it will go into effect immediately upon passage, therefore the Committee recommended 1st Reading.***

Ordinance No. 2015-9 – Authorize the Mayor to accept the Asphalt Bid presented by Osborne Concrete & Stone as recommended by Mark Grubiss, Road Superintendent. ***See above.***

Ordinance No. 2015-10 – 2015 Budget. ***Discussed in Finance Meeting prior to this meeting. Exhibit A is the actual budget will be attached. 1st Reading is recommended by this Committee.***

Public Portion

Opened at 7:44 p.m. No one came forth. **Public Portion was closed at 7:44 p.m.**

Meeting adjourned at 7:45pm

Councilwoman Fellows thanked Councilman Fiebig for Chairing the Rules and Legislation Committee in her absence.

OTHER COUNCIL REPRESENTATIVE REPORTS

Councilwoman Greer reported that she along with Councilwoman Fellows and Police Chief Collins had attended the Ohio Department of Natural Resources/Division of Wildlife's Urban Deer Management Meeting held on February 26th at the West Creek Reservation/Watershed Stewardship Center in Parma. Information was presented in order to form a collaborative effort between the Division of Wildlife, residents and city officials to meet the challenge of managing deer in urban environments.

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 7:21pm

1. Dan Philipp
2423 Pine Valley Drive
Re: Volunteers need to go through proper channels for volunteering; would like to see that the Pancake Breakfasts are not used as a political opportunity; the Recreation Commission will be recognizing Frank Germano for his dedicated service; City News Letter; Congratulated the Mayor, Administration and Council

Public Portion was closed at 7:27pm

UNFINISHED BUSINESS

There was no unfinished business for consideration by the Members.

LEGISLATION

ORDINANCE NO. 2015-1 – THIRD READING

1st Reading: January 28, 2015

2nd Reading: February 12, 2015

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$800,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF (I) RENOVATING, IMPROVING AND EQUIPPING THE CITY'S EXISTING FIRE AND POLICE COMMUNICATIONS CENTER, (II) ACQUIRING A FIRE TRUCK, AND ALL RELATED EXPENSES THERETO, AND (III) REBUILDING AND RESURFACING VARIOUS ROADS WITHIN THE CITY, INCLUDING A PORTION OF GATSBY LANE AND HANNA ROAD, AND ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Hallum to adopt Ordinance No. 2015-1.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Somich declared that Ordinance No. 2015-1 has been adopted.

ORDINANCE NO. 2015-4 – THIRD READING

1st Reading: January 28, 2015

2nd Reading: February 12, 2015

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, OHIO AND RICHARD L. BOWEN + ASSOCIATES, INC. FOR CITY ENGINEERING SERVICES; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to adopt Ordinance No. 2015-4.

Councilman Plecnik thanked the City Engineer for his services.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Somich declared that Ordinance No. 2015-4 has been adopted.

ORDINANCE NO. 2015-8

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE & STONE FOR THE PURCHASE OF LIMESTONE FOR THE YEAR 2015 AND DECLARING AN EMERGENCY.

President Somich declared that Ordinance No. 2015-8 would remain on First Reading.

ORDINANCE NO. 2015-9

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE & STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2015 AND DECLARING AN EMERGENCY.

President Somich declared that Ordinance No. 2015-9 would remain on First Reading.

ORDINANCE NO. 2015-10

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

President Somich declared that Ordinance No. 2015-10 would remain on First Reading.

NEW BUSINESS

There was no new business brought forth by the Members.

FOR THE GOOD OF THE ORDER

Councilman Biro:

Just one word: PANCAKES!

Councilwoman Greer:

WH Baseball and Softball Registrations will be taken at the Pancake Breakfast on Sunday, March 1st

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Hallum to adjourn the Regular Council Meeting of February 26, 2015.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Somich declared the Regular Council Meeting of February 26, 2015 to be adjourned at 7:29pm.

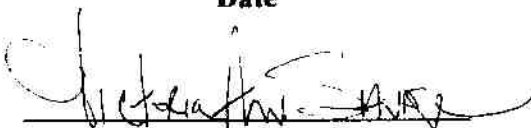
APPROVED:

March 13, 2015
Date



Raymond C. Somich
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council