

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
FRANK A. GERMANO
KEVIN D. MALECEK
RAYMOND C. SOMICH

Regular Council Meeting Minutes of November 8, 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: Councilman Christopher L. Biro Vice President Nancy E. Fellows,
Councilman David M. Fiebig, Councilman Frank A. Germano,
Councilman Kevin D. Malecek, President David A. Reichelt,
Councilman Raymond C. Somich

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

Disposition of the Journal Regular Council Meeting of October 25, 2012

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Somich to approve the Regular Council Meeting Minutes of October 25, 2012 as submitted.

Roll Call: 6 AYES/1-Absention from Councilman Christopher L. Biro **MOTION PASSES**
President Reichelt declared that the Regular Council Meeting Minutes of October 25, 2012 have been approved as submitted.

Correspondence

- Lee Bock, Director of Public Service/City of Euclid to Mayor Robert Weger, dated October 22, 2012 re: New Sewer Rental Rate Schedule to be Effective January 1, 2013 (Emailed: October 29, 2012)
- City Engineer's November Status Report (Emailed: October 30, 2012)
- Richard J. Iafelice, to Mr. James R. Gills, dated November 1, 2012 re: OPWC Funding Application Forms/Round 27 – Program Year 2013 (Emailed: November 1, 2012)
- Mayor's Court Monthly Report for October 2012 (Emailed: November 6, 2012)

Notifications

- Board of Building and Zoning Appeals will not meet on November 13, 2012 for there were no appeals (Emailed: October 29, 2012)
- Finance Committee Meeting of November 8, 2012 (Emailed: November 6, 2012)
- Planning & Zoning Commission and Architectural Board of Review Meeting of November 1, 2012 (Emailed: October 30, 2012)
- Rules & Legislation Committee Meeting of November 5, 2012 (Emailed: November 2, 2012)

Minutes

- Rules and Legislation Committee Meeting of November 5, 2012 (Emailed: November 6, 2012)

On File

- Willoughby Hills Senior Center Activities for October 2012 Issue Number 10
- Willoughby Hills Senior Center Activities for November 2012 Issue Number 11

MAYOR'S REPORT – Robert M. Weger

- Maple Grove Road Status – Opens on Friday
- Power Outage last week – Over 50% of the City was affected. Appreciate residents patience and appreciate City Hall Staff, Building, Fire, Police and Service Department Personnel in handling all the inquiries
- Leaf Pickup – in progress now till first snow fall
- Public Surplus Closed – following vehicles were sold on internet auction: 1999 Chevy Blazer at \$1,985, 1992 Ford Backhoe with buckets at \$10,757; Pending vehicles – awaiting response as highest bidder, but not meeting reserve: Oil & Fuel Dispenser (\$100 bid), 2009 Dodge Charger (\$7,867 bid)
- **Acknowledgements**
 - Congratulations to Media II, Inc. on SOM Center Road in Willoughby Hills and La-Vera Party Center & Express Catering on their recognition as two of The News-Herald's Fast Track 50 companies this year
 - La-Vera also in celebrating its 60th year in business
 - Thanks to all of this year's poll workers – outstanding job in processing the voters and thanks to Frank Cihula for his assistance in directing visitors and selling Garfield memorabilia
 - Get Well to Firefighter Sandy Lesko – recovering from surgery
 - Condolences to Dave & Sharon Nichting on the recent loss of their son
 - Condolences to the Shibley family on the loss of previous Councilman Bill Shibley (served on Council 1970, 1971, 1972 and 1973)
- **Upcoming Events**
 - Art Gallery Reception – Friday, November 9th from 7 to 9pm
 - Veteran's Day Ceremony – inside this year – Sunday, November 11th at 1:00pm

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

- No litigation; therefore, no formal report was given.

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

- No formal report given.

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

- Referenced Status Report of November 2012
- Utilities Committee Meeting should be scheduled to review Sewer Fund; Euclid Rates to go into effect January 1, 2013
- Service Committee Meeting should be scheduled to review ongoing and future drainage issues.

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 NOVEMBER 8, 2012

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

Also Present: Councilman David M. Fiebig, President David A. Reichelt, Mayor Robert M. Weger, Finance Director Frank J. Brichacek

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

Meeting convened at 6:12pm
<i>Order of Business</i>
<u>Ordinance 2012-54: Complying with State Budgetary Requirements</u>
Appropriating Grant Money that we received – two Grants from the Sewer Project. Create the budgets and write the check – Project being funded by these grants. Increase Certificate of Estimated Resources. Typographical error on the Appropriation as well - \$151,000 transfer back onto the Schedule. Consensus to Waive and Adopt at tonight's meeting (Regular Council Meeting of November 8, 2012).
<u>Status of Municipal Finances</u>
In general, we still look pretty good. On the plus side, save \$121k in Health Care costs between what was budgeted and rates, Court Revenue still coming in strong – collect similar amount of money in November and December – exceed by about \$60k. RITA Funding coming in stronger as well. Negative side of the ledger – probably going to have some increases in the two Street Funds after ten months on the Operating (non-personnel side) Nate has obligated the entire Budget – portion saved this year with salt – have quite a bit left to cover the 4 th Quarter. Clean up those Appropriations – County Auditor Collection Fees were a bit higher. Income Tax Collections – down a couple hundred thousand dollars, but it's not over until it's over – two more remittances. Idea of what November remittance is going to be. Doing well in all categories in the exception of Net Profits – couple hundred thousand down there. Fiebig – net result is net positive? Brichacek – yes, we should be – General Fund balance is about \$800k, budgeted at about \$200k. Overall is mostly a matter of rearranging. Large settlement for the second half – 2013 Estate Tax is gone (probably will receive a small amount due to people passing away in 2012) – usually 6 months for it to go through. Would be good to budget zero. Reichelt - Mayor – would like to talk with the Finance Committee – want to
2013 Budget Discussions Hearing for 2013 budget at the beginning of December. Payroll projections early part of the year and adopted at the end of the year.
Motion to move into Executive Session from Fellows, seconded by Biro to discuss contracts. Inviting all Members of Council present and the Mayor, Finance Director. (6:25pm); Emerged 6:49pm.
<i>Public Portion</i>
Opened at 6:49pm – No one came forth from the Public Sector.
Meeting adjourned at 6:49pm

RULES & LEGISLATION – David A. Reichelt, Chair

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

COMMITTEE MEETING OF NOVEMBER 5, 2012
<u>Members Present:</u> President David A. Reichelt, Chair, Vice President Nancy E. Fellows, Councilman Kevin D. Malecek
<u>Also Present:</u> Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Raymond C. Somich, (6:15pm), Mayor Robert M. Weger (6:10pm)
<u>Purpose of the Meeting was to discuss Pending Legislation and any other business.</u>
Meeting convened at 6:05pm
<i>Order of Business</i>
<u>Ordinances 2012- 54</u> – Appropriation Ordinance related to the Community Center Stormwater Management Design Project. It was the consensus of the Committee to waive the Three Reading Rule and recommend all for adoption at the Regular Council Meeting of November 8, 2012.
<u>Ordinances 2012- Shared Services</u> – 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 all for adoption at the Regular Council Meeting of November 8, 2012.
<u>Ordinances 2012- Synthetic Substances Ordinance</u> – updates <u>Ordinance 2011-52</u> to include items listed in the Ohio

Revised Code. It was the consensus of the Committee to waive the Three Reading Rule and recommend all for adoption at the Regular Council Meeting of November 8, 2012.

Public Portion

Opened: 6:08pm **Closed:** 6:11pm

Bob Kowalsky asked if we have paperwork for the agreements that already exist? He also stated that we failed to go to a fire department function years ago.

Meeting adjourned at 6:27pm

OTHER COUNCIL REPRESENTATIVE REPORTS

- There were no other Council Representative Reports presented to Council.

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 7:15pm

1. **Frank Cihula**

Willoughby Hills Historical Society

RE: Thanked the Mayor for his reorganization; netted \$64.00 from selling Garfield Memorabilia

Public Portion closed at 7:17pm

UNFINISHED BUSINESS

- There was no unfinished business to be brought forth to Council.

LEGISLATION

ORDINANCE NO. 2012-54

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 BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2012-54.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-54 has been suspended.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilwoman Fellows to adopt Ordinance No. 2012-54.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-54 has been adopted.

ORDINANCE NO. 2012-55

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.

President Reichelt declared that Ordinance No. 2012-55 would remain on First Reading.

ORDINANCE NO. 2012-56

AN ORDINANCE AMENDING PART FIVE – GENERAL OFFENSES CODE, CHAPTER 513 – DRUG ABUSE CONTROL, SECTION 513.15 – PROHIBITION ON THE SALE OF SYNTHETIC CANNABINOIDS AND OTHER SYNTHETIC DRUGS OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2012-56.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2012-56 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to adopt Ordinance No. 2012-56.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2012-56 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:

- Extended anniversary wishes to Councilman Malecek and his wife, Nora on their 4th Wedding Anniversary.
- North/South Rivalry, game to be played at the Classic Field this Friday, October 26th

Councilman Somich:

- Holiday Arts and Crafts Show being held at the Fine Arts this Saturday, November 10th - Free
- In honor of Veterans Day, the James A. Garfield National Historical Site is offering free admission and tours from 12:00 Noon till 5:00pm, Saturday, November 10th and Sunday, November 11th
- City's Veteran's Day Ceremony – Sunday, November 11th at 1:00pm
- Beginning November 17th to January 6, 2013, Noon to 5 pm every day (*Noon to 3 pm Christmas Eve and New Year's Eve; Closed Thanksgiving and Christmas Day), Free Admission to Penitentiary Glen Reservation's "Winter Wonder Land for the Twelve Days of Winter Game
- Acknowledged one of our colleagues who ran a very honorable campaign for Lake County Commissioner, by thanking him for his dedication to public service at the County level, his efforts there, but also for continuing to do his work as Councilman-at-Large; being committed to both causes simultaneously.

President Reichelt:

- Wished everyone a Happy Thanksgiving. The next Regular Council Meeting would be scheduled for November 22nd which is of course, Thanksgiving and obviously would then not be meeting. The next Regular Council Meeting scheduled would be December 13th; however, if a Special Meeting is required it would most likely be held on November 29th. An announcement would be made of any required meeting.

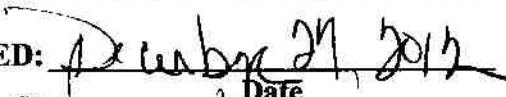
ADJOURNMENT


MOTION WAS MADE BY COUNCILMAN FIEBIG seconded by Councilman Biro to adjourn the meeting.

Roll Call: 7 AYES - unanimous


MOTION PASSES

President Reichelt declared the Regular Council Meeting of November 8, 2012 to be adjourned at 7:25pm

APPROVED: 
Date



David A. Reichelt
President of Council

ATTEST: 
Victoria Ann Savage, CMC
Clerk of Council