

City of Willoughby Hills

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

Regular Council Meeting Minutes of November 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 7:02 p.m. by President Raymond C. Somich

Pledge of Allegiance

Roll Call of Council

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

Absent: Councilman David M. Fiebig

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

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Plecnik to excuse Councilman David M. Fiebig from the Regular Council Meeting of November 13, 2014.

Roll Call: 6 AYES – unanimous

MOTION PASSES

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

President Somich said that the first Order of Business is for the Mayor to introduce our new Road Superintendent Mark Grubiss, except that he is not here. The Mayor said that he would do that but he got called out just a few minutes ago to plow the streets, so he will introduce him to Council at the next meeting. President Somich stated that we do have a new Road Superintendent and he did attend the Service Committee held this last week and gave an excellent report already of some things that he is doing early in the job so that we look forward to officially introducing him to the community.

Disposition of the Journal

Regular Council Meeting of October 9, 2014

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Plecnik to adopt the Regular Council Meeting Minutes of October 9, 2014 as submitted.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich stated that the Regular Council Meeting Minutes of October 9, 2014 have been approved as submitted.

CORRESPONDENCE

City Engineer's Report dated October 30, 2014 (Emailed: October 30, 2014)

Willoughby Hills Community Center Rentals for the Month of October 2014 (Emailed: November 4, 2014)

Mayor's Court Monthly Statement to City Council of Fines and Other Monies Received or Collected for the Month ended October 31, 2014 (Emailed: November 9, 2014)

FINANCIAL REPORTS FOR THE MONTH ENDING OCTOBER 2014 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: November 11, 2014)

NOTIFICATIONS

Board of Building and Zoning Appeals Meeting of November 11, 2014 (Emailed: November 6, 2014)
Cancellation of the Finance Committee Standing Meeting of Monday, November 10, 2014 (Emailed: November 6, 2014)
Personnel Relations Committee Special Meeting of November 10, 2014 (Emailed: November 6, 2014)
Planning & Zoning Commission and Architectural Board of Review Meeting of November 6, 2014 (Emailed: November 3, 2014)
Reminder: Rules and Legislation Committee Standing Meeting of November 10, 2014 (Emailed: November 6, 2014)
Reminder: Service Committee Standing Meeting of November 10, 2014 (Emailed: November 6, 2014)
Cancellation of the Utilities Committee Standing Meeting of Monday, November 3, 2014 (Emailed: October 28, 2014)
Email: Cuyahoga County Airport to Council Office, dated October 28, 2014 re: Draft EA Document Review and Notification of Public Hearing Event scheduled for November 19, 2014 (Emailed: October 29, 2014)
Winter Fest Meeting of November 5, 2014 (Emailed: October 30, 2014)

MINUTES

BOARD OF BUILDING & ZONING APPEALS APPROVED MEETING MINUTES OF SEPTEMBER 9, 2014 – POSTED ON CITY WEBSITE (EMAILED: NOVEMBER 12, 2014)
PLANNING AND ZONING COMMISSION AND ARCHITECTURAL BOARD OF REVIEW APPROVED MEETING MINUTES OF OCTOBER 2, 2014 – POSTED ON CITY WEBSITE (EMAILED: NOVEMBER 11, 2014)
PLANNING AND ZONING COMMISSION AND ARCHITECTURAL BOARD OF REVIEW APPROVED MEETING MINUTES OF OCTOBER 16, 2014 – POSTED ON CITY WEBSITE (EMAILED: NOVEMBER 13, 2014)
SERVICE COMMITTEE MEETING OF OCTOBER 6, 2014 (EMAILED: NOVEMBER 13, 2014)
SERVICE COMMITTEE MEETING OF NOVEMBER 10, 2014 (EMAILED: NOVEMBER 13, 2014)
Working Committee of Council Meeting Minutes of October 14, 2014 (Emailed: November 11, 2014)

ON FILE

Department of Public Works – Cuyahoga County Airport, to Mayor Robert Weger, dated October 23, 2014, re: Draft Environmental Assessment for Proposed Improvements at the Cuyahoga County Airport (CGF) – Robert D Shea Field, Cuyahoga County, Ohio (Emailed: October 29, 2014)
WH Senior Center Newsletter for November 2014, Issue Number 79

MAYOR'S REPORT – Robert M. Weger

Thanks to all of the voters who came out to help pass our Road Levy.
Cuyahoga County Airport Newsletter is now available at City Hall and on the City website. It gives information about the Public Hearing to be held on Wednesday, November 19th from 4 to 7pm and information about Alternative 23.
City Hall Offices will be closed on Thanksgiving Day and the day after. If it snows, however, Service Department crews will be coming in.
Leaf Pick Up will continue as Service Department is able to do in between snow.
December 22nd the City's Ambulance is going to get refurbished – it will take probably two to three months and during that time the City will have a loaner ambulance to use.
Thanks to Veterans Commission Member Larry O'Donnell for the planning of a memorable Veterans Day Ceremony. Thanks, too, to Council President Ray Somich for emceeding the event.

Events:

Winter Fest — Sunday, December 7th at 5pm – Will be lighting the Christmas Signs and having a party at the Fire Station and that is where we fill the ambulance with presents for the needy kids
Breakfast with Santa – Saturday, December 13th from 8:30am to Noon – Make sure you make your reservations

LAW DIRECTOR'S REPORT – Thomas G. Lobe

Update on the status of Litigation. Represented by the same firm – the City's Insurance Company Mazanaec, Raskin and Ryder Co by and through primarily Jimmy Climer who is the insurance company's representative.

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

No formal report was given.

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

No formal report was given; however City Engineer mentioned that his Engineering Report can be found on the City's website.

Councilwoman Fellows asked the City Engineer to speak briefly on Ordinance No. 2014-72 which is the right-of-way easement for Dunkin Donuts.

The **City Engineer** explained that we had acquired the easement as a condition of plan approval to provide for future access to the property along the rear which would minimize future curb cuts along Bishop Road for neighboring properties. There are a lot of little parcels in that stretch of Bishop and if each one gets a curb cut it would cause some congestion and possible backups which would affect safety and service crews. So as a condition of approval, we obtained an access easement along the rear which we anticipate going all the way to Eddy Road which would help with all of that.

Councilwoman Fellows questioned if the City Engineer knew how many properties were on the backside of that, that this road would run along. The **City Engineer** replied that he thinks that there are 5 or 6 that would be affected.

Law Director Lobe commented that we don't even know if we are ever going to use the easement. We may or may not, depending on what is going to be developed on the adjoining properties, both to the north and south. For right now, we put through to Council the cross-access easement thing which was not in place at the time and we got this from the applicant at the time, because with or without the Ordinance, it is still good planning. We may need it, we may not.

Councilwoman Fellows asked would the vision be that this then would be extended south towards the motorcycle establishment so they can run along that as well.

Law Director Lobe replied that he doesn't anticipate it going that far. What they're trying to do is get some cross-access, because if you have one ingress and then to get out, you can go in the back just for safety/flow. It depends what is going to be involved. When we first got those lots, we were hoping that all of those lots from Bishop Road all the way to the motorcycle lot would have been developed in one uniform package. We waited ten to twelve years for that when it was rezoned and then they built Bishop Road and spent thirteen million dollars figuring if we built it they would come. Well, we built it, but they didn't come so now they are coming in pieces which makes the planning a little more difficult.

Councilman Plecnik added with respect to Heritage Motorcycles on Bishop Road, he was at the Planning and Zoning Meetings when we approved the project and the owners of the establishment explicitly said they would never run motorcycles behind the building for the sake of the residents. At least we have them at their word on that.

President Somich commented that there are already two entrances and exits onto Bishop Road from American Heritage so it certainly isn't needed for traffic.

COMMITTEE REPORTS

The following Reports have been listed alphabetically by Committee.

PERSONNEL RELATIONS – Christopher L. Biro, Chair

Committee Members: John Plecnik, Mayor Robert Weger

COMMITTEE MEETING OF NOVEMBER 10, 2014	
Members Present: Councilman Christopher L. Biro, Chair, Mayor Robert Weger	
Also Present: Councilman David M. Fiebig, Councilman Christopher Hallum, Councilman Frank A. Germano, President Raymond C. Somich, Law Director Thomas G. Lobe, Finance Director Frank Brichacek, Jr.	
Purpose of the Meeting was to discuss <u>City Finances</u> and any other business.	
Meeting convened at 7:12pm	
<i>Order of Business</i>	
<u>Ordinance 2014-64: Voluntary Sick Leave Donation Program.</u> Would give the non-union City employees the ability to donate sick time to fellow employees after mayoral approval. Designates "Immediate Family" as defined by Ohio Administrative Code 123:1-47-01. Will also use definition for immediate family for Funeral Leave. Consensus of Committee to Adopt after 1st Reading.	
<u>Ordinance 2014-70: Part Time City Property Staff Member.</u> Hourly Rate to be set by state minimum wage. Consensus of Committee was to Table this Ordinance Indefinitely.	

Ordinance 2014-73: Wage adjustment for employees who are not members of collective bargaining units. 1.12% wage adjustment. Same adjustment accorded to Council Members. Finance Director stated would cost city \$23,000. Pay increase to be retroactive to 1/1/2014. Must be adopted before end of year. **Consensus of Committee to read Ordinance at Thursdays Council Meeting, Wave Three Reading Rule and Adopt or 2nd Reading, Wave Three Read Rule and Adopt at 12/13/14 Council Meeting.**

Ordinance 2014-74: Compensation Rates: Revision of Compensation Schedule tied to Ordinance 2014-73-Appropriations for a 1.12% pay adjustment.

Public Portion

Linda Fulton offered questions and comments about Voluntary Sick Leave Donation Program.

Meeting adjourned at 7:53pm

President Somich corrected Biro by stating for Ordinance 2014-64, we did discuss because that was amended so much that this Ordinance is actually going to be on First Reading this evening.

Councilman Plecnik had a question for Councilman Biro and Finance Director Frank Brichacek. He was reading the emails back and forth from Councilwoman Fellows and the Finance Director and her question was what was the bottom line cost of this pay increase. The Finance Director initially said \$41,000, but then he had said \$23000, but his (Councilman Plecnik) understanding is that it is 20somethousand from the General Fund but there is another 20somethousand from our other funds like the Fire Levy so the total cost is \$41000 if he is reading everything correctly.

The Finance Director stated the cost to the City of the pay adjustments is \$23000; \$19200 from the General Fund and the remainder to split between the other funds. The difference between the \$23000 and the \$41000 are the inter-fund subsidies that go to, for example, the Safety Forces Fund. The General Fund subsidizes that fund so in addition to the wage adjustment, there is also an increase to the subsidies from the General Fund to that fund and things like that comprise the other...

Councilman Plecnik replied that the bottom line is \$23000.

The Finance Director stated \$23000; \$19000 from the General Fund.

Councilman Plecnik commented that there is one typo in 2014-74. If you look at the table under Administration Department, Deputy Clerk of Courts, it says CK instead of K so that C should be deleted.

Councilwoman Fellows commented because she was not at the meeting, she is glad to see that it (Appropriations and Wage Adjustments) is still on First Reading so she now has opportunity to engage in questions and get some answers because some of the things she jotted down she would have concern with. She totally agrees with Councilman Biro, we have phenomenal employees, and everybody everywhere is tightening their belts. Her company just let go forty people in California. We started with a deficit of nearly \$90000 for 2014, we haven't had an opportunity to have a Finance meeting to see where we might be at the end of this year and what our proposed budget is going to be for 2015, if we are going to be in the red or if we're going to be in the black; the Mayor just indicated that we have an ambulance that is being refurbished, Councilman Hallum just talked about the pick-up truck for service, we know we are paying at least three times more for salt, the vast majority of the Road Levy does not go to the roads, it goes towards salaries and wages, so she has questions and concerns, because every dollar adds up. If we can get service trucks on the road that supports the entire community, sadly, maybe the individuals can't get a raise and when you pair it up against Council at 1.12%, which is the index that gives us the minimum for PERS, when we are earning \$5000/year to get 1% over employees that are getting 65,60,35,40 (thousand) that is a huge disproportion in terms of equalization to say this is the same thing.

Councilman Hallum corrected Councilwoman Fellows by saying that the road levy does not mainly go towards payroll; about 1/3 of the levy goes towards payroll and the other 2/3 goes towards parts other than payroll.

President Somich stated it is unfortunate that Councilwoman Fellows was not at the meeting on Monday, because a lot of the questions just asked were answered at that meeting and were discussed at the meeting relative to not only issues 73 and 74, but we did get into financing and we did talk about a number of those items so when we get the minutes of those, we can take a look at them and help you get your questions answered.

RULES & LEGISLATION – Nancy E. Fellows, Chair

Committee Members:

David M. Fiebig, Raymond C. Somich

Councilwoman Fellows reported that she was out of state for Monday's meeting and that Councilman Fiebig Chaired that meeting in her absence. With Councilman Fiebig being absent for tonight's meeting, we do not have a report so she does not know where we stand on those Ordinances.

President Somich stated he was there for that meeting and perhaps we will take a moment when each one of the Ordinances are voted on this evening. Basically, there won't be much voting this evening; most of them will be left on First Reading or whatever Reading they are at.

SERVICE – Christopher Hallum, Chair

Committee Members:

Frank Germano, John Plecnik

COMMITTEE MEETING OF OCTOBER 6, 2014	
Members Present: Councilman Christopher Hallum, Chair, Councilman Frank A. Germano	
Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, President Raymond C. Somich, Road Superintendent Nate Catania, City Engineer Pete Di Franco, Finance Director Frank J. Brichacek, Mayor Robert M. Weger	
Purpose of the Meeting was to discuss Capital Improvement Projects and Equipment for 2015 and any other business.	
Meeting convened at 7:00pm	
Order of Business	
<p>Chairman Hallum asked the Finance Director if he had the information regarding the budget for next year for projects other than those service projects that are automatic necessities. Mr. Brichacek did not have any information prepared. The Mayor stated that the reasoning is that if the road levy renewal is not approved, there will be no budget for anything else. Chairman Hallum stated that if the levy does not pass, then of course no other project could be done, but we must plan as if the road levy will pass, so that we are not scrambling at the last minute after the elections to put together a plan for 2015. Mr. Brichacek stated that \$297,000 comes out of the Road Levy Funds for staffing, another \$297,000 comes out of the Road Maintenance Fund for staffing, and \$134,000 comes out of the Sewer Fund to pay for the sewer staffing. A payment of \$224,000 is being made out of the Road Levy Fund this year to make a principle and interest payment on a note that was for past road work. The final payment on the note will be made in 2015. Due to road salt prices increasing from around \$35 a ton to approximately \$85/ton, we're not sure what will be left at this time.</p> <p>Councilman Hallum stated that we need to take the total budgeted amount for 2015 subtract out the items that must happen, and the remainder is what will be available for the aforementioned 2015 projects. Road Supervisor Nate Catania stated that planning in the winter for next year will play a significant role in reducing costs for next year. Mayor Weger stated that the most important thing is to get out the word on the importance of renewing the Road Levy. The budget numbers for 2014, and potential numbers for 2015 were discussed. We only owe another \$50K on the note that we paid \$224K on this year, and that \$50K will be paid next year. Council President Somich stated that in order for us to be able to do more, we need to increase revenue through economic development. We have made considerable cuts in staffing over the past few years, and to the credit of our City Departments, they have done an amazing job given their smaller staffing numbers.</p> <p>Nate Catania stated that at least one truck needs to be replaced. The cost is approximately \$150K. Options for purchasing a plow truck were discussed. Nate does not recommend buying a used truck even though we have had good success with the last used truck we purchased. Nate suggested that we come up with a Replacement Program.</p>	
Public Portion	
Public portion opened at 8:02pm	
Cheryl Ota asked if we are one of the cities that are with the State in looking elsewhere for more reasonable salt prices. Linda Fulton asked about the Road Levy language and whether the funds may be used for payroll.	
Public portion ended at 8:05pm	
Meeting adjourned at 8:05pm	

COMMITTEE MEETING OF NOVEMBER 10, 2014	
Members Present: Councilman Christopher Hallum, Chair, Councilman Frank A. Germano	
Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, President Raymond C. Somich, Road Superintendent Mark Grubiss, City Engineer Pete Di Franco, Finance Director Frank J. Brichacek, Mayor Robert M. Weger	

Purpose of the Meeting was to discuss Capital Improvement Projects and Equipment for 2015 and any other business.
Meeting convened at 7:52pm
<i>Order of Business</i>
<p>Chairman Hallum introduced Mark Grubiss the new Road Superintendant. Mark gave the Committee a little background on himself. He has experience in multiple facets of construction, sewer work, water, roads, and managing projects both large and small.</p> <p>The Mayor reviewed his request for Council to approve going out for bids for both Pleasant Valley Rd (East of the bridge to Chardon Rd) and Eddy Rd from 271 to Rockefeller. We want to put them out to bid now while the contractors are slow. If the bids are acceptable, then we can get them scheduled to begin in early spring. We normally wait to see what the winter does to our roads before putting out for bids, but these two roads are already in major need of repair. After some discussion the consensus was to waive the 3 Reading Rule, and approve the request once the ordinances have been written.</p> <p>Councilman Fiebig asked about Worrell Rd. The Mayor stated that we are planning to use Issue 1 money for that. Road Superintendant stated that the plow trucks are maintained and ready to go for this season. Mr. Grubiss suggested that we put together a replacement schedule for the plow trucks (this is similar to what Nate Catania had suggested). The potential for purchasing a used truck for plowing was discussed again. The issue is that getting a loan for a used truck may be difficult. The preference is to purchase a new truck. We need to get an ordinance put together once we decide which way we should go so that we can get it approved, and keep from missing an opportunity when a truck that fits our needs is found (if used).</p> <p>Discussion was had concerning the safety in the area just East of the I-271 bridge on Chardon. The Mayor stated that they added a light about 4 months ago to improve safety in the area. Mr. Grubiss suggested selling our large grass cutter and obtaining a smaller one. The larger one requires an escort because it takes up a lane and a half. The smaller one would only take up one lane and would not require an escort.</p>
<i>Public Portion</i>
<p>Public portion opened at 8:28pm</p> <p>Linda Fulton asked about the area around Willoughby Towers where she has seen people in wheel chairs attempting to cross. Asked if there is anything the City is responsible for doing to make that area safer for them.</p> <p>Public portion ended at 8:30pm</p>
Meeting adjourned at 8:30pm

OTHER COUNCIL REPRESENTATIVE REPORTS

There were no other Council Representative Reports presented.

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 7:32pm

1. Linda Fulton
2990 Marcum Boulevard
Re: Questioned if Mr. Di Franco has any bid specs on these two roads and if he has personally looked at these two roads. She knows Eddy Road does need repaved, but she has questions about Pleasant Valley. People on that road are surprised that it is going to be repaved, because they didn't think there was much wrong with it. In the past, we have always had bid specs before Council voted for bids. How can you go for bids before you know approximately how much these roads are going to cost? As far as the raises for employees, Willoughby Hills has a very large payroll despite how small we are as a City. We cannot meet the payroll under General Funds so she cautions Council to watch where the money is going.
2. Michael Tyler
2770 Worrell Road
Re: Thanked the City on their great job at snow removal last year; however, it has created some bumps between I-

74 and Worrell Road. He thinks there are 67 bumps on one side and 62 on the other. He would like to see something done about our roads.

Public Portion was closed at 7:35pm

UNFINISHED BUSINESS

City Engineer responded to Ms. Fulton's question regarding the bids. He drove on Eddy Road, Pleasant Valley, and Worrell Road yesterday with our Road Superintendent, Mark Grubiss. We observed the conditions. He (Mark Grubiss) has asked him (the City Engineer) to prepare some cost estimates for Eddy Road and Pleasant Valley which he is currently doing. We also have a meeting tentatively planned with the City of Kirtland to discuss Worrell Road because the east side of that road is in Kirtland and the west side is in Willoughby Hills. Our intent is to apply for Issue 1 funds for Worrell Road; we would apply in 2015 which would mean construction is in 2016; however, we are looking if there is anything we could do temporarily before that construction would begin. Getting back to Eddy and Pleasant Valley, once he has his cost estimates prepared, he will forward them to the Mayor and Council.

President Somich commented about the sequence to getting the bids and getting the estimate. In trying to be efficient, what we are trying to do before it was even brought up to the attention of Service Committee that they did want to go out for bids, it would have been a waste of money at that point to ask Mr. Di Franco to get the information together and prepare those bid specs or to ask our Road Superintendent to do that same thing, because it had not even been brought to our attention relative to is Council going to consider doing this now. Once we did get through the Service Committee, it became clear that we are supporting that. Now is the appropriate time and Mr. Di Franco is preparing that information so yes, those specs will be determined before we go out to bid. Just because we are asking the Mayor to go out for a bid does not mean we are accepting those bids, it does not mean we are allocating funds to make those purchases and to make those repairs. This is a long process that we are trying to do very efficiently and cost effectively.

Law Director Lobe said correct him if he is wrong, but we have to get the City Engineer's estimate before we go out to bid because as a matter of law, once the Engineer gets the estimate, then we go out to bid and then the bid has to come in as a matter of law within 10% of it. It cannot exceed what Pete thinks the cost is and then the marketplace will dictate if Pete is right. Hopefully, it comes in less, but if it comes in more, let's say it comes in at higher than 10%, those bids are out and then the Engineer has to go back and recost it out and it might go up or down. It all starts with the Engineer's estimate and it goes from there, both to bid and then to this Council to allow him to go out and then to bid and then we have to accept the bid.

LEGISLATION

ORDINANCE NO. 2014-64 – AS AMENDED

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 157 – GENERAL EMPLOYMENT PROVISIONS, SECTION 157.07 – SICK LEAVE, BY THE ESTABLISHMENT OF SUBSECTION (j) VOLUNTARY SICK LEAVE DONATION AND THE AMENDMENT OF SUBSECTION (C) OF SECTION 157.17 – FUNERAL LEAVE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

President Somich stated that we have been considering the original version of 2014-64 for several weeks. It has been amended significantly which is why technically it is back on First Reading this evening. At both the Personnel Relations Committee and at Rules and Legislation, it was recommended that it stay on First Reading this evening so that we can have further discussion on this.

President Somich declared that Ordinance No. 2014-64 would remain on First Reading.

ORDINANCE NO. 2014-70 – SECOND READING

1ST Reading: October 23, 2014

AN ORDINANCE AMENDING ORDINANCE NO. 2011-4 IN ORDER TO ADJUST THE MINIMUM HOURLY RATE AND TO ELIMINATE THE REQUIRED STAFFING LEVEL FOR THE POSITION OF PART TIME CITY PROPERTY STAFF MEMBER AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Plecnik to Table Indefinitely Ordinance No. 2014-70.

President Somich asked if Councilman Biro would explain why he is making this Motion.

Councilman Biro replied that this issue is tied to Ordinance 2014-74, it is to increase the Community Center Workers Members Employees, their part-time employees, to minimum wage. That is an issue that is dealt with in 2014-74 so if that passes then this is a moot issue.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that Ordinance No. 2014-70 has been Tabled Indefinitely.

ORDINANCE NO. 2014-72

AN ORDINANCE ACCEPTING A PERMANENT FLOATING RIGHT-OF-WAY EASEMENT FOR THE PURPOSES OF INGRESS AND EGRESS TO THE PERMANENT RIGHT OF WAY EASEMENT AREA AND THE ASSOCIATED APPURTENANCES AS DESCRIBED IN THE ATTACHED EXHIBIT.

President Somich declared that Ordinance No. 2014-72 would remain on First Reading. However, because of the holiday season coming up and the way that Thanksgiving and Christmas will fall on either days of our meeting or close to them, he would ask Council to please review this and if we need further discussion on that because we would like to have that passed before the end of the year. That would mean, very likely, we would only have one more meeting unless we need to call a Special Meeting between now and the end of the year so please consider that for passage at the next meeting.

ORDINANCE NO. 2014-73

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 WAGE ADJUSTMENT FOR CITY EMPLOYEES WHO ARE NOT MEMBERS OF COLLECTIVE BARGAINING UNITS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

President Somich declared that Ordinance No. 2014-73 would remain on First Reading. Once again we ask all Council Members to please read that thoroughly and ask any questions and he is available to anyone that has any questions and also check with other Administration Members so that we can vote on that at our next Council Meeting.

ORDINANCE NO. 2014-74

AN ORDINANCE AMENDING PART ONE ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 157 – GENERAL EMPLOYMENT PROVISIONS, SECTION 157.01 – COMPENSATION OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

President Somich declared that Ordinance No. 2014-74 would remain on First Reading. The last two Ordinances, 2014-73 and 2014-74, are linked together so they will hopefully be considered at the next Council Meeting and we ask everyone to please look into those.

Councilman Plecnik commented that with respect to Ordinance 2014-73 and Ordinance 2014-74, one of his concerns is that we are lumping everyone in City Hall together with Police and Fire Departments and Service Department; his philosophy is that we should give the nonunion employees, and the Police and Fire Department the same raise or the same terms that the Police and Firefighters received under their union contracts that we are treating all Police the same and all Firefighters the same; whereas with respect to a lot of employees at City Hall we have already discussed privately and publicly how some of them already have some rather extraordinary compensation; he does not feel comfortable voting on an Administrative Assistant getting a pay raise to nearly \$65000 and in the same breathe as we are debating our Police and our Firefighters. He would really like to see this broken out and he thinks it would be a lot less controversial at the next meeting to vote on our Police and Fire and give them the same raises that their departments received in the union contracts and to consider perhaps next year which individual employees within City Hall should receive a raise and which ones need to be cut back.

President Somich stated that it is unfortunate that Councilman Plecnik missed the meeting on Monday, because this was very thoroughly discussed at that meeting, those details and others. For members of our community in the audience, we don't see a lot of discussion at these meetings, because much of the discussion happens in Committee Meetings and that is when we thoroughly analyze and look into great detail each one of the Ordinances and then tonight they are typically passed or failed very quickly. The comments that have been brought up this evening for the most part has been because Councilman Plecnik and Councilwoman Fellows were unable to be at the Personnel Relations meeting where this was discussed. Obviously, we do need to discuss it further; there are still issues that are of concern, so we will need to have an additional meeting. Please do your best to attend that meeting when it is scheduled over the next couple of weeks so that we can talk these things through with all the facts and decide what we want to do with these Ordinances.

RESOLUTION NO. 2014-5 – AS AMENDED

A RESOLUTION RECOGNIZING THE 25TH ANNIVERSARY OF THE ESTABLISHMENT OF THE CITY'S OFFICIAL MOTTO "WHERE THE CITY MEETS THE COUNTRY" BY FORMER MAYOR MELVIN G. SCHAEFER.

MOTION WAS MADE BY COUNCILMAN PLECNIK, seconded by Councilman Hallum to adopt Resolution No. 2014-5 – AS AMENDED.

Councilman Germano asked don't we need to waive the Three Reading Rule.

President Somich stated no. There were four or five words that were changed in the entire Ordinance and it was considered to be insignificant and certainly not reflective of the meaning of the Resolution. We are amending it, but it has already been on multiple Three Readings.

Councilwoman Fellows stated she knows it is not substantive, and there have only been a few words that have been added, but it puts the Resolution in past tense, so she personally feels it is more of a eulogy than a recognition.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that Resolution No. 2014-5 has been adopted as amended and we do thank former Mayor Melvin G. Schaefer for the 25th anniversary of the establishment of the City's official motto "Where the City Meets the Country".

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to authorize the Mayor to seek bids for the Paving of Pleasant Valley Road from Bridge east.

Councilwoman Fellows questioned that we do not have estimates but we are going out for bids.

President Somich stated that the bids are being prepared now.

Councilwoman Fellows restated that we do not have estimates but we are going out for bids.

President Somich replied no. The estimates are being prepared...

The Mayor stated Council is authorizing him to go out for them once he gets the estimates.

Councilwoman Fellows replied then that is what the Motion should say.

President Somich asked would you like to amend the Motion after the bids, after the specs have been prepared.

Councilman Germano stated sure. Make a Motion after the City Engineer's estimate has been publicly given.

President Somich confirmed after the estimates have been prepared. That is okay with you?

Councilman Germano replied that is fine.

President Somich stated that as our Law Director has stated earlier, by state of law, we have to wait for that.

Councilman Biro seconded the Motion again.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to authorize the Mayor to seek bids for the Paving of Pleasant Valley Road from Bridge east after the estimates have been prepared by our City Engineer.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that the Motion has passed.

MOTION WAS MADE BY COUNCILMAN HALLUM, seconded by Councilman Biro to authorize the Mayor to seek bids for the Paving of Eddy Road from I-271 to Rockefeller after estimates have been prepared by our City Engineer.

Councilwoman Fellows stated she would like to see the timeline before she sees the Mayor take the timeline out to offer the bids. She wants to see it in the proper order. We can pass this Ordinance, but it doesn't necessarily mean that it would be adhered to so she wants to see when you have the estimates given to the Mayor so then at that point he can go out for the bids.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Somich declared that the Motion has passed.

FOR THE GOOD OF THE ORDER

Councilman Biro:

Wished everyone a Happy Thanksgiving!

Councilman Plecnik:

Would like to thank the Service Department for an excellent first job plowing today.

Councilman Hallum:

Thanked all Veterans that have served in the past and who are currently serving and protecting our country.

President Somich:

Next scheduled meeting for November is actually on Thanksgiving Day, November 27, so we will not have a meeting that night. If there is a reason for us to meet prior to that or immediately after that before the next regularly scheduled Council Meeting, it would be a Special Meeting of Council that we will notify everybody about but we do not have plans to do that as of right now.

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN HALLUM, seconded by Councilman Biro to adjourn the Regular Council Meeting of November 13, 2014.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Somich declared the Regular Council Meeting of November 13, 2014 to be adjourned at 7:55pm.

APPROVED:

December 11 2014
Date



Raymond C. Somich
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council