

City of Willoughby Hills

Regular Council Meeting

Minutes of October 10, 2013

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 Raymond C. Somich, 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

Absent: Finance Director Frank J. Brichacek, Jr.

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

Disposition of the Journal Regular Council Meeting of September 12, 2013

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilwoman Fellows to approve the Regular Council Meeting Minutes of September 12, 2013 as submitted.

Roll Call: Somich-Abstain, Biro-yes, Fellows-yes, Fiebig-yes, Germano-yes, Malecek-yes, Reichelt-yes

MOTION PASSES: 6-AYES w/1 Abstention

President Reichelt declared that the Regular Council Meeting Minutes of September 12, 2013 have been approved as submitted.

CORRESPONDENCE

President David Reichelt to Council Clerk, dated October 2, 2013 re: Position of Councilman at Large (Emailed: October 2, 2013)

City Engineer's Report dated October 3, 2013 (Emailed: October 3, 2013)

Mayor's Court Monthly Statement to City Council of Fines and Other Monies Received or Collected for the Month Ended September 30, 2013 (Emailed: October 8, 2013)

NOTIFICATIONS

The Board of Building and Zoning Appeals did not meet on Tuesday, October 8, 2013 for there were no appeals (Emailed: October 1, 2013)

Planning & Zoning Commission and Architectural Board of Review Meeting of October 3, 2013 (Emailed: September 30, 2013)

Rules and Legislation Committee Meeting of October 10, 2013 (Emailed: October 3, 2013)

MINUTES

Planning & Zoning Commission and Architectural Board of Review Meeting of September 5, 2013- posted on the City's Website as of September 26, 2013

Planning & Zoning Commission and Architectural Board of Review Meeting of September 19, 2013- posted on the

ON FILE

Willoughby Hills Senior Center Newsletter for October 2013, Issue Number 66

MAYOR'S REPORT – Robert M. Weger

“Mayor for the Day” – Kathy Polenz visit of October 2, 2013

Leaf Pickup underway – put leaves to the curb

Labor Negotiations set to start next week on Thursday and Friday with the Service Department

Color Run – Finance and Police Checks received for both runs – Volunteer Checks for the Color Run held September 21st due by November 2, 2013

Acknowledgements

Welcome Part-time Police Officer Cory Planisek sworn in October 2, 2013

Welcome Part-time Dispatcher Angie Love sworn in October 2, 2013

Events

Craft Show – October 12th

Senior Potluck – “Meet the Candidates” – Tuesday, October 15th at Noon

Pat O’Brien’s Halloween Fun Day – Saturday, October 19th from Noon to 3pm

Councilwoman Fellows questioned if there will be a Council Representative to sit-in on the negotiations for Service. The Mayor replied yes, if they would like to come. The Mayor then further stated that the negotiations were set for 7:00am on Thursday and 7:00am for Friday. Councilwoman Fellows confirmed next week, and the Mayor replied yes.

LAW DIRECTOR'S REPORT – Thomas G. Lobe

Law Director commented on the Labor Negotiations; the Administration and the Law Director are not bringing in outside Counsel, as they have done in the past, City is looking to address negotiations, internally, starting with the Service Department meeting with their representative on that Thursday and Friday. We will keep everyone apprised; if Council wants to send a representative that would be fine also. We have had some discussions at the Director Meetings about this; some of the financial issues that the City has and will be facing.

The Law Director provided information pertaining to the Internet Cafes, with the passing of HB7 and the referendum failing due to lack of sufficient signatures, the Law Director informed Council that he will be notifying the owners of the Internet Cafes. The Law Director stated that he still has a blanket issue with what is happening with the Franklin County Common Pleas Court Case and the Judge’s Direct Order; he will be keeping Council advised.

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

The Finance Director was not in attendance; therefore, no formal report was given.

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

No formal report was given.

COMMITTEE REPORTS

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

RULES & LEGISLATION – David A. Reichelt, Chair

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

COMMITTEE MEETING OF OCTOBER 10, 2013

Members Present: President David A. Reichelt, Chair, Councilwoman Nancy E. Fellows, Councilman Kevin D. Malecek (arrived later on in the meeting)

Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Raymond C. Somich, Law Director Thomas G. Lobe, Mayor Robert M. Weger
Purpose of the Meeting was to discuss Pending Legislation and any other business.
Meeting convened at 6:35pm
<i>Order of Business</i>
Ordinance No. 2013-42 – Authorizing and Directing the Mayor to enter into a Community Reinvestment Act Agreement with Clover Communities Willoughby LLC. There was no consensus reached by the Committee to move forward with the legislation.
Resolution No. 2013-16 – Acknowledgment of CityMusic Cleveland for Ten Years of Musical Enrichment to the Northeastern Ohio Area. Eight of the years have included the City of Willoughby Hills. Consensus of the Committee was to move forward with the legislation by recommending passage at the Regular Council Meeting to be held October 10, 2013. The Resolution will be presented by President Reichelt at a concert to be held in November at St. Noel Church.
Resolution No. 2013-19 – Authorizing the City to proceed with the demolition of an unsafe structure owned by the City located at 34305 Chardon Road and to request the assistance and cooperation of the Lake County Land Reutilization Corporation in affecting the same. Funding provided by Lake County will be used to affect the demolition. Consensus of the Committee was to move forward with the legislation by recommending passage at the Regular Council Meeting to be held October 10, 2013.
Resolution No. 2013-20 – Authorizing the City to proceed with the demolition of an unsafe structure owned by City located at 35245 Chardon Road) and to request the assistance and cooperation of the Lake County Land Reutilization Corporation in affecting the same. Funding provided by Lake County will be used to affect the demolition. Consensus of the Committee was to move forward with the legislation by recommending passage at the Regular Council Meeting to be held October 10, 2013.
Resolution No. 2013-21 – Acknowledging AORN (Association of perioperative Registered Nurses) of Greater Cleveland for forty years of unified membership promoting safety procedures by providing practice support, education and development opportunities to perioperative nurses. Consensus of the Committee was to move forward with the legislation by recommending passage at the Regular Council Meeting to be held October 10, 2013.
<i>Public Portion</i>
Public Portion was opened at 6:59pm resident Linda Fulton came forth was a question. Public Portion was closed at 7:01pm
Meeting adjourned at 7:01pm

OTHER COUNCIL REPRESENTATIVE REPORTS

Councilman Somich wanted to provide the Members information with respect to two Committees currently acting/working for economic development on a Task Force basis; one of course, is the Mayor's appointment of various area merchants, this Task Force continues to meet, on a monthly basis, if not more frequently than that, and are considering a variety of opportunities to better serve the City's merchants and in so doing to enhance the economic development for the community and the relationship with the residents doing business with those businesses. Of course, the City's Economic Development Director is a part of it as well. So the Task Force continues to meet to look at opportunities, especially with the upcoming holiday; we have a number of ideas in ways that we can help our businesses throughout the holiday period. Secondly, the other committee that has been formed, the Western Lake County Willoughby Chamber of Commerce the newly merged Chamber has been petition and has granted the City with the very first Economic Development Committee within its region and is based here within the City of Willoughby Hills. Councilman Somich reported that he is sitting on that Committee as well. The Committee has had their first meeting and is scheduled to meet again, next week and that is to utilize the Chamber's resources, data bases, their non-profit status, involvement with the Chamber's 500 members. Both Committees are functional and meeting on behalf of all the businesses in our Community.

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 7:20pm

1. Frank Cihula

Chair of the WH Historical Society

Re: Pleasant Valley Road Bridge – Historical Marker reinstalled on the 21st of September – Thanked Nate, Road Superintendent for re-installing the marker so quickly providing the Members of the Historic Alliance of Lake County the opportunity to view the marker.

Public Portion was closed at 7:22pm

UNFINISHED BUSINESS

There was no unfinished business to be brought forward to the Members.

LEGISLATION

ORDINANCE NO. 2013-42

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT ACT AGREEMENT BY AND BETWEEN THE CITY OF WILLOUGHBY HILLS AND CLOVER COMMUNITIES WILLOUGHBY LLC AND DECLARING AN EMERGENCY.

President Reichelt stated that the Rules and Legislation Committee did not have a definitive direction on this; however, a Motion may be entertained, or it can be left on First Reading.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2013-42.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2013-42 has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Biro to adopt Ordinance No. 2013-42.

Councilman Fiebig wanted to re-iterate what was stated in the Rules and Legislation Committee, that this an ordinance that directs the Mayor to enter into a Community Reinvestment Act for the purposes of the redevelopment of an area that has been underdeveloped for many, many years and it is something that has been in the works for more than a year. It has gone through the process of the Planning Commission and Architectural Review Board and that has all been approved. Although we have some paperwork to get back from them; Councilman Fiebig believes that some verbal comments have been involved and have been made and this just simply allows the Mayor to enter into an agreement; should that paperwork come back and not be to complete satisfaction, Councilman Fiebig believes that the Mayor has the option not to exercise his signature, but it is timely that this gets down to Columbus and it doesn't hold up the building of the project which would be a betterment to the community to fill that space.

Councilwoman Fellows stated that her vote is not reflective of the project; my vote is reflective of the order of business of legal documents.

Roll Call: Somich=yes, Biro=yes, Fellows=no, Fiebig=yes, Germano=yes, Malecek=yes, Reichelt=yes

MOTION PASSES: 6 AYES/1 NAY

President Reichelt declared that Ordinance No. 2013-42 has been adopted.

RESOLUTION NO. 2013-16

A RESOLUTION ACKNOWLEDGING CITYMUSIC CLEVELAND FOR TEN YEARS OF MUSICAL ENRICHMENT TO THE NORTHEASTERN OHIO AREA.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to suspend the Three Reading Rule for Resolution No. 2013-16.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2013-16 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Somich to adopt Resolution No. 2013-16.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2013-16 has been adopted.

RESOLUTION NO. 2013-19

A RESOLUTION AUTHORIZING THE CITY OF WILLOUGHBY HILLS TO PROCEED WITH THE DEMOLITION OF AN UNSAFE STRUCTURE LOCATED AT 35305 CHARDON ROAD, IN WILLOUGHBY HILLS, LAKE COUNTY OHIO, AND TO REQUEST THE ASSISTANCE AND COOPERATION OF THE LAKE COUNTY LAND REUTILIZATION CORPORATION IN AFFECTING THE SAME AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILWOMAN GERMANO, seconded by Councilwoman Fellows to suspend the Three Reading Rule for Resolution No. 2013-19.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2013-19 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to adopt Ordinance No. 2013-19.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2013-19 has been adopted.

RESOLUTION NO. 2013-20

A RESOLUTION AUTHORIZING THE CITY OF WILLOUGHBY HILLS TO PROCEED WITH THE DEMOLITION OF AN UNSAFE STRUCTURE LOCATED AT 35245 CHARDON ROAD, IN WILLOUGHBY HILLS, LAKE COUNTY OHIO, AND TO REQUEST THE ASSISTANCE AND COOPERATION OF THE LAKE COUNTY LAND REUTILIZATION CORPORATION IN AFFECTING THE SAME AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to suspend the Three Reading Rule for Resolution No. 2013-20.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2013-20 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to adopt Resolution No. 2013-20.

President Reichelt wanted to clarify that the organization is the Lake County Land Reutilization Corporation, not Cooperation.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2013-20 has been adopted.

RESOLUTION NO. 2013-21

A RESOLUTION ACKNOWLEDGING AORN (Association of periOperative Registered Nurses) OF GREATER CLEVELAND, #3608 FOR FORTY YEARS OF UNIFIED MEMBERSHIP PROMOTING SAFETY PROCEDURES BY PROVIDING PRACTICE SUPPORT, EDUCATION AND DEVELOPMENT OPPORTUNITIES TO PERIOPERATIVE NURSES.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Biro to suspend the Three Reading Rule for Resolution No. 2013-21.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2013-21 has been suspended.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Biro to adopt Resolution No. 2013-21.

Councilwoman Fellows thanked Council and all those who support the AORN Chapter of Greater Cleveland. The Chapter has been in existence for forty years and is one of eleven Chapters in the State of Ohio. AORN is a world-wide organization for operating room nursing. The members of the Chapter are by-in large Lake County residents. AORN participates in Mentor Schools Biennial Career Expo and supports WomenSafe, a not-for-profit organization providing emergency shelter and support service to survivors of domestic violence in Northeast Ohio.

Councilman Biro stated that he is very privileged and honored to work with perioperative registered nurses; they are the first line of defense for the patients. These fine men and women are there to advocate for the patient. Thanked Council for considering this resolution.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2013-21 has been adopted.

NEW BUSINESS

There was no new business brought forth to be considered by the Members of Council

FOR THE GOOD OF THE ORDER

Councilman Somich:

White Cane Safety Awareness Day – District wide Lion’s Club Event taking place from 10am-1pm. The walk begins at Willoughby Municipal Pool proceeding to Downtown Willoughby.

Howl-O-Ween Dog Party – Friday, October 18th from 5:30pm – 7:00pm in the City of Mentor, Dog Park

Pat O’Brien’s Halloween Fun Day – Saturday, October 19th from Noon to 3pm – Maps will be given out for many of the merchants will be conducting Trick or Treat on the following Saturday, October 26th. Maps will also be given out at City Hall.

President Reichelt:

Wanted to make a correction with respect to Resolution No. 2013-16, the Resolution will be presented at the Cleveland CityMusic concert being held Sunday, October 27th at 4:00pm.

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to adjourn the Regular Council Meeting of October 10, 2013.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared the Regular Council Meeting of September 26, 2013 to be adjourned at 7:37pm

APPROVED: November 14, 2013
Date



David A. Reichelt
President of Council

ATTEST: 

Victoria Ann Savage, CMC
Clerk of Council