

# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

## Regular Council Meeting

### Minutes of April 14, 2011

*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 of Council Kevin D. Malecek*

#### *Pledge of Allegiance*

#### **Roll Call of Council**

**Members Present:** Councilman David M. Fiebig, Councilman Frank A. Germano, President Kevin D. Malecek, Vice President David A. Reichelt, Councilman Christopher L. Biro

**Absent:** Councilwoman Nancy E. Fellows, Councilman Raymond C. Somich

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

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Fiebig to excuse Councilwoman Nancy E. Fellows and Councilman Raymond C. Somich from attending the Regular Council Meeting of April 14, 2011.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that Councilwoman Nancy E. Fellows and Councilman Raymond C. Somich have been excused from the Regular Council Meeting of April 14, 2011.

#### **Disposition of the Journal** Regular Council Meeting of February 24, 2011

**MOTION WAS MADE BY COUNCILMAN FIEBIG**, seconded by Councilman Germano to approve the Minutes of the Regular Council Meeting of February 24, 2011 as submitted.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that the Regular Council Meeting Minutes of February 24, 2011 have been approved as submitted.

#### **Regular Council Meeting of March 10, 2011**

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Germano to approve the Minutes of the Regular Council Meeting of March 10, 2011 as submitted.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that the Regular Council Meeting Minutes of March 10, 2011 have been approved as submitted.

## ***Correspondence***

- Mayor's Court Monthly Statement to Council for March 2011 (Emailed: April 12, 2011)
- City Engineer's Status Report for April 2011 (Emailed: April 8, 2011) along with the Updated Agenda & Issues for the Service Committee and the Updated Agenda & Issues for the Utilities Committee (Emailed: April 11, 2011)
- Mayor Robert M. Weger to Council President Kevin Malecek, Council Clerk Victoria Savage, dated April 8, 2011 re: Surplus Vehicle (Emailed: April 12, 2011)

## ***Notifications***

- Board of Building and Zoning Appeals Meeting of April 12, 2011 for Case No. 2011-1 (Emailed: April 11, 2011)
- Finance Committee Meeting of April 13, 2011 (Emailed: March 29, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of April 7, 2011 (Emailed: April 4, 2011)
- Planning & Zoning Committee Meeting of April 7, 2011 (Emailed: March 29, 2011)
- Rules & Legislation Committee Meeting of April 11, 2011 (Emailed: April 8, 2011)
- Utilities Committee Meeting of April 11, 2011 (Emailed: April 8, 2011)
- 14<sup>th</sup> District Elected Officials Conference hosted by Congressman Steven C. LaTourette and The Cleveland Development Foundation to be held June 2 and 3 in Washington, DC (Emailed: March 25, 2011)

## ***Minutes***

- Recreation Commission Meeting of March 7, 2011 (Emailed: April 11, 2011)
- Planning & Zoning Committee Meeting of April 7, 2011 (Emailed: April 7, 2011)
- Rules and Legislation Committee Minutes of April 11, 2011 (Emailed: April 12, 2011)

## **MAYOR'S REPORT – Robert M. Weger**

- Dodd Road Bridge Update – County Project – Road Closed April 11<sup>th</sup>
- Official Census Count for WH Residents: 9,485
- **Police Department Activity**
  - Car Break in Update – Safety Tips
  - Chase Bank Robbery – Update
  - WH ACE Team – Criminal Investigation of 2 Michigan men led to conviction of Felony Trafficking in drugs and forfeiture of \$12,506 in US currency
  - Three (3) new Part-Time Officers have been sworn in and are in Field Training Program for the next 6-12 weeks.
  - A Part-Time Dispatcher applicant is being processed
- WH Newsletter Articles are in – Publication should be out in a few weeks
- **Fire Department Activity**
  - 83 year old became ill while walking the trails in the area ½ mile to a mile behind Squires Castle; with assistance of Kirtland Fire Department's "Gator" the individual was treated successfully
  - 58 year old with severe, sudden onset chest pain while golfing; called for WHFD for assistance
  - Fire at 2604 River Road; fire was brought quickly under control; Kirtland provided assistance
  - WH Fire Department assisted Euclid Fire Department with a fire at the Omni Building
- **Acknowledgements:**
  - Civil Service Commission Members – Tom Kicher, Carolyn Patton and Tom Majeski – worked on Civil Service Police Test
  - Business of the Month – Dr. Christopher Cochran – Back and Neck Rehab Center at 34437 Chardon Road
- **Upcoming Events:**
  - Easter Party – Saturday, April 16<sup>th</sup> at 1:00 p.m.
  - Captains Day at Classic Park – Sunday, June 5<sup>th</sup>, 1:00 p.m. – all tickets are \$5.00
  - Safety Town – applications now being taken for children entering Kindergarten – to be held July 18<sup>th</sup> – 22<sup>nd</sup>

- Announced that the Bridge over Eagle Road would be closed for two days, April 19<sup>th</sup> and April 20<sup>th</sup> for some construction on the bridge itself

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

- Ordinance No. 2011-24, Ordinance No. 2011- 25, Ordinance No. 2011-26, Ordinance No. 2011-27
- City Council is being asked to consider four proposed Ordinances (as listed above) authorizing pension pickup plans for unions representing the full-time members of the Service Department, Police Department (Dispatchers and Police Officers) and the Fire Department (Firefighters) that were agreed to in the recently completed labor agreements. The plans cannot be implemented until approved by City Council
- The proposed Ordinances are based upon sample ordinances prepared by the Ohio Public Employees Retirement System and the Ohio Police and Firefighters Pension and disability fund.
- The Clerk of Council provided the representative of each of the pension funds with draft copies of the ordinances affecting their pension fund for review. Each pension fund deemed the ordinances to be acceptable.
- The above authorized pension pickup plans are to be reflected in Chapter 157

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

- Procedurally once the plans have been authorized the plans will be filed with the appropriate pension boards and then the City will be able to implement these pension pickup plans as agreed to in the labor agreements.
- The Finance Director pointed out, from a financial point of view, this is really a win-win for both the City and the employees because the cost of this pick up plan will put \$83.00 more in an employee's take home pay and only increase the cost of the City by a \$100.00 and that is per \$10,000 of salary.
- If the City had granted a 1% salary increase, the employees take home pay would have only been increased by \$71.00 again, this is per \$10,000 of salary while the City's costs would go up anywhere from \$115.00 to \$121.00 per \$10,000 of salary; a difference of 13% to 20% so it is really a win-win for all sides.
- What the City will end up with is a hybrid pick up plan; this will combine the City's employee pension contributions are currently treated as with what is called the "fringe benefit" employer pick up plan.
- We have a combination of two pick up plans.
- The Finance Director also noted that the acquisition of the vehicles for the Police Department's are included in the City's Operating Budget, Fund #234
- Reported that the \$250,000 Note that Council authorized was priced out and the note has a face interest rate of 2% but an effective rate of 2.50%; higher than the note that was done previously but then there are two things: (1) This is a taxable issue, not tax exempt issue, so it has to bear a higher interest rate because if a private entity buys it, they have to pay income tax and (2) In the scheme of things a \$250,000 Note is very small and not very easy to market.
- The ultimate buyer of the Note was the City of Bedford

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

- Referenced Status Report for April 2011
- Anticipating a remobilization schedule from Contractor Fabrizio for the completion of their work; will be engaging another Sub-Contractor to complete the work
- Final "walk through" with ODOT on the SOM Center Road Project' some final tweaking to be expected once the contractor leaves the project
- Meetings for final review and approval of the Maple Valley Project

#### **FINANCE – Raymond C. Somich, Chair**

##### **Committee Members:**

**Nancy E. Fellows, David M. Fiebig**

- Councilman Somich was not in attendance; therefore no formal report was given.
- President Malecek stated that a Finance Committee Meeting was held on April 13<sup>th</sup> and a report will be given at the next Regular Council Meeting

## PLANNING & ZONING – David M. Fiebig, Chair

Committee Members:

Frank A. Germano, David A. Reichelt

### COMMITTEE MEETING APRIL 7, 2011

**Members Present:** Councilman David M. Fiebig, Chair, Councilman Frank A. Germano, Vice President David A. Reichelt

**Also Present:** Councilwoman Nancy E. Fellows, President Kevin D. Malecek, Commission Members Schryer, Lillich, Smith and Mayor Robert M. Weger

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

**Meeting convened at 6:15 p.m.**

#### *Order of Business*

This is a meeting to review of where we are: Master Plan (MP) was distributed electronically months ago, some requested hard copy. Mayor and Law Director requested (Mayor later said Council President ordered) Council Clerk do a side by side version on hard copy for Council to see changes and deletions. Some computer issues delayed delivery – should be in Council's mailbox this upcoming week. Council had the duty to accept or reject and resubmit to Commission. Council does not write the plan. We can suggest changes or note things like typos however. Both the current and proposed versions are on the City website.

**Schryer** for questions and statement: DB Hart started the process. He authored much of the MP and the Commission has accomplished much, Zoning Districts reflect all new Zoning Codes. Things were taken out on this update that are no longer pertinent. Revised numerous items, a dozen or more. *How many public meetings took place?* Not sure but can check. ***Council Clerk retrieved minutes and we show approximately 27 public meetings.*** We reviewed the business districts, stormwater management, wind/solar, and much of this information came from places like OSU, we lifted new information from reliable sources. Pulling in data, like balanced growth, tax tables, we updated the maps for the new Zoning Districts. Key issues and land use. Business owners, developing foot traffic ability. Recreation: bike trails - no connection. A longer discussion ensued about bringing in recreation issues.

The 1983 Recreation MP has not been implemented. We now have Warner Nursery, Gullybrook Park, Grange, a vision for Bocce Courts and new restrooms/pavilion, Garfield and moving soccer, football fields; Manakiki is not mentioned - integral to the City. We could do a more thorough job of making a vision for the direction of the recreational offering to our residents. At minimum we should list all the facilities. At best, a vision for how we want the offerings to be in five - ten years. Perhaps get Recreation Commission members involved in a MP section to be added to this.

**Schryer** – This is a standalone document that holds up. **Fellows** – Events and a calendar of events added. **Lillich** – Looking back, we have a history, going forward we have a use of each property and a vision for the future. **Fiebig** - we add the 2010 census data- discussion on the mechanics of adding, look to perhaps add section on recreation. In-depth review of Town Center idea. **Schryer** - agreed it needs work in Planning Commission - input developed the plan. Updated in 03, was available, deleted out, some political issue and some to do with how much have been included – too much to press into updating 2003. We did a lot. **Lillich** – left out by caution on reaction to it. Lot of discussion. Agreed there should be no haphazard development of a Town Center, it should be done as a unit, to be able to control the look & “feel”. West end is an example of scattered owners and haphazard development. Smith – Have a theme – no flat box, encourage foot traffic, community center to restaurants. There is room for development. Bike paths add texture. **Weger** - Zoning on Rt 91. **Schryer** had discussion with Hart about 3 weeks ago – he thought the update was good. **Germano** – Don't put Town Center idea in MP – can cause speculation and drive up cost, **Fellows** agreed, used airport analogy to show a plan disrupts RE values unnecessarily, wait until more ready to move. **Malecek** – Limited vision in MP. **Lillich** – Lohmann's (West end) 76% vacancy, nobody with a vision. **Fiebig**- Shoregate in Willowick example. **Cihula**- Left off Zoning Map - If you leave it off, how do investors know that we might be looking to build/improve. He gets calls. **Reichelt** - needs 2 weeks to review the complied draft. **Fiebig** - We want to be able to complete and approve this year – like to be this summer.

Chairman Fiebig thanked the members for their appearance tonight and their hard work on the MP.

#### *Public Portion*

***Public Portion was opened and with no one coming forth was promptly closed.***

**Meeting adjourned at 6:53p.m.**

## RECREATION – Nancy E. Fellows, Chair

Committee Members:

Christopher L. Biro, David A. Reichelt

- Chair Fellows was not in attendance; therefore no formal report was given.

**RULES & LEGISLATION – Kevin D. Malecek, Chair**

**Committee Members:** Frank A. Germano, David A. Reichelt

**COMMITTEE MEETING APRIL 11, 2011**

**Members Present:** President Kevin D. Malecek, Chair, Councilman Frank A. Germano

**Also Present:** Councilman Christopher L. Biro, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, 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 6:38 p.m.**

***Order of Business***

**Ordinance 2011-20: Sewer Deduct Meter Gales Willoughby**

**This Ordinance will remain in Committee.**

**Ordinance 2011-21: Police Department Composition**

Policemen to “officers” to be gender neutral – also to change the amount of part-time patrolmen from 15 to 20 – we used to have some people that were able to work full-time hours – took jobs with Waite Hill, Euclid, and Lyndhurst – now we want to get more to work less – same budget, more flexibility.

**Recommendation to waive the Three Reading Rule and Adopt at Council.**

**Ordinance 2011-22: Ford Expedition for Fire Department Purchase**

Chase car when ambulance goes out – three people can be there to transport people in the ambulance – meet ambulance for required help. Spend money on police cars that were formerly in the fleet for these in the past – Ford Expedition – fit gear in it – reliability-wise and longevity. Take a police car – last Crown Victoria over - \$1,000 to paint it and do maintenance. Could last for 10-12 years as there is low mileage on the vehicle – we spent more than \$2,700 on maintenance. Have to install radios, roughly \$4,000 to retro fit.

**Recommendation to waive the Three Reading Rule and Adopt at Council.**

**Ordinance 2011-23: Police Cars (Chargers) for Police Department Purchase**

Light bars will fit – inside change a bit – can make cages and so forth worth. \$2,500 fee – we are buying the cars black and we are going to wrap them to save money. Rest of the car. Last day to order is on April 28<sup>th</sup> – Caprice – much more expensive – change-up fees. Chargers have been solid for the city thus far.

**Recommendation to waive the Three Reading Rule and Adopt at Council.**

**Ordinances 2011-TBA (Patrol, Service, Dispatch, and Fire) – Logistical Amendments to the Contracts**

We were given sample ordinances – thought we got clearance and approval from compliance officers – substantively followed their example – we want it their way – not big differences their – got pre-approval it

***Public Portion***

***Public Portion was opened and with no one coming forth was promptly closed.***

**Meeting adjourned at 7:27p.m.**

**SAFETY – David A. Reichelt, Chair**

**Committee Members:** Christopher L. Biro, David M. Fiebig

- The Safety Committee has not met; therefore no formal report was given.

**SERVICE – Christopher L. Biro, Chair**

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

- The Service Committee has not met; therefore no formal report was given.
- Announced that a Service Committee Meeting has been scheduled for Monday, April 25<sup>th</sup> (Note: Meeting was canceled)

**UTILITIES – Frank A. Germano, Chair**

**Committee Members:** Nancy E. Fellows, Raymond C. Somich

**COMMITTEE MEETING APRIL 11, 2011**

**Members Present:** Councilman Frank A. Germano, Chair, Councilwoman Nancy E. Fellows

**Also Present:** Councilman Christopher L. Biro, Councilman David M. Fiebig, President Kevin D. Malecek, Mayor Robert M. Weger, City Engineer Richard Iafelice

**Purpose of the Meeting was to discuss (1) Sewer Rates (2) Sewer Deduct Meter and any other business.**

**Meeting convened at 6:56 p.m.**

***Order of Business***

Discussed Sewer Deduct Meter for Gale's; Guidelines have to be discussed for this program, staying in Committee  
Discussed Sewer Rates, no decision was made, staying in Committee

***Public Portion***

**Public Portion was opened and with no one coming forth from the Public Sector was adjourned at 8:03 p.m.**

**Meeting adjourned at 8:03 p.m.**

**PERSONNEL RELATIONS – Christopher L. Biro, Chair**

**Committee Members:** Raymond C. Somich, Mayor Robert M. Weger

- The Personnel Relations Committee of Council has not met; therefore no formal report was given.

**WORKING COMMITTEE OF COUNCIL – Kevin D. Malecek, President of Council**

- The Working Committee of Council has not met; therefore no formal report was given.

**OTHER COUNCIL REPRESENTATIVE REPORTS**

- Councilman Reichelt reported that the Noise Abatement Council met on March 30<sup>th</sup>; when available, Councilman Reichelt would be glad to provide the minutes to anyone who is interested in receiving a copy.

**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 7:31 p.m.**

**1. Florine O’Ryan**

**Representing the Willoughby Hills Lion’s Club**

**RE:** Presented the City with a check in the amount of \$7,593.43 for the Gymnasium Fund

**President Malecek thanked the O’Ryans and the Lion’s Club for their fund raising efforts**

**Public Portion was closed at 7:34 p.m.**

**UNFINISHED BUSINESS**

- There was no unfinished business brought forth for the consideration of Council

**LEGISLATION**

**ORDINANCE NO. 2011-21**

**AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 139 POLICE DEPARTMENT, SECTION 139.01 COMPOSITION OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.**

**MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2011-21.**

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-21 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Fiebig to adopt Ordinance No. 2011-21.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that Ordinance No. 2011-21 has been adopted.

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**ORDINANCE NO. 2011-22**

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**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO SIGN ANY AND ALL DOCUMENTS FOR THE PROCUREMENT OF A 2011 FORD EXPEDITION AT A TOTAL PRICE NOT TO EXCEED \$27,298.00 WITH SAID PURCHASE BEING EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 125.04 (C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN FIEBIG**, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-22.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-22 has been suspended.

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Germano to adopt Ordinance No. 2011-22.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that Ordinance No. 2011-22 has been adopted.

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**ORDINANCE NO. 2011-23**

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**AN ORDINANCE DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF TWO (2) DODGE CHARGERS FROM GREVE DODGE FOR A TOTAL COST NOT TO EXCEED \$49,168.64 WITH SAID PURCHASE BEING EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 125.04 (C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2011-23.

**Roll Call: 5 AYES**

**MOTION PASSES**

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-23 has been suspended.

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Germano to adopt Ordinance No. 2011-23.

**Roll Call: 5 AYES**

**MOTION PASSES**

Councilman Reichelt questioned the stipulation that the purchase would be through Greve Dodge; however, the Police Chief mentioned that Greve Dodge may not have vehicles. Is there a way that this Ordinance can be amended to accommodate the purchase of the vehicles from another source? Councilman Reichelt further stated that the acquisition would still be through the State Purchasing Program and the price would be fixed. The Mayor stated that the decision is to pass it the way it is today; they are going to try to locate cars; however, they did cut off because of the Tsunami in Japan, they did cut off the ordering of cars for a couple of reasons: (1) it was that a couple of the components in the Dodge Charge, specifically the black paint which is produced in Japan and there is a shortage. Pass this Ordinance and basically what we will have is that we will be ordering 2012 Charges from Greve for the same price; we just won't have shipment until sometime in September or December when those cars come off the line. Now if we find some more, we can have a new Ordinance with all the exhibits that would have the right Dealerships name. Right now, Greve is the closest to the City that does the State bidding, there may be some down in Cincinnati or Columbus that have some on the lot and that would be the only way that we could get those. So right now, we want to put our order in and be the first to get 2012 cars with Greve and then if some become available we can actually pass a new Ordinance and these can be our new 2012 vehicles, if we chose because, right now we are behind with our vehicles because we purchased none last year.



Law Director Lobe commented that he and the Mayor spoke about this issue earlier this afternoon and it is ironic how it is written and the circumstances are that we are not locked in and the circumstances are that we might get 2012 and 2011 prices and this also gives us a few extra months to even stretch out the other cars, not that we were planning to do that, but it is a little bit of a win all the way around. If it does come that we have to amend it at that time, he will review it; he asked Council that they pass it as it is tonight because it is prepared under the notation that we are not going to get until later but there is not a time limit on it this one either or an attachment that states a specific car.

President Malecek stated that Ordinance No. 2011-23 has been adopted.

#### **ORDINANCE NO. 2011-24**

**AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE CITY OF WILLOUGHBY HILLS PURSUANT TO INTERNAL REVENUE CODE (IRC) SECTION 414(h)(2); REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2011-24.

Roll Call: 5 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-24 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to adopt Ordinance No. 2011-24.

Roll Call: 5 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-24 has been adopted.

#### **ORDINANCE NO. 2011-25**

**AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE CITY OF WILLOUGHBY HILLS PURSUANT TO INTERNAL REVENUE CODE (IRC) SECTION 414(h)(2); REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2011-25.

Roll Call: 5 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-25 has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to adopt Ordinance No. 2011-25.

Roll Call: 5 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-25 has been adopted.

#### **ORDINANCE NO. 2011-26**

**AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS HAS DETERMINED TO PICK-UP MANDATORY CONTRIBUTIONS BY THE FULL-TIME EMPLOYEES OF THE POLICE DEPARTMENT OCCUPYING THE POSITIONS OF PATROL OFFICER AND SERGEANT WHO ARE MEMBERS OF THE OHIO POLICE & FIRE PENSION FUND; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**



**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2011-26.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-26 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Biro to adopt Ordinance No. 2011-26.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-26 has been adopted.**

#### **ORDINANCE NO. 2011-27**

**AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS HAS DETERMINED TO PICK-UP MANDATORY CONTRIBUTIONS BY THE FULL-TIME EMPLOYEES OF THE FIRE DEPARTMENT IN THE CLASSIFICATION OF FIRE FIGHTER, LIEUTENANT AND CAPTAIN WHO ARE MEMBERS OF THE OHIO POLICE & FIRE PENSION FUND; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

**MOTION WAS MADE BY COUNCILMAN FIEBIG**, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2011-27.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-27 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Reichelt to adopt Ordinance No. 2011-27.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-27 has been adopted.**

#### **NEW BUSINESS**

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Germano to designate the following vehicle as surplus: a 1995 Chevy S10, VIN#1GCCS194XS8242530, mileage of 98,412 with a value of less than \$1,000 and that the Mayor be authorized to sell the vehicle by any means necessary.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Malecek declared that the motion has been adopted to put out to bid the aforementioned vehicle.**

#### **FOR THE GOOD OF THE ORDER**

- Mayor Weger stated that when he heard Mrs. O’Ryan speaking about the Gym Fund and the Lion’s Club, he had a song going through his mind with the words “Proud to be an American”; this check that we just received represents the commitment that the Lion’s and specifically through the O’Ryans’ fortitude and just their persistent, their hard work and their love for the City and what the Lion’s Club meant to the City. The Mayor stated that he thinks that they have done a fantastic job; that Club is such a valued Club in this City, they have done so many things for the City. The Mayor is very proud to be a member of that Club with the Leadership of both the O’Ryans over thirty, forty years. The Mayor is relatively a new bee in the Club, probably just 10 years now, the O’Ryans started the Club over fifty years ago, many things that the Club has done for the City, the Mayor can’t say enough, thank you, please keep coming; we love all the work that you do.
- Law Director Lobe added that nobody else in the City has dedicated themselves, individually and collectively like the O’Ryans. They come up here with \$2,000, \$1,000, \$3,000 donations from bake goods; he doesn’t know anybody else who does that. The Law Director doesn’t know how they do that and then tonight they come up with a \$7,000 donation; they just kept coming and the Law Director personally just wanted to thank them for himself and his entire family. Thank you.

- Councilman Reichelt stated that he believes all of Council feels the same way; we all owe the O'Ryan's a debt of gratitude and appreciate their efforts.

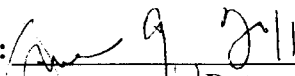
## **ADJOURNMENT**


**MOTION WAS MADE BY COUNCILMAN FIEBIG**, seconded by Councilman Reichelt to adjourn the Meeting.


**Roll Call: 5 AYES – unanimous**

**MOTION PASSES**

**President Malecek declared that the Regular Council Meeting of April 14, 2011 is adjourned at 7:50 p.m.**

**APPROVED:**                        
Date

**ATTEST:**                        
**Victoria Ann Savage, CMC**  
*Clerk of Council*

                       
**David A. Reichelt**  
*President of Council Pro-tem*