

City of Willoughby Hills

Regular Council Meeting Minutes of December 11, 2008

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.

7:03 p.m. Regular Meeting of Council Called to Order by President of Council.

Pledge of Allegiance

Roll Call of Council

Members Present: Councilman Christopher L. Biro, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Frank A. Germano, President Kevin D. Malecek, Vice President David A. Reichelt, Councilman Raymond C. Somich

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

Disposition of the Journal Regular Council Meeting of November 13, 2008

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to approve the Regular Council Meeting Minutes of November 13, 2008 as submitted.

Roll Call: 5 AYES w/Councilwoman Fellows and President Malecek abstaining

MOTION PASSES

President Malecek declared that the Regular Council Meeting Minutes of November 13, 2008 have been approved as submitted.

Correspondence

- Mary Taylor, CPA, Auditor of State: City of Willoughby Hills, Lake County, Ohio/General Purpose External Financial Statements for the Year Ended December 31, 2007
- Mayor's Monthly Statement to Council for November 2008
- Letter received from three White Road residents addressed to Honorable Mayor Robert Weger and Members of Council, dated November 21, 2008 requesting Sewer Service/Assessment Area C
- Letter received from Paul Werth Associates to Ms. Victoria Ann Savage, Clerk of Council, dated November 21, 2008 re: State Issue 2 Campaign to Continue the Clean Ohio Fund
- Richard Iafelice, City Engineer to Honorable Robert Weger and Members of Council re: December Status Report
- Letter from Planning & Zoning Commission and Architectural Board of Review to Kevin D. Malecek, Council President and Members of City Council, dated December 8, 2008 re: Proposed Zoning Code Changes
- Financial Reports: Cash Reconciliation, Purchase Orders and Fund Balance Change Analysis for Month Ending November 2008

- **MEMO FROM GLORIA MAJESKI, MAYOR'S ASSISTANT TO MAYOR WEGER, CITY COUNCIL, COUNCIL CLERK, POLICE CHIEF COLLINS, SERVICE DIRECTOR NATE CATANIA, DATED DECEMBER 11, 2008 RE: UPDATE ON INTERNET AUCTION SURPLUS VEHICLES**
- **MEMO FROM GLORIA MAJESKI, MAYOR'S ASSISTANT TO MAYOR WEGER, CITY COUNCIL, COUNCIL CLERK, POLICE CHIEF COLLINS, SERVICE DIRECTOR NATE CATANIA, DATED DECEMBER 11, 2008 RE: ADDENDUM TO UPDATE ON INTERNET AUCTION SURPLUS VEHICLES**

Notifications

- Board of Building & Zoning Appeals Notification that the BZA will not meet December 9, 2008 for no appeals were received
- Civil Service Meeting of December 17, 2008
- Planning and Zoning Commission & Architectural Board of Review Meeting of November 20, 2008
- Planning and Zoning Commission & Architectural Board of Review Meeting of December 4, 2008
- Recreation Commission Meeting of December 2, 2008
- Rules & Legislation Committee Meeting of December 8, 2008
- Safety Committee Meeting of December 11, 2008

Minutes

- Board of Building and Zoning Appeals Meeting of September 9, 2008
- Planning and Zoning Commission & Architectural Board of Review Meeting of October 16, 2008
- Planning and Zoning Commission & Architectural Board of Review Meeting of November 6, 2008
- Recreation Commission Meeting of October 7, 2008
- Recreation Committee Meeting of November 10, 2008
- **Rules & Legislation Committee Meeting of December 8, 2008**
- **Safety Committee Meeting of December 11, 2008**
- **Service Committee Meeting of November 17, 2008**

MAYOR'S REPORT – Robert M. Weger

Services

Recycling and Trash Collection – looking into Curbside Recycling Program
 Provided results of the City's Internet Auction
 Use of Speed Trailer
 Tax Collection Agency – Letters sent to residents regarding change from CCA to RITA

Acknowledgments

Opening of Celebration Café
 Bob Kravos – Grammy nomination for his polka and waltz CD

Legislation

Supports all of the Ordinances and Resolutions on this evening's agenda

Events

Christmas Card Lane will be up and open for viewing until the 1st of January
 Breakfast with Santa to be held on December 13th at the WH Community Center from 9:00 a.m. to 12:00 p.m.
 Garfield Memorabilia still available – see the Mayor's Assistant or WH Historical Chairman Frank Cihula

LAW DIRECTOR'S REPORT – Thomas G. Lobe

Provided an update regarding the status of litigation

FINANCE DIRECTOR'S REPORT – Joseph G. Mirtel

Distributed Finance Reports for the month ending November 2008
 Supports the passage of Ordinance No. 2008-87

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

Referenced Status Report for December, 2008

Illicit Discharge and Illegal Connection Control Ordinance – filing status report with Ohio EPA

Completed the plans for the signalization at SOM/Cleveland Clinic/Classic Auto

Recommended that the Signal on north side of the Interstate on SOM be transferred to Willoughby Hills from ODOT – it makes sense, the signal controller is outdated

ECTW Sewer Project – City has an opportunity to sponsor a Watershed Conservation Project, in this case, the Western Reserve Land Conservancy has requested the City's assistance with a project; this would provide the City with an opportunity to receive a reduced interest rate when borrowing funds from Ohio EPA. A letter of intent needs to be submitted by January 5th.

COMMITTEE REPORTS

FINANCE – Raymond C. Somich, Chair

Committee Members:

Nancy E. Fellows, David A. Reichelt

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

- **Councilman Somich announced that a Finance Committee Meeting will be called to review the Finance Reports for November 2008**
- **Councilman Somich stated that the Finance Committee supports the passage of Ordinance No. 2008-87**

PLANNING & ZONING – David A. Reichelt, Chair

Committee Members:

David M. Fiebig, Frank A. Germano

The Planning & Zoning Committee has not met; therefore no formal report was given.

RECREATION – David M. Fiebig, Chair

Committee Members:

Christopher L. Biro, David A. Reichelt

The Recreation has not met; therefore no formal report was given.

RULES & LEGISLATION – Kevin D. Malecek, Chair

Committee Members:

Frank A. Germano, David A. Reichelt

COMMITTEE MEETING OF DECEMBER 10, 2008

Members Present: Chair Kevin D. Malecek, Councilman Frank A. Germano, Councilman David A. Reichelt

Also Present: Councilman David M. Fiebig, Councilwoman Fellows, Councilman Somich, Finance Director Joe Mirtel

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

Meeting convened at 6:55 p.m.

Order of Business

Ordinance 2008-85: Surplus City Vehicles

Surplus of the 2002 Ford Explorer, former Mayoral vehicle. David Reichelt is down as President of Council Pro-tempore.

Consensus to waive Three Reading Rule and Adopt at Regular Council Meeting of December 11, 2008.

Ordinance 2008-86: Compensation for Electrician

Fixing electrician pay – the projects we have going on centered around electrical work – considering all of that makes sense to pay electrician as employee. Someone come in with familiarity – electrician Mike Santilli is very familiar with our City's system. Councilwoman Fellows – is it considered an administrative position? Not a department per say – can certainly bring the question up – Directors defined in the Charter – not anywhere – retained as a part-time employer doing work as a contractor – issued something as a 1099 – employee withholdings – as a part-timer, would not get hospitalization – some of it is going to be paid out of the IT project – not any money to do any new hiring or raises. Most of the money is being paid out of the IT fund. IT and dispatch project and perhaps project over at Roemisch.

(7:45pm) Mayor Weger: Cost-saving measure – we do not have to pay benefits – all covered by that individual by himself.

Projects covered under this is electrical work for dispatch center, IT room, and rest of City Hall. Need proper cabling for downstairs. Do not have to pay extraordinary rates by using this employee – work at Community Center as well – City Hall not up to code in some ways – looking at doing something at Roemisch fields for next year's CornFest to reduce need to have

generators. Just a maximum on it – doesn't mean we are going to spend it – a lot of money is covered by dispatch center. Fiebig – will it offset or Dispatch Center/IT cost? Going to be about 45% of total work he is going to do will be dispatch center work. Bid would be substantially more. Somich – do you see him working several days a week? First plan is to work on Dispatch and IT Center going – immediate concern – December, January, February – rest of the year there will be time for other projects. Very similar to IT contract with Dave Samik's group – also telephone and cabling for the IT with this hire. Current IT provider does not do cabling. Three phone systems in last ten years – have too much down there – clean it up and do it right. Fiebig – what's the accountability? Going to report directly to the Mayor and Dave will have direct input on it. City is buying all the materials – open PO's with several places – will also save on Engineering fees – do not charge on top of total project. Advertise for bids on 100 mw generator – save about \$15,000 if buy direct. Was it expected that he will use whole amount every month? No, as needed basis. **Consensus to waive Three Reading Rule and Adopt at Regular Council Meeting of December 11, 2008.**

Ordinance 2008-87: Appropriations Ordinance

Hopefully the last one – 2009 we can clean up if there is anything leftover – anticipate what salary, payments are going to be, some of these things are bigger items, cash reconciliation, by the end of the year there should be no funds in a deficit position. Should have a good audit this year – get accounts in line, improve financial picture – next year and the current years – do something without raising income.

Somich – is there a running total of adds and deletions? Is there a new appropriation? Mirtel – these are all adjustments, total general fund is the same \$6.4 million – everything equaled out. No fund will be overestimated. **Consensus to waive Three Reading Rule and Adopt at Regular Council Meeting of December 11, 2008.**

Amendment – 809 Petty Cash fund – add/delete should be “\$0.00”

This is the most updated appropriation – didn't combine everything in the past – didn't know the totals – this package represents your total appropriation. Fiebig – are some funds unused? Yes, many will be closed at the end of this year – 824-899 for instance; many in 600 series will be cancelled. Keep it down to a manageable amount. Somich – account 270? Is the offset with the \$260,000 the offset account? Reduce balance in that 270 – into the mix, have to take care of that to get the books straight – reduce fund balance – but there will now be an offset. **Consensus to waive Three Reading Rule and Adopt at Regular Council Meeting of December 11, 2008.**

Resolution 2008-14: PUCO Resolution

Help prevent FirstEnergy from making excessive profits. Could we do a similar one for Dominion East Ohio? Urge PUCO to extend NOPEC generation discount. **Look into wording on Section 3 and change “hand-working” to hard-working. It is possible some words were left out in Section 3. Consensus to waive Three Reading Rule and Adopt at Regular Council Meeting of December 11, 2008.**

Resolution 2008-15 through 23: Charter Review Appreciation Resolutions

Reads as CHARGER on 17, 18, 19. Third WHEREAS clause – should be “thorough” and not “through”, Fourth WHEREAS clause, insert comma after “Commission”, eliminate comma after occurred. Consensus to waive Three Reading Rule and Adopt at Regular Council Meeting of December 11, 2008.

Discussion about potential projects for a economic stimulus proposal.

Discussion about planning and zoning – out buildings discussions at the Commission – 960 square feet – small enough to satisfy most people's desires. BZA approves a good share of them – depends on their need and their justification under the code. Larger lots – formula can exceed.

Public Portion

Joyce Grady – purchasing vehicles – how far in advance do you know that we are purchasing these cars? Dealership gets pricing, then state purchasing process. If we do not do it now, we'll lose the price.

Robert Kowalsky – chairing this tonight – did Willoughby say anything about the bike path? Don't you think car prices will go lower? How many cars are being replaced? Three Chargers, one Durango. Replacing Crown Victorias. Rules and speaking – when you go into the Executive – could express yourself on this – do you think Law Director can be with you? Do you think you should have the Law Director there? If it is a legal matter, sure. Searching people – their rights to speak – everything you do is a legal matter – we can have an executive session without the Law Director at any time. All the stuff is doing is the bare minimum. Frank Cihula – looking for projects for funding – might consider improving Garfield School and Maplegrove Grange – potential future funding – assuming Pleasant Valley Bridge.

Linda Fulton – electrician – will he be hourly or salary – will be figured out as an hourly rate – would he be an hourly employee – does he have to join the union? No. 2002 Ford Explorer – had a bad design for it – never needed to have its oil check – not worth putting money into. Appraised value is less than repair cost estimate. Weather has a big to do about why leaves not

picked up – why was there a back-hoe on Marcum Boulevard – digging out a ditch of leaves – only picked up leaves on street – culverts are all full of leaves.

Joyce Grady – letter in the mail from RITA – official notification from one agency to another – brief reminder – going to have to raise the income tax – careful about spending.

Robert Kowalsky – how come the electrician everything is go vague? Any ads out there for an electrician – works under a head like Service Department head – tell you the hours he worked? Doesn't seem like he even knows his boss. Maybe the thing is too long – maybe it should be a half-year. Department head or not – is he working under anybody. He is working for the Service Department. This is a general position – if it takes two or three to do this – two or three – when you are hiring this position has there been an ad in the paper for the electrician – professional services – you are not hiring an employee – you don't even have to advertise for it – when you have to advertise for the heads – where is he in the establishment – he is in the Service Department – under full control of the Service Director – you should give him medication, medical, - it is a part-time position – work around other contractors – could be advertised as hourly-rate. This is considered more than that – IT services. It all works this way – follow the rules, then we are going to save money. Fixing it now.

Meeting adjourned at 8:20 p.m.

SAFETY – David A. Reichelt, Chair

Committee Members:

Christopher L. Biro, David M. Fiebig

COMMITTEE MEETING OF DECEMBER 11, 2008

Members Present: Chair David A. Reichelt, Councilman Biro, Councilman David M. Fiebig

Also Present: Councilwoman Fellows, Councilman Germano, President Malecek, Councilman Somich, Mayor Weger, Police Chief Collins, Sergeant Planisek

Purpose of the Meeting was to review Security Issues in Business District and any other business.

Meeting convened at 6:23 p.m.

Order of Business

Purpose of the meeting was to discuss some recent criminal activities that have been occurring in some of the commercial areas of the City; in particular an incident which occurred on the Saturday, November 29th, there were seven (7), what is known as “smash and grab” incidents where the windows of vehicles were broken out and packages were removed from the vehicles. These incidents occurred in the area known as the Shops of Willoughby Hills. This is something that is unprecedented in our area. The Police Department has not seen this activity in the past, nor have they seen it since that day; possibly due to the Police Department deciding to go public with a press release informing the public to be careful and to be diligent in that area. Again, since that time, there have been no other incidents. The Police Department has undertaken other efforts to counter act such incidents, but there have been none. It would appear that this was an isolated incident.

The crime statistics in the area are good and have been good as indicated by Chief Collins. Police Chief also referred to and discussed another incident, unrelated to the November 29th incident, which occurred at the Willoughby Hills Tower and has been the subject of investigation by the Police Department.

Chair Reichelt stated that as always, the Police Department could use more personnel, but it is Council's challenge to find out how to fund that and until that time, there probably won't be any chance of an increase of police personnel.

Public Portion

Public Portion was opened at 6:56 p.m. with no one coming forth from the public sector; Public Portion was then closed at 6:57 p.m.

Meeting adjourned at 6:57 p.m.

SERVICE – Nancy E. Fellows, Chair

Committee Members:

Christopher L. Biro, Frank A. Germano

COMMITTEE MEETING OF NOVEMBER 17, 2008

Members Present: Chair Fellows, Councilman Germano

Also Present: Councilman David Fiebig, Councilman David Reichelt, Mayor Robert Weger, Finance Director Joseph Mirtel, City Engineer Richard Iafelice

Purpose of the Meeting was to review Drainage Projects and the Prioritizing of Funding and any other business.

Meeting convened at 6:36 p.m.

Order of Business

Drainage Projects Funding – brought the Service Committee up to date on projects that are being lobbied for Level 2 Funding by the Lake County Storm Water Management Department. To date assistance with one Public Capital Project from 2006 –

Sayle Farm Project. In 2007, approached by the County for a stream restoration project at Kennelly and Red Fox Pass due to flooding issues approached us. Property owners have not agreed with going ahead with the project in relation to terms of the conservation easement. Therefore, the County has eliminated the project. Federal Grant monies are being returned. Another project that has been agreed to be funded by the County (2009 Funds) is the Maple Grove Slope area. Discussed a long-standing project from 1999 on Lamplight Lane and I-271 drainage study. Would be an eligible project for funding. Possibly use Storm Water monies for 2007 & 2008 funds for this project. Service Committee supports the City Engineer and Service Department to prioritize list of projects that could be funded by the 2007 & 2008 monies.

Illicit Discharge and Illegal Connection Control Ordinance 2008-80 – Rules assigned to Service. This legislation is part of the Ohio EPA for the general permit issued under Storm Water Management to develop a program to detect illegal connection and discharge through the storm water management system. The Service Committee recommends further clarification of Section 1377.07 – Discharge and Connections Prohibitions 1377.07. City Engineer to report to Ohio EPA that we are evaluating the Ordinance.

Mr. Anthony Covelli desires to purchase City property next to his on Martin – This property was previously a package plant then a pump station that have been demolished. It is the recommendation of the Service Committee to Council to approve that the Mayor move forward with a property appraisal determining the value for council to decide whether it is prudent to place this property out for public auction.

Public Portion

The following people came forth with questions/comments:

Mr. Bob Kowalsky inquired as to the acreage of the property on Martin. He additionally shared his concerns and thought on Ordinance 2008-80.

Mr. Frank Cihula commented on format technicalities on Ordinance No. 2008-80.

Meeting adjourned at 8:15 p.m.

UTILITIES – Frank A. Germano, Chair

Committee Members:

Nancy E. Fellows, Raymond C. Somich

COMMITTEE MEETING OF NOVEMBER 17, 2008

Members Present: Chair Germano, Councilwoman Fellows

Also Present: Councilman David Fiebig, Councilman David Reichelt, Mayor Robert Weger, Finance Director Joseph Mirtel, City Engineer Richard Iafelice

Purpose of the Meeting was to review Green Ridge Sanitary Sewer System and any other business.

Meeting convened at 8:19 p.m.

Order of Business

Green Ridge Sanitary Sewer Area

Brief history of the area, which is Meadowbrook and Alan Drive. Because of high infiltration, the sewer was televised in April. The City will be conducting dye tests of each property in the Green Ridge area. The City must satisfy the Ohio EPA for the area before Assessment Area “C” is completed.

The area west of the creek on White Road to the Richmond Heights line has been accepted into the Cuyahoga Sewer System.

Public Portion

Public Portion was opened at 9:05 p.m.

Bob Kowalsky – wants White Road Sewer to go to Euclid; Questions concerning dye testing in Green Ridge area
With no further comments, Public Portion was closed at 9:11 p.m.

Meeting adjourned at 9:12p.m.

PERSONNEL RELATIONS – Christopher L. Biro, Chair

Committee Members:

Raymond C. Somich, Mayor Robert M. Weger

The Personnel Relations Committee 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 is no formal report was given.

OTHER COUNCIL REPRESENTATIVE REPORTS

There were no other Council Representative Reports given.

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 7:34 p.m. With no one coming forth from the public sector, Public Portion was closed at 7:35 p.m.

UNFINISHED BUSINESS

There was no “Unfinished Business” brought forth to Council.

LEGISLATION

ORDINANCE NO. 2008-85

AN ORDINANCE TO DECLARE CITY VEHICLES AND/OR EQUIPMENT WITH AN ESTIMATED VALUE OF OVER \$1,000 AS SURPLUS PROPERTY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2008-85.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2008-85 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to adopt Ordinance No. 2008-85.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Ordinance No. 2008-85 has been adopted.

ORDINANCE NO. 2008-86

AN ORDINANCE FIXING THE COMPENSATION FOR THE POSITION OF ELECTRICIAN FOR THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2008-86.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2008-86 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adopt Ordinance No. 2008-86.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Ordinance No. 2008-86 has been adopted.

ORDINANCE NO. 2008-87

AN ORDINANCE AMENDING ORDINANCE NO. 2008-61 AND ORDINANCE NO. 2008-69 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 FIEBIG, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2008-87.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2008-87 has been suspended.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Somich to adopt Ordinance No. 2008-87.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Ordinance No. 2008-87 has been adopted.

Law Director Lobe stated that Resolutions 2008-15 through 2008-23 are Resolutions acknowledging work done by a Commission, they all involve the members of said Commission and due to the fact that they are very repetitive in nature, the Law Director feels that it would be proper to have Council waive collectively, only the Three Reading Rule. The Law Director requested Council to adopt each Resolution separately.

RESOLUTION NO. 2008-14

A RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION OF OHIO (PUCO) TO PREVENT FIRST ENERGY FROM MAKING EXCESSIVE PROFITS AT THE EXPENSE OF ECONOMICALLY-CHALLENGED, HARD-WORKING OHIOANS.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Resolution No. 2008-14.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Three Reading Rule for Resolution No. 2008-14 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to adopt Resolution No. 2008-14.

Councilman Reichelt questioned the wording in Section 3 of the Resolution. Councilman Reichelt felt that the wording was contradictory and sought further clarification. The Law Director advised Council that this Resolution could be Tabled. Due to the time frame, given that Council will not be meeting until January 2009, and since Council agreed to the general intent of the Resolution, the Motion stood and Roll Call was taken.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-14 has been adopted.

RESOLUTION NO. 2008-15

A RESOLUTION RECOGNIZING CHRISTOPHER L. BIRO FOR HIS DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Fiebig to suspend the Three Reading Rule for Resolution No. 2008-15, 16, 17, 18, 19, 20, 21, 22, 23, collectively.

Roll Call: 6 AYES w/Councilman Biro abstaining

MOTION PASSES

President Malecek declared that the Three Reading Rule for Resolution No. 2008-15, 16, 17, 18, 19, 20, 21, 22, 23, collectively has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to adopt Resolution No. 2008-15.

Roll Call: 6 AYES w/Councilman Biro abstaining

MOTION PASSES

President Malecek declared that Resolution No. 2008-15 has been adopted.

RESOLUTION NO. 2008-16

A RESOLUTION RECOGNIZING PETE CORBISSERO FOR HIS DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adopt
Resolution No. 2008-16.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-16 has been adopted.

RESOLUTION NO. 2008-17

A RESOLUTION RECOGNIZING DALE FELLOWS FOR HIS DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Fiebig to adopt
Resolution No. 2008-17.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-17 has been adopted.

RESOLUTION NO. 2008-18

A RESOLUTION RECOGNIZING LINDA FULTON FOR HER DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Biro to adopt
Resolution No. 2008-18.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-18 has been adopted.

RESOLUTION NO. 2008-19

A RESOLUTION RECOGNIZING ANDREW GARDNER FOR HIS DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to adopt
Resolution No. 2008-19.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-19 has been adopted.

RESOLUTION NO. 2008-20

A RESOLUTION RECOGNIZING JOYCE GRADY FOR HER DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to adopt
Resolution No. 2008-20.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-20 has been adopted.

RESOLUTION NO. 2008-21

A RESOLUTION RECOGNIZING WILHELMINA KAMIS FOR HER DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adopt Resolution No. 2008-21.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-21 has been adopted.

RESOLUTION NO. 2008-22

A RESOLUTION RECOGNIZING TONY MANFREDI FOR HIS DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to adopt Resolution No. 2008-22.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-22 has been adopted.

RESOLUTION NO. 2008-23

A RESOLUTION RECOGNIZING JAMES SHANNON FOR HIS DEDICATION TO THE CITY OF WILLOUGHBY HILLS IN SERVING AS A MEMBER OF THE 2008 CHARTER REVIEW COMMISSION.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilwoman Fellows to adopt Resolution No. 2008-23.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Resolution No. 2008-23 has been adopted.

NEW BUSINESS

The Law Director announced that on December 8th all of the public records previously requested by the Federal Bureau of Investigation in October of 2007 had been returned to City Hall.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to authorize the Mayor to advertise for bids for a 100kW Generator.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Mayor is authorized to advertise for bids for a 100kw Generator.

Point of Order: Councilman Somich questioned if the opportunity that the City Engineer brought up to Council to sponsor another development so that the City could save one-tenth of one percent; does that require a Motion of Council so that the Mayor could have that authority.

Law Director questioned the amount of controversy, monetarily? Is there a cost involved? The City Engineer replied "to the City, no". The Law Director advised that just a Motion of Council, for the record, is always safe.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to authorize the Mayor to write a Letter of Intent to the Western Reserve Conservancy.

Roll Call: 7 AYES

President Malecek declared that the Mayor is authorized to write a Letter of Intent to the Western Reserve Conservancy. (Note: For clarification of this Motion, please refer to the City Engineer's Report provided in the Minutes of the Regular Council Meeting of January 8, 2009).

FOR THE GOOD OF THE ORDER

- Councilman Somich encouraged everyone to come and shop at the Shops at Willoughby Hills.
- President Malecek stated that currently there is no need to call a Rules and Legislative Meeting before the end of the year.
- President Malecek, on behalf of Council, wished everyone very safe and wonderful Holiday Season.

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Fiebig to adjourn until the next Regular Council Meeting.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that Council is adjourned until the next Regular Council Meeting.

Meeting adjourned at 8:02 p.m.

APPROVED:

[Signature]

Date

ATTEST:

[Signature]

Victoria Ann Savage, CMC
Clerk of Council

[Signature]

Kevin D. Malecek
President of Council