

City of Willoughby Hills

Regular Council Meeting

Minutes of February 10, 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.

7:03 p.m. Meeting of Council Called to Order by President Kevin D. Malecek

Pledge of Allegiance

Roll Call of Council

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

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

Disposition of the Journal Regular Council Meeting of January 13, 2011

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Fiebig to approve the Minutes of the Regular Council Meeting of January 13, 2011 as submitted.

Roll Call: 6 AYES with Councilwoman Fellows abstaining MOTION PASSES
President Malecek stated that the Regular Council Meeting Minutes of January 13, 2011 have been approved.

Correspondence

- Mayor's Court Monthly Statement for January 2011 (Emailed: February 8, 2011)
- City Engineer's Status Report for February 2011 along with Service and Utilities Committee Agenda Items (Emailed: February 8, 2011)
- Mayor Robert Weger to Council Members and Council Clerk, dated February 7, 2011 re: Cleaning Contract Bids (Emailed: February 8, 2011)
- Financial Reports for the Month Ending December 2010 consisting of: General Fund Income Statement, Cash Reconciliation, Purchase Order Report, Fund Analysis Reports, and Expense Reports (Emailed: February 1, 2011)

Notifications

- Lake County Farm Bureau, Inc., dated February 1, 2011 re: Meeting Notification of Friday, February 18, 2011 – discussing Agricultural Ecology Issues and Topics and Policies in Lake County (Emailed: February 8, 2011)
- Personnel Relations Committee Meeting of February 10, 2011 (Emailed: February 7, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of February 3, 2011 (Emailed: February 1, 2011)
- Recreation Commission Meeting of February 1, 2011 (Emailed: January 31, 2011)

- Note: The Recreation Commission Meeting of February 1, 2011 was cancelled due to inclement weather
- Recreation Commission Meeting of February 8, 2011 (Emailed: February 8, 2011)
- Rules & Legislation Committee Meeting of February 10, 2011 (Emailed: February 7, 2011)

Minutes

- Service Committee Minutes of January 24, 2011 – As corrected (Emailed: February 8, 2011)

On File

- Letters of Commendations from Christopher J. Collins, Chief of Police to: Officer Jim Vitale, Sgt. Thomas Lanning, Officer Kelly McDermott, Officer Matt Neath, K-9 Officer Tony Mino, K-9 Officer Mike Gerardi, Officer Matt Naegele, K-9 Officer Tony Mino (Emailed: February 8, 2011)

MAYOR'S REPORT – Robert M. Weger

• **Service Department**

Keeping our streets plowed & salted and patching pot holes

- Prescription Recycle Bin – located in Police Department Lobby

• **Fire Department**

172 Emergency Responses

118 EMS – 99 Transports

54 Fire

14% of the Emergency incidents were “Double Hits”

Busiest Times – 11:am and 5:pm

Nearly 30% of Emergency Incidents occur between 10:pm and 8:am

Mondays have had the least amount of incidents and Saturdays have had the most

- Supports Legislation – Ordinance No. 2011-6 for Part-Time Recreation Coordinators and Ordinance No. 2011-5 Easements for the Fairlawn Sewer Project
- Upcoming State of the Cities Luncheon at La Vera on Thursday, February 24th and at the Senior Lunch at the Community Center Senior Room on Tuesday, February 15th at noon.
- AARP – Make appointment now to have Federal and State Income Taxes done by AARP Representatives – call City Hall for appointment
- RITA – Representatives will be at city Hall on Monday, March 21st from 1:00 p.m. to 8:00 p.m. to do City Income Tax – no appointment necessary.

• **Police Department**

Citations and Incidents from February 1st to February 10th:

164 Traffic Stops

52 Disabled Motor Vehicles

1 Serious Accident (last evening)

1 Suicide

8 Suspicious Persons (5) and Suspicious Vehicles (3)

K-9 Arrow passed away due to complications from Cancer; Arrow was partnered with Officer Gerardi

- Business of the Month – Baker's Candies
- Welcomed new Recreation Commission Member Dan Phillip
- Congratulations to Dispatcher Sandy Wilson – 10 year anniversary with City of Willoughby Hills

• **Upcoming Events:**

Girls Softball and Boys Baseball Signups underway

Pancake Breakfasts – First three Sundays in March

• **City Projects:**

Pre-Construction Meeting was held with respect to the Dodd Road Bridge – Bridge to be totally replaced – Closing Date April 1st; estimated to be completed December 2012. Work to commence in March the moving of utilities and cutting of trees, needs to be done before April 1st to accommodated the Indiana Bat Nesting Stipulations. The bridge will be a total concrete bridge.

Work to be done by the Williams Company which recently did the bridge on Route 90. Residents in the area will be contacted.

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

- No formal report was given.
- The Law Director however, thought that it was imperative, or interesting that he should note that the Mayor has required and it has been going on for some time, and he is not sure if the Members of Council are aware, that meetings are held with the Mayor, the City Engineer and himself every two weeks that start about 7:30 a.m. in the morning to discuss all of the City's issues. The three of them sit down and discuss costs, routes, listen to the City Engineer's report of what is going on, the Mayor's perspective of what is going on, and this happens every two weeks with the meetings lasting anywhere from an hour to three hours.
- Law Director Lobe also reported that Directors Meetings are held every other week as well. The City Engineer is not included in these meeting, but includes all the other Directors, we sit down with the Mayor, the Clerk of Courts, the Finance Director, the Assistant Finance Director, the Administrative Executive Assistant, the Law Department, the Police Department, the Fire Chief, the Police Chief and we sit around the table with the Mayor starting the meeting by reporting the weekly or bi-weekly "State of the Union" and then we go around the "Table" and discuss everybody's issues and it is interesting how because of that communication that last from an hour to two hours, and to put everybody in a room; things get done better. Probably even the greatest example is with Mr. Brichacek, who is now "Sharpening Up" some of the issues of how he wants Purchase Orders (POS) and how he wants things done; it is a nice discourse that you can see even between the Finance Department and the Police Department; the Finance Department and the Fire Department or the coordination efforts that always need to be sharpened between the Building Department and the other Departments, so we do this and have been doing this on a consistent basis.

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

- Wanted to note that the January 2011 Financial Statements were emailed out to the Members of Council this afternoon; other than that no formal report.
- Councilwomen Fellows stated that in our discussion today, about the position for Recreation, Mr. Brichacek, in our **Chapter 941.09 – Use of Public Property**, it provides that Council have a quarterly breakdown of the *Willoughby Hills Community Center Statement of Cash Income, and Expense Report*. We have not been provided that. Would like to see that we have this information in the future.

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

- Referenced written Status Report for February 2011
- ODOT Project on SOM Center Road – ODOT reports some frustration in getting the contractor to complete some of the work, particularly the Systems Analysis which is to adjust the timing of the signals. Willoughby has registered, as well as the City Engineer, himself has observed, the back-ups on Route 84 so we are working with ODOT, sometimes directly with the contractor, to try to get things done. The contract completion date was February 7th, so the City Engineer has been in communication with ODOT and with the City of Willoughby.
- Requested a Service Committee to meet to discuss two items: an Updated Capital Improvement Program (5-year plan) and updates to the Stormwater Management and Erosion and Sediment Control Runoff Legislation.
- Requested a Utilities Committee to discuss the Sewer Fund Outlook.

FINANCE – Raymond C. Somich, Chair

Committee Members: Nancy E. Fellows, David M. Fiebig

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

PLANNING & ZONING – David M. Fiebig, Chair

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

- The Planning & Zoning Committee has not met; therefore no formal report was given.
- Reported that the Council Clerk is working on a document that will take the Master Plan with all the revisions and will be able to clearly see through “strike-outs” and highlighted markings, what has been purposed by the Planning Commission. When this has been completed, a Meeting will be called to perhaps meet with the Finance Committee as well. This might be a good opportunity to talk about vision from both a planning and financial perspective.
- Councilman Reichelt stated that he would like to make sure that we have the document well in advance of any meeting so that it can be reviewed. Councilman Reichelt is also concerned about the amount of time that the Clerk will be spending on that, he knows that we have talked about watching the consumption of time for the Council Clerk. Councilman Reichelt wants to make sure that the Clerk is cognizant of it.

RECREATION – Nancy E. Fellows, Chair

Committee Members: Christopher L. Biro, David A. Reichelt

- The Recreation Committee has not met; therefore no formal report was given.
- Councilwoman Nancy E. Fellows announced that the Annual Boys League Fund Raiser is going to be held March 5th. Tickets can be obtained through any Member of the Recreation Commission or by calling the Mayor’s Office.

RULES & LEGISLATION – Kevin D. Malecek, Chair

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

COMMITTEE MEETING FEBRUARY 10, 2011	
<u>Members Present:</u>	President Kevin D. Malecek, Chair, Councilman Frank A. Germano, Councilman David A. Reichelt
<u>Also Present:</u>	Councilman Christopher L. Biro, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Raymond C. Somich, Robert M. Weger, Mayor
<u>Purpose of the Meeting was to discuss Pending Legislation and any other business.</u>	
Meeting convened at 6:55 p.m.	
<i>Order of Business</i>	
<u>Ordinance 2011-5:</u> Accepting Permanent Easements for the Fairview Drive Sanitary Sewer Extension. It was recommended by the Utilities Committee to adopt the Ordinance this evening. The Rules and Legislation Committee did echo that same recommendation.	
<u>Ordinance 2011-6:</u> Establishing and Fixing the Compensation for the Position of Part-Time Recreation Coordinator. It was recommended by the Personnel Relations Committee to adopt the Ordinance this evening. The Rules and Legislation Committee also echoed the same recommendation.	
<i>Public Portion</i>	
<i>Public Portion was opened and with no one coming forth; was promptly closed.</i>	
Meeting adjourned at 7:00 p.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.
- Announced that the Safety Committee will meet on February 21, 2011 at 5:30 p.m.

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 the Service Committee will meet on February 21, 2011 at 6:00 p.m.

UTILITIES – Frank A. Germano, Chair

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

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

PERSONNEL RELATIONS – Christopher L. Biro, Chair

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

COMMITTEE MEETING FEBRUARY 10, 2011

Members Present: Councilman Christopher L. Biro, Chair, Councilman Raymond C. Somich, Mayor Robert M. Weger

Also Present: Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, President Kevin D. Malecek, Law Director Thomas G. Lobe

Purpose of the Meeting was to discuss Position of Part-Time Recreation Coordinator and any other business.

Meeting convened at 6:23 p.m.

Order of Business

Ordinance No. 2011-6: Establishing and Fixing the Compensation for the Position of Part-Time Recreation Coordinator.

Major Duties and Responsibilities of said position include:

- *Work with Recreation Commission to develop, promote and maintain the City's recreation programs for all ages.*
- *Prepare and process all administrative and financial functions for the recreation department.*
- *Work with Boys League to ensure that Baseball, Football, and Basketball programs are properly administered through the city.*
- *Work with Willoughby Soccer League to ensure that Willoughby Hills children are part of and included in the program.*
- *Develop and maintain the Girls softball program, working with various city recreation departments to provide a girls softball program available to Willoughby Hills residents.*
- *Accepts and maintains registration for all City-Sponsored recreational functions.*
- *Schedule and coordinate the requested use of the city sports and recreational facilities including but not limited to: baseball fields, football field, soccer fields, and pavilions at Campbell Park.*
- ***Major Community Center Responsibilities***
 - *Show Community Center rooms to prospective Renters*
 - *Produce and process all rental agreements and signs for rental*
 - *Coordinate all Community Center schedules*
 - *Maintain scheduling of City Property Staff Members*
 - *Direct and Supervise City Property Staff Members*
 - *Coordinate and Manage all payments and deposits and security deposit refunds*
 - *Ensure rented rooms are set up according to renter's "setup plan"*
 - *Schedule Willoughby Hills Police Officers (off duty) for security guard request with assistance from Police Department representative*

Funding for this position to be reflected in 2011 Permanent Budget – Recreation Cost Center

Part-Time Recreation Coordinator(s) to develop a report for tracking Expenses vs. Income for Finance Department

Finance will provide Monthly Reports to the Members of Council

Questions were asked with respect to Skill Set or Duties – Both individuals/candidates are adept in their fields of interest – running sports programs vs. scheduling activities and facilities

Mayor stated that both Staff Members will have expertise and share with others

Questions were asked with respect to duties adding to Background Checks

Consensus of the Committee was to advance the legislation to Council this evening for passage with changes to be made prior to adoption.

Public Portion

Public Portion was opened with Linda Fulton coming forth with questions pertaining to the Part-Time Positions.

Meeting adjourned at 6:54 p.m.

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

- There were no other Council Representative Reports brought forth to Council.

PUBLIC PORTION

Section 107.08 – Public Meetings of Municipal Bodies of the Codified Ordinances of the City of Willoughby Hills:

(a) All meetings of any municipal body are declared to be public meetings open to the public at all times. All meetings shall provide a reasonable opportunity to hear public opinion.

Public Portion was opened at 7:30 p.m. and with no one coming forth from the Public Sector, was promptly closed at 7:30 p.m.

UNFINISHED BUSINESS

- There was no unfinished business brought forth to Council.

LEGISLATION

ORDINANCE NO. 2011 – 5

**AN ORDINANCE ACCEPTING A PERMANENT EASEMENT FOR THE FAIRVIEW DRIVE
SANITARY SEWER EXTENSION ACROSS THE LANDS FOR EACH PROPERTY AS DESCRIBED IN
EXHIBIT “A”, AND DECLARING AN EMERGENCY.**

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-5.

Roll Call: 7 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-5 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to adopt Ordinance No. 2011-5.

Roll Call: 7 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-5 has been adopted.

ORDINANCE NO. 2011 – 6

**AN ORDINANCE ESTABLISHING AND FIXING THE COMPENSATION FOR THE POSITION OF
PART TIME RECREATION COORDINATOR; **REPEALING** CONFLICTING LEGISLATION AND
DECLARING AN EMERGENCY.**

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Somich to amend Ordinance 2011-6. Amendments are as follows:

(1) Correct the spelling of the word “**Repealed**” located in Caption

(2) **Section 4**. Should read as follows:

Major Duties and Responsibilities of said position include ***but not limited to as follows:***

(3) Two additional bullet items to be added to the Major Community Center Responsibilities:

***Other duties and responsibilities as assigned by Mayor
Provide data for monthly reports to Finance Department***

(4) Re-Numbering of Ordinance Sections due to a duplication of “Section 4.”

Councilman Fiebig questioned if there was a reason as to why we have to do this right now, for we were just handed this before the meeting, there are obviously many changes that have been made, do we have to pass this tonight? Can we leave it as amended and leave it on First Reading; make sure that everything is thoroughly in this legislation before we pass it or is there a reason that it has to be done tonight.

Mayor Weger stated that the person who is doing this job today is working 90 hours a week and he doesn't think that it is fair to her. This was brought up to the President at the last Council Meeting and we have been trying to schedule a Personnel Relations Committee Meeting since then and it is getting into the busy season. We have the Craft Show, the Pancake Breakfasts, all the coordination is going on right now. We have the Girls Softball sign-ups, so things are very busy right now and we really need to get this in place so that we don't miss the season.

Councilman Fiebig stated that he thought that we already had the people employed. The Mayor responded that last year he hired the person to do the Girls Softball League on a 1099 basis and he did not want to do that this year. That person, would be one of the people hopefully taking this position and he would save \$3,000.00.

Councilman Fiebig stated that he thought that the Mayor already had two people. The Mayor responded that he already had two people in mind for the position. Councilman Fiebig thought that they were already working, the Mayor replied no.

Roll Call: 7 AYES

MOTION PASSES

President Malecek stated that the Ordinance No. 2011-6 has been amended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Biro to suspend the Two Day Notification Rule for Ordinance No. 2011-6 – As Amended.

Roll Call: 7 AYES

MOTION PASSES

President Malecek stated that Two Day Notification Rule has been suspended for Ordinance No. 2011-6 – As Amended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Somich to suspend the Three Reading Rule for Ordinance No. 2011-6 – As Amended.

Roll Call: 7 AYES

MOTION PASSES

President Malecek stated that Three Reading Rule has been suspended for Ordinance No. 2011-6 – As Amended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to adopt Ordinance No. 2011-6 – As Amended.

Roll Call: 7 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-6 – As Amended has been adopted.

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to approve the low bid of Dependable Cleaning and prepare legislation for the next Regular Council Meeting to formally accept the bid and enter into contract with Dependable Cleaning.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the motion has been adopted to approve the low bid of Dependable Cleaning and for the preparation of the required legislation.

FOR THE GOOD OF THE ORDER

- Councilman Somich announced the following Events:

- (1) The Single Largest, One-Day, One-Site Blood Drive in the State of Ohio will be held Tuesday, February 18th from 7:00 a.m. to 7:00 p.m. at Landerhaven.

- (2) The Lake County Historical Society is having their Fund Raiser Ball here in Willoughby Hills at La Vera Party Center. It is going to be a re-enactment of the Mounds Robbery that happened back in the 1940's and that will be on February 19th.

ADJOURNMENT

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

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Regular Council Meeting of February 10, 2011 is adjourned at 7:40 p.m.

APPROVED:

March 10 2011
Date

Nancy E. Fellows
Nancy E. Fellows
President of Council Pro-tem

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council