

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 January 14, 2010

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.

7:00 p.m. Meeting of Council Called to Order by President of Council Kevin D. Malecek

Pledge of Allegiance

Roll Call of Council

Members Present: 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, Councilman Christopher L. Biro

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

Disposition of the Journal **Special Council Meeting of December 28, 2009**

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to approve the Special Council Meeting Minutes of December 28, 2009.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Special Council Meeting Minutes of December 28, 2009 have been approved as submitted.

Organizational Council Meeting of January 4, 2010

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Somich to approve the Organizational Council Meeting Minutes of January 4, 2010.

Roll Call: 7 AYES

MOTION PASSES

President Malecek declared that the Organizational Council Meeting Minutes of January 4, 2010 have been approved as submitted.

Correspondence

- David Reichelt, Chairman/Planning and Zoning Committee of Council to Ms. Charlotte Schryer, Chairman/Planning & Zoning Commission, dated December 30, 2009 re: Proposed Changes to Sign Regulations (Section 1151.05)
- Mayor's Monthly Statement to Council for December 2009
- City of Willoughby Hills Mayor's Court Reports
- City Engineer's Monthly Report for January 2010
- Clerk of Council to Service/Safety Director Weger, dated January 8, 2010 re: Ohio Division of Liquor Control – C TRFO 2279062

Notifications

- Board of Building and Zoning Appeals Meeting of January 12, 2010
- Civil Service Commission Public Hearing of January 22, 2010
- Civil Service Commission Meeting of January 22, 2010
- Planning and Zoning Commission and Architectural Board of Review Meeting of January 7, 2010
- Rules & Legislation Committee Meeting of January 11, 2010

Minutes

- Planning and Zoning Commission & Architectural Board of Review Meeting of December 3, 2009
- **Rules and Legislation Committee Meeting of January 11, 2010**

On File

- Letter from the Ohio Department of Development to Tax Increment Financing Administrator , dated December 28, 2009 re: Deadline for the filing of the TIF Annual Report
- Willoughby Hills Senior Center Activity Pages for January 2010, Issue Number 1

MAYOR'S REPORT – Robert M. Weger

- Service Department – Snow removal and salting underway
- Willoughby Hills Newsletter – (January/February)
- AARP offering free assistance with Federal and State Income Taxes on Tuesday from 9:00 a.m. to Noon beginning February 2, 2010 – Call City Hall to schedule an appointment
- RITA coming to City Hall one day only – Monday, March 15, 2010 from Noon to 7:00 p.m. – No appointment necessary
- U.S. Census – Please complete upcoming mailer or expect a visit from the Census Taker – Mayor's Office can help with Census Form completion
- Supports all Legislation – Ordinance No. 2010-1, Ordinance No. 2010-2, Ordinance No. 2010-3, Ordinance No. 2010-4 and Ordinance No. 2010-5
- Announced Construction Start Dates for Sanitary Sewer Assessment Area C – See City's Website for information
- Acknowledgments:
 - Former Bogey's Deli now Dynamic DUO
 - Manhattan Deli's 25th Anniversary
 - Councilman Reichelt for conducting Computer Classes for our Seniors and Councilman Fiebig for being willing to continue on with conducting the Computer Classes for our Seniors
 - Save the Dates – Pancake Breakfasts - March

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

- No Formal Report was given.

FINANCE DIRECTOR'S REPORT – Joseph G. Mirtel

- Closing out 2009 and preparing for 2010
- Supports the passage of Ordinance No. 2010-1 to eliminate several inactive fund accounts from the City's books

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

- Referenced Status Report
- SOM Center Shared-Use Path – City of Willoughby completed Preliminary Study – Increase in Costs; Project officially approved by NOACA for funding in FY2011
- Assessment Area "C" – Pre-Construction Meeting held January 7th ; Information being provided to Residents
- Green Ridge SSES Report – Draft of Enforcement Letter to order that illegal connections be corrected by 6/01/10 is being reviewed by the Law Director
- Maplegrove Slope Failure Project – Requested Motion of Council to advertise for Bids

- Ordinance No. 2010-2 – SOM Center Road Improvements
- Utilities Committee Meeting required to address new service area to NEORSD; continued program for sewer detection and Green Ridge private property correction issues
- Service Committee Meeting required to address 2010 Road and Drainage Program

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.
- Announced Committee Members: Councilwoman Fellows and Councilman Fiebig

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.
- Announced Committee Members: Councilman Germano, Councilman Reichelt

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.
- Announced Committee Members: Councilman Biro, Councilman Reichelt

RULES & LEGISLATION – Kevin D. Malecek, Chair

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

COMMITTEE MEETING OF JANUARY 11, 2010	
<u>Members Present:</u> President Kevin D. Malecek, Chair, Councilman Frank A. Germano, Vice President David A. Reichelt	
<u>Also Present:</u> Councilman Christopher L. Biro, Councilman Raymond C. Somich, Mayor Robert M. Weger	
<u>Purpose of the Meeting was to discuss Pending Legislation and any other business.</u>	
Meeting convened at 7:11 p.m.	
<i>Order of Business</i>	
<u>Ordinance 2010-1: Eliminating Inactive Fund Accounts</u> No posting activity and the accounts are inactive. Recommendation and Consensus to waive the Three Reading Rule and Adopt.	
<u>Ordinance 2010-2: Signalization Final Contract with ODOT</u> Our portion is about \$62,000 and change – Stimulus Funding and NOACA threw in some additional funding. We will use TIF money for our share. Recommendation and Consensus to waive the Three Reading Rule and Adopt.	
<u>Ordinance 2010-3: Contract with Sergeants/Police</u> 3, 4, and 5 are Sergeants, Patrolmen, and Dispatchers. Very little difference from last year – pay rate is exactly the same – no increase. Can take Comp Time instead of Overtime. One year contracts on all three of these. Very pleased even though in tough times – all the Union Groups to continue without a wage change – monumental accomplishment. All originally expected to be at an increase. Good sense for the economy and the City’s financial situation. Recommendation and Consensus to waive the Three Reading Rule and Adopt.	
<u>Ordinance 2010-4: Contract with Patrolmen</u> As discussed with <u>Ordinance 2010-3</u> . Recommendation and Consensus to waive the Three Reading Rule and Adopt.	
<u>Ordinance 2010-5: Contract with Dispatchers</u> As discussed with <u>Ordinance 2010-3</u> . Recommendation and Consensus to waive the Three Reading Rule and Adopt.	
<i>Public Portion</i>	

Linda Fulton – Fire Department – has that issue been resolved? Sent the letter and it has been resolved – draft of one – reworking it. Retracting – did not mean what they said – addressed all issues.

Meeting adjourned at 7:23 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 Committee Members: Councilman Biro, Councilman Fiebig

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 Committee Members: Councilwoman Fellows, Councilman Germano

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.
- Announced Committee Members: Councilwoman Fellows, Councilman Somich

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.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Fiebig to appoint the Mayor Robert M. Weger and Councilman Raymond C. Somich to serve on the Personnel Relations Committee.

Roll Call: 6 AYES with Councilman Somich abstaining

MOTION PASSES

President Malecek declared that the Mayor and Councilman Somich have been appointed to serve on the Personnel Relations Committee.

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

- No other Council Representative Reports were 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 7:28 p.m. with no one coming forth from the public sector; Public Portion was closed at 7:28 p.m.

UNFINISHED BUSINESS

- There was no unfinished business brought forth to Council this evening.

LEGISLATION

ORDINANCE NO. 2010-1

AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO ELIMINATE INACTIVE FUND ACCOUNTS WITH A ZERO BALANCE THEREBY REMOVING THEM FROM THE MONTHLY REPORTING STATEMENTS AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2010-1.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-1 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilwoman Fellows to adopt Ordinance No. 2010-1.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-1 has been adopted.

ORDINANCE NO. 2010-2

AN ORDINANCE ENACTING FINAL LEGISLATION AND DIRECTING THE MAYOR AND OTHER ADMINISTRATIVE REPRESENTATIVES OF THE CITY OF WILLOUGHBY HILLS TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION, DISTRICT 12 TO PROCEED WITH THE UPGRADE OF TRAFFIC SIGNALS AND INTERSECTION IMPROVEMENTS ALONG EUCLID-CHARDON ROAD (U.S.6) AND S.O.M. CENTER ROAD (S.R. 91) IN THE CITIES OF WILLOUGHBY HILLS AND WILLOUGHBY AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2010-2.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-2 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adopt Ordinance No. 2010-2.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-2 has been adopted.

ORDINANCE NO. 2010-3

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ON BEHALF OF THE SERGEANTS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2010-3.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-3 has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Biro to adopt Ordinance No. 2010-3.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-3 has been adopted.

ORDINANCE NO. 2010-4

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ON BEHALF OF THE PATROL OFFICERS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2010-4.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-4 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Reichelt to adopt Ordinance No. 2010-4.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-4 has been adopted.

ORDINANCE NO. 2010-5

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ON BEHALF OF THE DISPATCHERS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Somich to suspend the Three Reading Rule for Ordinance No. 2010-5.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-5 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Fiebig to adopt Ordinance No. 2010-5.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-5 has been adopted.

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to authorize the Mayor to advertise for Bids for the Maplegrove Road Slope Failure Project.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Mayor is hereby authorized to advertise for Bids for the Maplegrove Slope Failure Project.

President Malecek stated that he would entertain a Motion from Council regarding the appointment of a Chagrin River Watershed Trustee as well as an Alternate Trustee during this Council Term (2010-2011).

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilwoman Fellows to appoint Billie Kamis to serve as the City's Chagrin River Watershed Trustee.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Billie Kamis has been appointed to serve as Trustee to the Chagrin River Watershed Partners.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Reichelt to appoint Councilwoman Nancy E. Fellows to serve as the City's Chagrin River Watershed Alternate Trustee.

Roll Call: 6 AYES with Councilwoman Fellows abstaining

MOTION PASSES

President Malecek declared that Councilwoman Nancy E. Fellows has been appointed to serve as the Alternate Trustee to the Chagrin River Watershed Partners.

FOR THE GOOD OF THE ORDER

- President Malecek announced that the Regular Council Meeting of February 25th will convene at 8:00 p.m. The Regular Council Meeting of March 11th will not be held; rather a Special Meeting of Council will be scheduled for March 4th at 7:00 p.m. Meetings were changed to ensure a quorum.
- Councilman Fiebig announced that there are Census Jobs available; information posted on Channel 12 and on the City's Website or go to uscensus.com
- Councilman Somich announced that the Lake Farm Park will be open on Monday, January 18th – Martin Luther King Day. Free admission for children under 12 accompanied by an adult/parent.
- Councilman Reichelt announced that on Sunday, January 31st from 2:00 p.m. to 4:00 pm., the City will be recognizing the volunteers of the WHISPER Program.
- Councilman Fiebig wanted to send the City's thoughts and prayers to the people of Haiti who are dealing with the devastation of an earthquake.

ADJOURNMENT

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


Roll Call: 7 AYES – unanimous


MOTION PASSES

President Malecek declared that this Meeting of Council is adjourned.


Meeting adjourned at 7:41 p.m.

APPROVED:


Date


Kevin D. Malecek
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council