

City of Willoughby Hills

Regular Council Meeting Minutes of January 24, 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.

7:02p.m. Meeting called to order by President 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 Raymond C. Somich, Councilman Christopher L. Biro

Absent: Nancy E. Fellows arrived at 7:12 p.m.

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

MOTION WAS MADE BY COUNCILMAN SOMICH seconded by Councilman Germano to excuse Nancy E. Fellows who will be joining the meeting in progress.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that Councilwoman Nancy E. Fellows has been excused.

Disposition of the Journal Regular Council Meeting of January 10, 2008

MOTION WAS MADE BY COUNCILMAN SOMICH seconded by Councilman Reichelt to approve the Regular Council Meeting Minutes for January 10, 2008.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that the Regular Council Meeting Minutes of January 10, 2008 have been approved.

Correspondence

- ROBERT M. WEGER, MAYOR TO ALL DEPARTMENT HEADS, CITY COUNCIL MEMBERS, DATED JANUARY 14, 2008 RE: 2008 POSITIVE REINFORCEMENT
- EMAIL: DMERTIK@AOL.COM TO WHCOUNCIL@WILLOUGHBYHILLS.NET, DATED JANUARY 22, 2008 RE: THANK YOU

Notifications

- Ohio Ethics Law Seminar to be held at Wickliffe Community Center on Thursday, March 6, 2008
- Planning and Zoning Commission & Architectural Board of Review Meeting of January 17, 2008
- Rules and Legislation Committee Meeting of January 21, 2008
- Safety Committee Meeting of January 14, 2008

- Utilities Committee Meeting of January 21, 2008
- **Cancellation of the Utilities Committee and the Rules and Legislation Committee Meetings scheduled for January 21, 2008**
- **Rules & Legislation Committee Meeting rescheduled for January 22, 2008**
- **Utilities Committee Meeting rescheduled for January 22, 2008**
- **KENT STATE UNIVERSITY – ELECTED OFFICIALS ACADEMY**
- **OHIO MUNICIPAL LEAGUE - 2008 SEMINARS FOR NEWLY ELECTED COUNCIL MEMBERS**

Minutes

- Planning and Zoning Commission & Architectural Board of Review Meeting of September 20, 2007
- **Rules and Legislation Committee Meeting of January 7, 2008**
- **Safety Committee Meeting of January 14, 2008**
- **Utilities Committee Meeting of January 22, 2008**

MAYOR'S REPORT – Robert M. Weger

- Appointments
Joseph Mirtel has been appointed to serve as Finance Director
Debbie Doles has been appointed to serve as Assistant Finance Director
Gloria Majeski has been appointed to serve as Assistant to the Mayor
- Seeking members to serve on the Civil Service Commission, Charter Review Commission, Planning Commission/Architectural Board of Review and the Recreation Commission – interested individuals may contact their Council representative or they may contact City Hall either by phone or email
- Supports Ordinance No. 2008-2
Councilman Somich questioned if the Mayor was seeking members to serve on the Independent Audit Committee, the Mayor replied yes, he would be seeking interested individuals to serve on the Independent Audit Committee as well.

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

- Meeting with Heads of the Finance and Building Departments
- Small Claims Case filed against CT Consultants – providing legal representation

FINANCE DIRECTOR –

- The position of Finance Director remains unfulfilled; therefore no formal report was given.

President Malecek requested that the record should reflect that Councilwoman Fellows has arrived at 7:12 p.m.

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

- Small Claims Case – working with the City's legal counsel to resolve issue
- Pine Ridge Waterlines
- TIF Funding – working with legal counsel
- Stormwater Management Department - met with Director to review the City's projects and priorities; County will allocate 2007 funds
- County will receive Grant in July for Kennelly-Red Fox Stream Restoration Project – part of City's allocation will be used for this project

COMMITTEE REPORTS

FINANCE – Raymond C. Somich

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

PLANNING & ZONING – David A. Reichelt

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

RECREATION – David M. Fiebig

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

RULES & LEGISLATION – Kevin D. Malecek

President Malecek was not at the Rules and Legislation Committee of January 22, 2008 and therefore requested Councilman Reichelt to report on the activities for the Rules & Legislation Committee.

COMMITTEE MEETING OF JANUARY 22, 2008

Members Present: Vice-Chairman David A. Reichelt, Councilman Frank A. Germano

Also Present: Councilman Chris Biro, Councilman David M. Fiebig, Mayor Robert M. Weger

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

Meeting convened at 7:48 p.m.

The following legislation was discussed:

Ordinance No. 2008-1 - an Ordinance regarding financial procedures; the consensus was to recommend to Council that the Three Reading Rule be waived and to adopt this Ordinance at the Regular Council Meeting of January 24, 2008.

Ordinance No. 2008-2 - an ordinance dealing with accrued service time for Finance Director Joseph Mirtel; the consensus was to recommend to Council that the Three Reading Rule be waived and to adopt this Ordinance at the Regular Council Meeting of January 24, 2008.

Ordinance No. 2008-3 – an Ordinance regarding the Video Service Provider Franchise Fee; the consensus was to recommend to Council to waive the Three Reading Rule and to adopt this Ordinance at the Regular Council Meeting of January 24, 2008.

Resolution No. 2008-1 and Resolution No. 2008-2 - Resolutions acknowledging the service of prior office holders and in both cases, the Committee decided to leave both Resolutions on First Reading to allow for further researching and the refinement of wording.

Section 157.05 - brief discussion on the need to update this section and it was suggested that the Personnel Relations Committee review and update this section in the near future.

Standardization of the City's email and website addresses – forwarded the Committee's recommendation on to Administration who was seeking the Committee's opinion on the issue. The Administration is to issue a directive. The Committee recommended that the following scheme be adopted which was first name, last name @willoughbyhills-oh.gov for email addresses and for the website www.willoughbyhills-oh.gov as a primary while continuing to serve the willoughbyhills.net as a secondary website address.

Public Portion was open with two members of the public coming forth: Mr. Kowalski and Mr. Cihula

Meeting adjourned at 8:25 p.m.

SAFETY – David A. Reichelt

COMMITTEE MEETING OF JANUARY 14, 2008

Members Present: Chairman David A. Reichelt, Councilman David M. Fiebig

Also Present: Councilman Frank A. Germano, President Kevin D. Malecek, Councilman Raymond C. Somich, Mayor Robert M. Weger, Police Chief Christopher Collins, Richard Harmon, Lt. Lou DiMattia, IT Vendor Dave Samic

Purpose of the Meeting was to review Technological Improvements for Emergency Services and any other business.

Meeting convened at 7:35 p.m.

The purpose of the meeting was to discuss the Technological Improvements that are required both in the Police and Fire Departments, particularly in the areas of Dispatch and Information Technology. Chairman Reichelt presented

an overview and outlined the various aspects of the project that the City might be dealing with and explained the mechanics of the process.

The Information Technology Vendor expressed his concerns and outlined his involvement in the project.

The systems are in dire need of updating and are in rather serious condition at this point. The consensus of the Committee and other Council Members present was to recommend to Administration the creation of a Project Committee in advance for this project as soon as possible and in the interim Council's job will be to find the funding to do these projects. Chairman Reichelt then stated that Council is going to be asked to do that in the very near future, for at least portions of it; that the Committee has already been formed and is actually working on the project already.

Chairman Reichelt confirmed with the Police Chief that the Ordinance that allowed for the purchasing of Police Cars has been adopted and the cruisers had been ordered and will be in within the next couple of months.

Public Portion was open with two members of the public coming forth: Mr. Kowalski and Mr. Cihula

Meeting adjourned at 9:12 p.m.

SERVICE – Nancy E. Fellows

- The Service Committee has not met; therefore no formal report was given.
- Announced that she would be working with the City Engineer to determine a date for an upcoming Service Committee

UTILITIES – Frank A. Germano

COMMITTEE MEETING OF JANUARY 22, 2008

Members Present: Chairman Frank A. Germano, Councilman Raymond C. Somich

Also Present: Mayor Robert M. Weger, City Engineer Richard Iafelice, Lake County Health District Representative Laura Kramer Kuns, Councilman Christopher L. Biro, Councilman David M. Fiebig, Councilman David A. Reichelt

Purpose of the Meeting was to review Assessment Area C and any other business.

Meeting convened at 6:09 p.m.

Order of business was Assessment C, City Engineer Richard Iafelice and Lake County Health District Representative Laura Kramer Kuns, (RS Supervisor of Liquid/Solid Waste & Water Supply) discussed the history of Assessment Area B and the Euclid Creek Interceptor. Also discussed was the history of Assessment Area C using the charts that were distributed. It was expressed that we are not under mandate for Assessment Area C, but if no action is taken, soon, and we don't show any progress, we will be found to be not in compliance. Quorum was lost at 7:20 p.m. so no Committee was taken.

Public Portion was open with two members of the public coming forth expressing concerns with Assessment Area C and Sewer Rates.

Meeting adjourned at 7:34 p.m.

PERSONNEL RELATIONS – Christopher L. Biro

- Personnel Relations Committee has not met; therefore no formal report was given.
- Announced that a meeting will be scheduled to discuss administrative compensation for non-union employees.

WORKING COMMITTEE OF COUNCIL – Kevin D. Malecek

- 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.

President Malecek opened public portion at 7:33 p.m.

(1) Robert Kowalsky
2585 Timberline Drive

Re: Utilities Committee Meeting; Announcement of Committee Meetings; Ordinance No. 2008-1

With no further commentary coming forth from the public, President Malecek closed public portion at 7:38 p.m.

UNFINISHED BUSINESS

Councilman Somich responded to Mr. Kowalsky’s comments pertaining to Ordinance No. 2008-1.

LEGISLATION

ORDINANCE NO. 2008-1 – SECOND READING

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE ONE – GENERAL PROVISIONS, CHAPTER 115 – METHODS OF PURCHASE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2008-1.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-1 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to adopt Ordinance No. 2008-1.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-1 has been adopted.

ORDINANCE NO. 2008-2

AN ORDINANCE AMENDING ORDINANCE NO. 2007-30, ADOPTED BY COUNCIL ON JULY 12, 2007, FIXING VACATION BENEFITS FOR THE FULL-TIME FINANCE DIRECTOR, JOSEPH MIRTEL; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2008-2.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-2 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to adopt Ordinance No. 2008-2.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-2 has been adopted.

ORDINANCE NO. 2008-3

AN ORDINANCE ESTABLISHING A VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE CITY; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2008-3.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-3 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to adopt Ordinance No. 2008-3.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-3 has been adopted.

RESOLUTION NO. 2008-1

A RESOLUTION ACKNOWLEDGING KENNETH A. LORENZ FOR HIS MANY YEARS OF SERVICE TO THE CITY OF WILLOUGHBY HILLS.

President Malecek stated that Resolution No. 2008-1 will remain on First Reading.

RESOLUTION NO. 2008-2

A RESOLUTION IN REMEMBRANCE OF JOSEPH KARAFI FOR HIS YEARS OF SERVICE TO THE CITY OF WILLOUGHBY HILLS.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to suspend the Three Reading Rule for Resolution No. 2008-2.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Resolution No. 2008-2 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to adopt Resolution No. 2008-2.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-2 has been adopted.

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to accept the bid of **TRC Landscape Services** for the task of recycling the City's Brush and Tree Pile. All Bid Bonds are to be returned to the unsuccessful bidders.

Roll Call: 7AYES – unanimous

MOTION PASSES

President Malecek stated that TRC Landscape Services will be recycling the City's Brush and Tree Pile. All Bid Bonds shall be returned to the unsuccessful bidders.

FOR THE GOOD OF THE ORDER

- Councilman Germano announced that the Utilities Committee will be meeting on Monday, January 28, 2008 at 7:00 p.m.
- Councilman Biro wanted to thank everyone for their support, prayers and condolences after the passing of his mother a few weeks ago.
- Councilman Somich announced that this coming Monday Morning (January 28th) there will be a Legislative Breakfast held at the Holiday Inn, just off of Bishop Road, open to the public, sponsored by the West End Chamber of Commerce.
- Councilman Somich announced that the largest, single-day Blood Drive in the State of Ohio will be held at Landerhaven on February 12, 2008 from 7:00 a.m. to 7:00 p.m.

- Councilman Reichelt announced the dates for the Pancake Breakfasts, all to be held on Sunday: March 2nd, March 9th by the Recreation Commission and March 16th by the Lions Club. Council Members have plenty of tickets for sale.
- Mayor Weger announced that the Boys League will have their Annual Reverse Raffle held at La Vera Party Center. There will be announcement on Channel 12.

With no further items brought forth "For the Good of the Order", President Malecek requested a motion for adjournment.

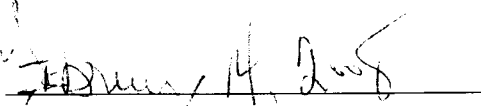
MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Somich to adjourn.

Roll Call: 7 AYES – unanimous

MOTION PASSES

Meeting adjourned at 7:46 p.m.

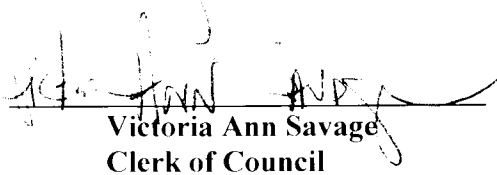
APPROVED:





Kevin D. Malecek
President of Council

ATTEST:



Victoria Ann Savage
Clerk of Council