

City of Willoughby Hills

Regular Council Meeting Minutes of June 12, 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.

7:05 p.m. Meeting called to order by President of Council Kevin D. Malecek

Pledge of Allegiance

Roll Call of Council

Members Present: President of Council Kevin D. Malecek, 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

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

Absent: Councilwoman Nancy E. Fellows
Finance Director Joseph G. Mirtel

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Somich to excuse Councilwoman Nancy E. Fellows.

Roll Call: 6 AYES - unanimous

MOTION PASSES

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

Presentations

Mayor Weger presented a Proclamation honoring Anthony Camino.

Mayor Weger presented Proclamations honoring:

Former Mayor Melvin E. Schaefer and his wife Jeanette Schaefer

Former Mayor Morton E. O’Ryan and his wife Florine O’Ryan

The City of Willoughby Hills deemed it prudent to recognize the contributions of these two City leaders and acknowledge their visionary efforts in planning and building of the Willoughby Hills Community Center by naming rooms in their honor.

Disposition of the Journal Regular Council Meeting of May 7, 2008

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Reichelt to approve the Regular Council Meeting Minutes of May 7, 2008 as submitted.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek declared that the Regular Council Meeting Minutes of May 7, 2008 have been approved.

Disposition of the Journal Regular Council Meeting of May 22, 2008

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to approve the Regular Council Meeting Minutes of May 22, 2008 as submitted.

Roll Call: 5 AYES – with President Malecek abstaining

MOTION PASSES

President Malecek declared that the Regular Council Meeting Minutes of May 22, 2008 have been approved.

Correspondence

- Mayor's Monthly Statement to Council for the Month of May, 2008
- Victoria Ann Savage, Clerk of Council to Robert M. Weger, Service/Safety Director, dated June 2, 2008 re: Ohio Division of Liquor Control – C TRFO 7641734
- Richard Iafelice, City Engineer to Honorable Robert Weger and Members of Council re: June Status Report

Notifications

- Board of Building and Zoning Appeals Meeting for June 10, 2008 had been cancelled
- Charter Review Commission Meeting of June 11, 2008
- Planning & Zoning Commission and Architectural Board of Review Meeting of June 5, 2008
- Planning & Zoning Committee of Council Meeting of June 5, 2008
- Recreation Committee of Council Meeting of June 9, 2008
- Rules & Legislation Committee of Council Meeting of June 9, 2008
- Safety Committee of Council Meeting of June 9, 2008
- Service Committee of Council Meeting of June 3, 2008
- Utilities Committee of Council Meeting of June 3, 2008
- Utilities Committee of Council Meeting of June 12, 2008

Minutes

- Charter Review Commission Meeting of May 14, 2008
- Planning and Zoning Commission & Architectural Board of Review Meeting of May 1, 2008
- **Planning & Zoning Committee Meeting of June 5, 2008**
- **Rules & Legislation Committee Meeting of June 9, 2008**
- **CHARTER REVIEW COMMISSION MEETING OF MAY 28, 2008**
- **RECREATION COMMITTEE OF COUNCIL MEETING OF JUNE 9, 2008**
- **Safety Committee Meeting of June 9, 2008**
- **Utilities Committee Meeting of June 3, 2008**
- **Utilities Committee Meeting of June 12, 2008**

File

- Gloria Majeski, Mayor's Assistant to Mayor Weger, dated May 29, 2008 re: Summary on "Coyotes in Ohio" Presentation
- Willoughby Hills Senior Center Activity Pages
- Housing Research & Advocacy Center News for Spring 2008
- Chief Christopher J. Collins to Mayor Robert M. Weger, dated June 9, 2008 re: Records Review – Liquor License Permit Transfer
- **WILHELMINA (BILLIE) KAMIS TO MR. JOSEPH G. MIRTEL, DIRECTOR OF FINANCE, DATED JUNE 11, 2008 RE: REIMBURSEMENT TO THE CITY**

MAYOR'S REPORT – Robert M. Weger

- ***Residents First Program***
 - Second letters sent to residents located in Assessment Area C offering a tap-in discount of \$500; deadline is July 15th.
 - Traffic light timing
 - Bids for Heavy Trash Pickup
 - Hydrant Flushing on all streets from May 12th through June 30th

- Chardon Road Resurfacing has begun and will run into September
- Recycling Bins – unsightly condition of area due to vendor problems – missed pickups
- Paving of City Hall driveway
- Mosquito Spraying – Lake County General Health District will be spraying for mosquitoes in the area on the evening of Wednesday, June 25th
- Telephone Book Collection/June 20th through July 25th – Two drop-off points: Wickliffe City Hall and Mentor Wal-Mart
- **New Personnel**
 - Betty Jean Rich – Auxiliary Dispatcher
 - Steven Manning – Room Attendant for the Willoughby Hill Community Center
- **Proclamations**
 - A Proclamation to Alva Brichford in recognition of his 99th Birthday. Mr. Brichford is a lifelong City resident
 - Willoughby South High Class of 2008 had four Willoughby Hills Valedictorians: Brittany Shrefler, Hannah Scott, Theodore Dallas and David Kucmanic
- **New Business**
 - Fifth Third Bank located at 27700 Chardon Road
 - Physician Weight Loss Center at 28182 Chardon Road
 - Gales Garden Center Fresh Fruit Market
- **Upcoming City Events**
 - June 14th – Farewell to Garfield School, sponsored by Fifth Third Bank
 - June 18th – Lake County United Way Day of Caring – Project within the City
 - June 28th – Community Day (final year) – Parade Marshall will be Corporal Joseph Klepac
 - June 29th – Lion’s Club “Run for the Hills”
 - July 15th – Willoughby Hills Red Cross Blood Drive – Free T-Shirts and Willoughby Hills Cookbook offered to anyone who donates blood
 - July 21st – August 1st – Willoughby Hills Safety Town
 - September 13th - First Annual Steak and Corn Roast to be held in conjunction with the City Flea Market, the ever-popular Touch-a-Truck and Fireworks!

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

- Status of Litigation
- Charter Review Commission Progress Report

FINANCE DIRECTOR – Joseph G. Mirtel

- The Finance Director was not in attendance; therefore no formal report was given.

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

- Referenced Status Report of June 2008
- ODOT Letter issued to the contractor of Bishop Road Project - regarding cracks in concrete/concrete replacement
- Milling Process has begun on Chardon Road
- Temporary Signal – automate it to flashing in the evening hours
- Distributed copies of: (1) OPWC Funding Application Form/Willoughby Hills, Ohio/Round 23 – Program Year 2009 Maple Grove Road Slope Repair and (2) OPWC Funding Application Form/Willoughby Hills, Ohio/Round 23 – Program Year 2009 Bishop Road Resurfacing Improvement Project
- Bids for Striping
- Pine Ridge – Completed documentation for Release of the Rights-of-Way
- Ordinance No. 0208-15

COMMITTEE REPORTS

FINANCE – Raymond C. Somich

- The Finance Committee has not met; therefore no formal report was given.
- Announced that a Finance Committee Meeting has been scheduled for 7:00 p.m. on Monday, June 23rd.

PLANNING & ZONING – David A. Reichelt

COMMITTEE MEETING OF JUNE 5, 2008

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

Also Present: Mayor Robert M. Weger and City Engineer

Purpose of the Meeting was to review Protected Areas Regulations: Proposed Changes to the Zoning Code and any other business.

Meeting convened at 6:08 p.m.

Protected Areas Regulations (Ordinance No. 2008-15) was the topic of discussion. Chair Reichelt provided the following history: This Ordinance was originally discussed in 2005. It had been discussed at several meetings throughout the years, up until now at which time it has gone through Public Hearings, both through the Planning Commission and City Council; it was adopted by the Planning Commission. This Ordinance represents a nice compromise; it is very fair and equitable and will serve the City very well.

Consensus of the Committee was to recommend the passage of Ordinance No. 2008-15 to City Council.

The following persons came forth with questions/comments:

Frank Cihula, John Klements, Robert Kowalsky, John Lillich

Meeting Adjourned at 7:01 p.m.

RECREATION – David M. Fiebig

COMMITTEE MEETING OF JUNE 9, 2008

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

Also Present: Councilman Frank A. Germano, Councilman Raymond C. Somich, Recreation Coordinator Leslie Harmon, Mayor Robert M. Weger

Purpose of the Meeting was to review Setting of Fees for Recreational Facilities and any other business.

Meeting convened at 7:25 p.m.

Quorum present. Called on Mrs. Harmon to discuss fees, as they currently are set. Reviewed items that require fees and demand for facilities. Mayor discussed the need to place fees in an ordinance. Discussed various methods of fee structure, deposits, and policy.

Agreed to continue to gather information, and to put a proposal together for Council's consideration.

The following people came forth with questions/comments:

Bob Kowalsky – Rebate not a deposit, itemize charges

Florine O'Ryan – Take deposit at booking, most other cities do this

Meeting Adjourned at 8:07 p.m.

RULES & LEGISLATION – President Kevin D. Malecek

COMMITTEE MEETING OF JUNE 9, 2008

Members Present: Chairman Kevin D. Malecek, Councilman Frank A. Germano, Vice President David A. Reichelt

Also Present: Councilman David M. Fiebig, Councilman Raymond C. Somich (arrived at 6:44 p.m.) Mayor Robert M. Weger, Fire Chief Richard Harmon

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

Meeting Convened at 6:38 p.m.

Ordinance 2008-43

Chief Harmon to present need for part-time Assistant Fire Chief – position of Fire Marshal is required – almost a full-time job in itself. Actively recruited Assistant Fire Chief from Lyndhurst to do the job – Ken Avram – oversaw Legacy Village – good mind for code, business community, safety versus good business practices. Hire as

part-time fire-fighter – amend Chapter 151 to create new Fire Marshal pay position. Always had two part-time Assistant Chiefs – promote Ken to Administrative Position of part-time Assistant Chief. More in line with salary and experience – building commercial structure. Huge component of expense of building. Needs to have title for the impact of the position.

Councilman Reichelt – morale of other firefighters about someone else coming in from outside to this position?

Chief Harmon – shot morale through ceiling with Ken Avram with the talent and working knowledge that he brings to the position – giving training for fire prevention. Pertaining to rank – Assistant Chief does not mean he outranks anybody. No subordinates under this position – strictly administrative. This is a cleaning way – one ordinance – pay ordinance is set. Councilman Somich very impressed with how he handled himself – purpose – very impressive.

Councilman Fiebig – can we afford it? Chief – yes, we were doing this with part-time firefighters before – fire prevention and inspections have fallen behind.

Consensus to bring to Council for adoption Ordinance 2008-43

Ordinance 2008-15

Councilman Reichelt – been in Planning and Zoning for over two years – first in July 2005, been on the docket for a long time. Public hearings for Planning Commission, Planning and Zoning, has been thoroughly vetted – made numerous changes – concluded over the weekend – typographical in nature – makes sense for the City to move forward with this policy. Reached a version to satisfy most parties – Committee and Commission both urge its passage. Councilman Somich – tremendous amount of compromise and discussion – still see this as still a violation of homeowner rights – some people that think they can do something with their homes and won't be able to do something with them otherwise – just know that someone is going to approach with a project that cannot be build – will not be black and white, room for further compromise. Agree to disagree. Mayor Weger – in regards to restrictions on hillsides – We've not had a single problem with the old Hillside Ordinance – good of the homeowner so shed does not fall down the hill or into the water. First draft of this Ordinance was too stringent – it turned out great. Always a way to appeal – many avenues to appeal – out to protect. Councilman Reichelt – application goes to Building Official, City Engineer, Planning Commission, BZA, or Court System for appeals – Engineer has latitude to suggest alterations to achieve compromise – foster idea to limit setback on side lot for instance – latitude to be creative. Councilman Fiebig – protecting many people's rights – cities upstream and downstream.

Consensus to bring to Council for adoption. Ordinance 2008-15

Ordinance 2008-45

Mayor Weger – amending Ordinance 2008-42 to buy Dodge Cabin Chassis – all those bodies were gone – buy from same dealership – about \$1,000-1,200 cheaper – brings price down of the truck. Can also get it much quicker.

Councilman Somich – how can we find it now for a cheaper price? Mayor Weger – we did a state bid price – the dump body – This dealer had it at a cheaper price – below state bid price.

Consensus to bring to Council for adoption Ordinance 2008-45

Ordinance 2008-46

Mayor Weger – Net It Solutions has been IT provider – Dave Samic – provides services for Fire, Police for IT needs – before no contract basis – hourly rate – spent over \$42,000 last year on his services – this contract provides a person two days a week – saved on labor rate, included telephone support (\$53,000 for this year) – also includes work for new IT room with servers – major step - \$10,000 more only than what we spent last year. Committing to that type of service – other cities in the area – hire staff based on one year contract. Reichelt – one of few IT providers in the state that has the credentials he has – only a few out there. Based on current rate - \$68,000 a year – good deal on this contract - \$53,000. Strong encourage this – outside market is \$125.00 an hour. Councilman Fiebig – it could be an employee? Weger – it would be an employee – all work hand-in-hand – any major configuration is Samic doing it – totally involved in the design. IT room is big project this year – police dispatch center – that is the key to the whole thing – overall accountability. Somich – with IT project as far as this along – two-day a week plan – is that enough. Reichelt – installation of IT room is a week or two straight – keep us operational – already in the plan for the IT room – just parts. Mayor Weger – some of that is already happening – we need to go continuous maintenance.

Consensus to bring to Council for adoption Ordinance 2008-46

Ordinance 2008-47

Review Ordinance 2008-47 at Utilities Committee Meeting on Thursday (June 12th)

Ordinance 2007-48

Mayor Weger – something that we thought was corrected in 2003 – did not have Lieutenant in the ranks of the

Police Department – include one Chief and up to eighteen officers – higher paying position/lower paying position – can't hire anyone at this point. Reviewing Civil Service Rules – comprise a list. Councilman Somich – union approval? Mayor Weger – no.

Consensus to bring to Council for adoption Ordinance 2008-48

Ordinance 2008-49

Noise complaints from residents in regards to starting up of construction equipment – some issues over at Classic BMW – trying to start early before the traffic.

Leave on First-Reading and leave in Rules & Legislation Committee

Public Portion

Joyce Grady – thank Councilman Somich for remarks about homeowner's rights – rights to property get taken away inch-by-inch. Expenses – want to make sure that we are getting ourselves into a red ink area – what to make sure expenses are necessary – do not want to over extend.

Robert Kowalsky – on Riparian – Building Inspector – was not present at last committee meeting – model for the City – yet we haven't seen another city's legislation. What is the hurry – it's been around – running late on many things – all about accountability – should only be with the Building Inspector – then, call in the Engineer – put Engineer in there – accountability. When we get to the IT legislation – will get report will get hours that was billed to you – we shouldn't ask for it – what we are paying for and what has been done. Not much is going bad. Noises – what are you going to do? Construction crews get their early – it's there – should have considered it when you said alright to it. It's all about noise. People across the street – way it is. People do what they have to do – they do the best they can do.

Meeting adjourned at 7:23 p.m.

SAFETY – David A. Reichelt

COMMITTEE MEETING OF JUNE 9, 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

Purpose of the Meeting was to review City Hall Security Policies and any other business.

Meeting convened at 8:10 p.m.

Topics: Safety Measures and Policies for City meetings.

Discussed proposed security policies for Public Meetings and City venues.

Consensus was to further refine a speaker's policy and refer it to the Rules Committee

Under the provisions of Administrative code Section 107.08, Subsection 6, adjourned into Executive Session to discuss security arrangements related to that same topic at 8:28 p.m.; reconvened at 8:39 p.m.

Public Portion was held; the following people came forth with questions/comments:

Linda Fulton, Frank Cihula, Robert Kowalsky, Joyce Grady

Meeting Adjourned at 8:40 p.m.

SERVICE – Nancy E. Fellows

- Councilwoman Fellows was absent; therefore no formal report was given.
- President Malecek stated that a Service Committee Meeting was held on June 3, 2008

UTILITIES – Frank A. Germano

COMMITTEE MEETING OF JUNE 3, 2008

Members Present: Chairman Frank A. Germano, Councilwoman Nancy E. Fellows

Also Present: Councilman David M. Fiebig, Councilman David A. Reichelt, President Kevin D. Malecek, City Engineer

Purpose of the Meeting was to review (1) ECTW-C Sanitary Sewer Design Issues (2) Proposed Individual Sewer Assessment to the Albery Property on Bishop Road (3) Sewer Planning Study – Maplegrove/Eddy Road Area and any other business.

Meeting convened at 7:19 p.m.

- Assessment Area C – Discussed Easements; Project Cooperative Agreement
- Brief introduction to the Virant Sewer Assessment Correction
- Brief introduction to the Pine Ridge – completed vacation and release of waterline easements
- Brief introduction to the Alberty Sewer Assessment – financial hardship case

Public Portion was opened at 8:45 p.m. with the following person(s) coming forth:

Bob Kowalsky – wants Ackerman to pay for everything

Meeting adjourned at 8:51 p.m.

COMMITTEE MEETING OF JUNE 12, 2008

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

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

Purpose of the Meeting was to review (1) Alberty Sewer Assessment (2) Virant Sewer Assessment Correction Ordinance No. 2008-47 (3) Pine Ridge Waterline and any other business.

Meeting convened at 6:34 p.m.

- Virant Sewer Assessment Correction – City assumes the Assessment

Consensus to approve Legislation – Ordinance No. 2008-47

- Alberty Sewer Assessment Correction – Financial Hardship

Consensus to keep issue in Committee until further information is available

Public Portion was opened at 7:02 p.m. with the following person(s) coming forth:

Bob Kowalsky – Cost of Assessment for Virant Property

Meeting adjourned at 7:04 p.m.

PERSONNEL RELATIONS – Christopher L. Biro

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

WORKING COMMITTEE OF COUNCIL – President Kevin D. Malecek

- The Working Committee of Council has not met; therefore no formal report was given.
- Formal Report of the Working Committee of Council Meeting of May 9, 2008 will be completed.

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 Pro-tem Reichelt opened public portion at 7:54 p.m.

1. Faye Sivazlian
37250 Chardon Road
Re: Ordinance No. 2008-15 – Protected Areas Regulations; opportunity to review the Ordinance; Ordinance will have an impact on her for she owns 84 acres; concerned with the definition of “wet-lands”; and “unstable soil conditions”
2. Sandra Maxey
2871 Bishop Road
Re: Concerned about the Vet next to her home, dogs going to the bathroom by the fence by her house; concerned about the smell; CVS garbage and what are we going to do about the drainage off of properties

3. Robert Kowalsky
2585 Timberline Drive
Re: Ordinance No. 2008-15 – Protected Areas Regulations, Hillside Ordinance should remain separate; concerned with the amount of authority given to the City Engineer; cost of coping records
4. Linda Fulton
2990 Marcum Boulevard
Re: Declaring Community Day a Public Purpose
5. Murry Seldon
28846 Eddy Road
Re: Issue related to storm drainage – Site property owners and make sure that they use the proper licensed, (bonded and insured by the City) excavating company to clean out ditches and open up drains; City Building Commissioner and Assistant City Engineer have walked the properties

With no further commentary coming forth from the public, President Malecek closed Public Portion at 8:07 p.m.

UNFINISHED BUSINESS

- Councilman Reichelt responded to Ms. Sivazlian's comments with respect to Ordinance No 2008-15.
- President Malecek responded to Mr. Kowalsky's comments with respect to the cost of providing copies.

LEGISLATION

ORDINANCE NO. 2008-15 – Third Reading

First Reading:	March 27, 2008
Second Reading:	April 10, 2008
Third Reading:	April 24, 2008
Public Hearing:	April 24, 2008

AN ORDINANCE AMENDING PART ELEVEN – PLANNING AND ZONING CODE, TITLE ELEVEN – SUPPLEMENTAL DEVELOPMENT STANDARDS, CHAPTER 1167 – HILLSIDE REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND THEREBY REPEALING ANY CONFLICTING LEGISLATION.

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

Roll Call: Malecek-yes, Reichelt-yes, Somich-no, Biro-yes, Fiebig-yes, Germano-yes

Councilman Somich stated his reasons for not voting for Ordinance No. 2008-15.

President Malecek provided further commentary regarding said Ordinance.

MOTION PASSES: 5/1

President Malecek stated that Ordinance No. 2008-15 has been adopted.

ORDINANCE NO. 2008-43 – Second Reading

First Reading:	May 7, 2008
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At the Regular Council Meeting of May 7, 2008 the Ordinance had been referred concurrently to the Rules & Legislation and Personnel Relations Committees for action by either/or Committee

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 141 – FIRE DEPARTMENT, SECTION 141.01 – COMPOSITION; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2008-43.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-43 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Reichelt to adopt Ordinance No. 2008-43.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-43 has been adopted.

ORDINANCE NO. 2008-45

AN ORDINANCE AMENDING ORDINANCE NO. 2008-42 AND THEREBY AUTHORIZE AND DIRECT THE MAYOR TO SIGN ANY AND ALL DOCUMENTS FOR THE PROCUREMENT OF A 2008 DODGE 3500 ONE TON CAB AND CHASSIS PICKUP TRUCK WITH A DUMP BODY PACKAGE TO BE PROVIDED BY GOLLING'S ARENA DODGE AT A TOTAL PRICE NOT TO EXCEED \$26,672.00 WITH SAID PURCHASE BEING EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 125.04 (C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2008-45.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-45 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adopt Ordinance No. 2008-45.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-45 has been adopted.

ORDINANCE NO. 2008-46

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A STRATEGIC NETWORK INFRASTRUCTURE SERVICES AND MAINTENANCE PROPOSAL AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, OHIO AND NET IT SOLUTIONS, LLC FOR TECHNOLOGY SERVICES AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2008-46.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-46 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Somich to adopt Ordinance No. 2008-46.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-46 has been adopted.

ORDINANCE NO. 2008-47

AN ORDINANCE AMENDING ORDINANCE NO. 2007-56 TO CORRECT A CLERICAL ERROR IN THE ASSESSMENT OF THE PROPERTY OF ROBERT J. AND SONJA J. VIRANT, 3030 MARCUM BOULEVARD, WILLOUGHBY HILLS, OHIO A.K.A. PERMANENT PARCEL NO. 31A-005C-00-013-0 AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2008-47.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-47 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Somich to adopt Ordinance No. 2008-47.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-47 has been adopted.

ORDINANCE NO. 2008-48

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 SOMICH, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2008-48.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2008-48 has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Biro to adopt Ordinance No. 2008-48.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Malecek stated that Ordinance No. 2008-48 has been adopted.

ORDINANCE NO. 2008-49

AN ORDINANCE AMENDING PART FIVE – GENERAL OFFENSES CODE, CHAPTER 509 DISORDERLY CONDUCT AND PEACE DISTURBANCE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS BY THE ADDITION OF SECTION 509.11 – DISTURBING THE PEACE; CONSTRUCTION AND LAWN CUTTING HOURS AND DECLARING AN EMERGENCY.

President Malecek stated that Ordinance No. 2008-49 will remain on First Reading and will remain in the Rules & Legislation Committee.

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to authorize and direct the Mayor to advertise for bids for the 2008 Road Striping Program.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek stated that the Mayor is hereby authorized and directed to advertise for bids for the 2008 Road Striping Program.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Reichelt to proclaim the 2008 Willoughby Hills Community Day to be a Public Purpose.

Mayor Weger requested that the Lion's Club Run for the Hills Day, June 29th be included in the motion. The Motion was amended to include June 29th – Run or the Hills. President Malecek stated the motion before Council is to declare Willoughby Hills Community Day, June 28th and Run for the Hills Day, June 29th as both public purpose days.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek stated that June 28th – Willoughby Hills Community Day and June 29th – Run for the Hills Day have been declared to be Public Purpose Days.

FOR THE GOOD OF THE ORDER

- Councilman Fiebig announced that Fifth-Third Bank is having a “Meet the Zoo Animals”, this Saturday, June 14th from 10:00 a.m. until Noon. Fifth-Third Bank is a sponsor of the Cleveland Metroparks Zoo and they will

be bringing a traveling zoo to their 27700 Chardon Road location, across from the Shops of Willoughby Hills, to be a part of their Grand Opening Celebration.

- Councilman Somich announced that on Wednesday, June 18th there is a free lunch in the park at Penitentiary Glen. If any seniors would like more information, they can visit the Lake Metroparks Website, or give them a call at Penitentiary Glen or at any of the Metroparks.
- Councilman Somich announced that the Willoughby Area Chamber of Commerce is holding their annual Business Expo on Wednesday, June 18th at the Patrician Party Center. This event is free and is being held from 10:00 a.m. until 2:00 p.m.
- Councilman Reichelt wanted to remind everyone again of the "Salute and Goodbye to Garfield School" being held this Saturday, June 14th from Noon to 3:00 p.m. with the Program commencing at 2:30 p.m.
- Mayor Weger wanted to thank his Administrative Assistant and the Committee Members for all their hard work in organizing the Goodbye to Garfield School event. The Mayor further stated that he wanted to recognize the efforts of his Administrative Assistant for his knows that she does this all on her own free time.

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

Roll Call: 6 AYES – unanimous

MOTION PASSES

Meeting adjourned at 8:37 p.m.

APPROVED:

Date

ATTEST:

**Victoria Ann Savage
Clerk of Council**

**Kevin D. Malecek
President of Council**