

# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

## Special Council Meeting

### Minutes of June 27, 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.*

*Meeting Called to Order at 7:00 p.m. by President Kevin D. Malecek*

#### *Pledge of Allegiance*

#### **Roll Call of Council**

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

**Absent:** Councilwoman Nancy E. Fellows

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

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Fiebig to excuse Councilwoman Nancy E. Fellows from attending the Special Council Meeting of June 27, 2011.

**Roll Call: 6 AYES**

**MOTION PASSES**

President Malecek stated that Councilwoman Nancy E. Fellows has been excused from the Special Council Meeting of June 27, 2011.

#### **PUBLIC HEARING**

##### **ORDINANCE NO. 2011-38**

**AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2012 FOR THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

Public Hearing was opened at 7:02 p.m.; with no one coming forth from the Public Sector, the Public Hearing was promptly closed at 7:03 pm.

#### **Correspondence**

- Mayor's Court Monthly Statement to Council for April 2011 (Emailed: June 25, 2011)
- Mayor's Court Monthly Statement to Council Year to Date (Emailed: June 25, 2011)
- Building Department Memorandum, dated June 15, 2011 re: Sheriffs Sales in the City of Willoughby Hills (Emailed: June 25, 2011)
- Financial Reports for the Month Ending May 2011 consisting of: General Fund Income Statement, Cash Reconciliation, Purchase Order Reports, Fund Analysis Reports, and Expense Reports (Emailed: June 16, 2011)
- City Engineer to Lake County Engineer, as copied to the Mayor and Members of Council, dated June 17, 2011 re: OPWC Funding Preapplication Form/Willoughby Hills, Ohio/Round 26 – Program Year 2012 (Emailed: June 20, 2011)

### ***Notifications***

- Cancellation of the Regular Council Meeting scheduled for June 23, 2011
- Finance Committee Meeting of June 13, 2011 (Emailed: June 8, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of June 16, 2011 (Emailed: June 13, 2011)
- Planning & Zoning Committee Meeting of June 13, 2011 (Emailed: June 10, 2011)
- Rules & Legislation Committee Meeting of June 27, 2011 (Emailed: June 25, 2011)
- Utilities Committee Meeting of June 13, 2011 (Emailed: June 8, 2011)

### ***Minutes***

- Board of Building & Zoning Appeals Meeting of April 12, 2011 (Emailed: June 25, 2011)
- Planning and Zoning Committee & Architectural Board of Review Meeting of April 21, 2011 (Emailed: June 13, 2011)
- Planning and Zoning Committee & Architectural Board of Review Meeting of May 19, 2011 (Emailed: June 25, 2011)

### **MAYOR'S REPORT – Robert M. Weger**

- City Hall & Fire Department – Painting of facilities being done by Service Department
- Camelot Cul-de-Sac Concrete Work
- Eddy Road Resurfacing Project
- Cutting Grass – Mowers in service
- Surplus Cars on website – Auction ends July 15, 2011

[www.publicsurplus.com](http://www.publicsurplus.com)

Vehicles: 1995 Chevy S10, 1994 Chevy S10  
1993 GMC (ambulance)  
2007 Dodge Chargers (2)  
2003 Ford Crown Vic

- **Acknowledgements**

United Way Day of Caring – Four Projects were done within the City

Projects: Snow Fence, Horse Fence, Vegetable Garden,  
House Painting w/renovation & landscape

Thanks to: La-Vera Party Center & Catering  
DeMilta Sand & Gravel

Volunteers: Resident Lou Merkys, Councilman Frank A. Germano, Frankie Germano,  
Councilman David M. Fiebig, Mike Fiebig, Pat O'Brien Chevrolet employees, Police  
Department, Fire Department, Service Department, Mayor's Court, Finance  
Department, Building Department, Administration, Recreation Department

### **Upcoming Events**

Safety Town – applications now being taken for children entering Kindergarten – to be held July 18<sup>th</sup> – 22<sup>nd</sup>

Community Flea Market – Saturday, August 20<sup>th</sup>

Community Touch-A-Truck – Saturday, August 27<sup>th</sup>

Corn Fest – September 10<sup>th</sup> and 11<sup>th</sup> – Car Raffle is the major funding source of the Corn Fest and tickets are available at City Hall

Recycling Program - Recycling Calendar Magnets being mailed to the residents of the City

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

- No formal report was given.

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

- No formal report was given.

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

- Reconciliation of Assessments for Area “C”
- Special Meeting to consider the final Ordinances for levying special assessments
- Restoration Issues to be referred directly to Eric Haibach
- Success of the Assessment Area “C” Sewer Workshop Meeting held at the Community Center – Key Bank – Link Deposit Loan Program/Positive Feedback

## **COMMITTEE REPORTS**

### **FINANCE – Raymond C. Somich, Chair**

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

#### **COMMITTEE MEETING JUNE 13, 2011**

**Members Present:** Councilman Raymond C. Somich, Chair, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig

**Also Present:** Councilman Frank A. Germano, President Kevin D. Malecek, Vice President David A. Reichelt, Mayor Robert M. Weger, Finance Director Frank Brichacek

**Purpose of the Meeting was to discuss City Finances and any other business.**

**Meeting convened at 6:25p.m.**

#### ***Order of Business***

Purpose of Meeting was to review month-end Financial Reports for May and April. To save paper costs, reports are digital – requires on computer review. It is still this Committee's responsibility to review these reports and discuss this information with our Finance Director.

#### **Topics:**

(1) Finance Director presented overview of Financial Reports for the last two months

Any issues

Budget concerns

Cash flow changes

(2) Income Tax Collections are strong thus far, probably due to RITA Conversion

Safety Force Revenue in-line with budgets

General Funds are also in-line with budgets

(3) Nothing new on budgetary side for staffing or major expenses, except for real estate acquisition and Dispatch Police Radio Backbone, which will require 2012 cash outlay. Some units already received payment of grants. Many other grants being pursued at county level.

(4) Cash flow is also strong

(5) Requisition/blanket P.O. Policy under review to comply with State – only valid for 3 months, and then cancelled. Discussion on blanket P.O.s, “Then and Now” appropriations and Super Blanket P.O.'s.

(6) Healthcare quotes are coming back better than projected due to creative adjustments (insurances, deductibles)

(7) We will foreclose on some homes based on taxes outstanding. This is necessary because in some cases, banks are not foreclosing – leaving us short on taxes and water bills.

(8) Finance Director will have new pensions fund ordinances required by State pension programs

#### ***Public Portion***

The meeting was opened to the public for commentary at 6:58 p.m. Question regarding insurance deductibles for employees

**Meeting adjourned at 7:02p.m.**

### **PLANNING & ZONING – David M. Fiebig, Chair**

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

#### **COMMITTEE MEETING JUNE 13, 2011**

**Members Present:** David M. Fiebig, Chair, Councilman Frank A. Germano, Vice President David A. Reichelt

**Also Present:** Councilwoman Nancy E. Fellows, Councilman Raymond C. Somich, Planning Commission Member John Lillich, Mayor Robert M. Weger

<b>Purpose of the Meeting was to discuss <u>Proposed Master Plan for Comprehensive Land Use</u> and any other business.</b>
<b>Meeting convened at 5:47 p.m.</b>
<b><i>Order of Business</i></b>
<p>Overview of where we are on the Master Plan. All Council has written report. Reviewed.</p> <p><b>Committee REICHEL</b>T: This has more than a few changes. Recreation should not be there. This document is not to be trivial or to be overplayed. This is what the City's vision for the future, need professional review. About a 5k expenditure, maybe. He talked to DB Hartt for a professional review. <b>GERMANO</b>: Lots of grammatical, agree on professional review. City is changing, when do we cut off? Must get a cutoff date. Month or so. <b>REICHEL</b>T, October fine, not necessary for August recess. <b>Others SOMICH</b>: Prudent to check for legal language. West End economic development ideas and opinion relative to the West End that reference the MP and the task force - maybe even hold up MP until that comes out. <b>FELLOWS</b>: City property set for recreation... can list what they are, can be under the Rec Commission. Agree with the other council members, and the draft is written by volunteers and a professional review. Did not find that many grammatical errors. Our zoning is pretty buttoned up. Document is on Land Use and that is not going to change. <b>GERMANO</b>, Now more wait, sooner or later we need to deadline it. <b>REICHEL</b>T, Next time, not a comprehensive change. Made it more work for a 5-year-old document.</p> <p><b>REICHEL</b>T: Add recreation info and send to Hartt for a proposal. <b>GERMANO</b> agree. Chair concurs. Make a cutoff date. Consensus to send for back to get a proposal for professional review.</p>
<b><i>Public Portion</i></b>
<p><b>The meeting was opened to the public at 6:10 p.m.</b></p> <p><b>LILLICH</b>, Fairly simple changes, removed something that happened and removed maps. Charlotte Schryer sent electronic copy and sent back positive in a cursory review. <b>REICHEL</b>T: 4 months ago, Hartt did not see it then. We went to the document that sent a red flag in his mind, wanted to generate this document since he saw some changes that were not in a summary. <b>CIHULA</b>, On the committee for 2003 MP. Most changes were necessitated by the fact that they were done, tense changes. 2006 Zoning Code has not been put to the test. Don't know if there are flaws in it. Should include a recreation master plan so we don't separate it out, and give it a place to elaborate. There was a disparity because of the year + in reviewing.</p> <p><b>Public Portion closed at 6:19pm.</b></p>
<b>Meeting adjourned at 6:22p.m.</b>

#### **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.

#### **RULES & LEGISLATION – Kevin D. Malecek, Chair**

##### **Committee Members:**

**Frank A. Germano, David A. Reichelt**

<b>COMMITTEE MEETING JUNE 27, 2011</b>
<b><u>Members Present:</u></b> President Kevin D. Malecek, Chair, Councilman Frank A. Germano, Vice President David A. Reichelt
<b><u>Also Present:</u></b> Councilman David M. Fiebig, Mayor Robert M. Weger, Law Director Thomas G. Lobe, Finance Director Frank Brichacek
<b>Purpose of the Meeting was to discuss <u>Pending Legislation</u> and any other business.</b>
<b>Meeting convened at 6:07 p.m.</b>
<b><i>Order of Business</i></b>
<p><b><u>ORDINANCE NO. 2011-38</u></b></p> <p>AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2012 FOR THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.</p> <p><b>First Reading this evening – will need to be passed by July 15<sup>th</sup>. First Reading tonight, Second Reading at next Special Council meeting, consideration on July 14<sup>th</sup>. Finance Committee will review further.</b></p>
<p><b><u>ORDINANCE NO. 2011-39</u></b></p> <p>AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2011-10 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND</p>

**DECLARING AN EMERGENCY.**

- Appropriation of \$126,000 – Safety Forces Special Revenue Fund – Police Department to acquire the radios – accounting entry – authorizing the City to enter into a lease with Motorola. Debt borrow lease proceeds – no cash outlay in 2011.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-40**

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE AND STONE FOR THE PURCHASE OF LIMESTONE FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.

- Lowest and best bid – we got the bids a while ago carrying through with the Ordinance.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-41**

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE AND STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-42**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A BACKBONE EQUIPMENT PURCHASE AGREEMENT FOR USE IN THE LAKE COUNTY 800/700 MHz RADIO SYSTEM AND DECLARING AN EMERGENCY.

- Backbone Agreement - \$67,000 down considerably from a larger amount (\$1.3 million was supposed to be picked up, a Homeland Security Grant dropped the share almost \$500,000) not due until next year – need to enter the Agreement with the County.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-43**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF LAKE COUNTY COMMISSIONERS FOR USE OF AN 800/700 MHz RADIO SYSTEM AND DECLARING AN EMERGENCY.

- User fee – 14 year agreement – previous 14 year agreement – CPIW – about three – two or three – more in line with compensation – much fairer than saying 5% a year – fair way of using the system over the years prescribed.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-44**

AN ORDINANCE DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF IN-CAR AND PORTABLE RADIOS FOR USE WITH THE LAKE COUNTY BACKBONE PUBLIC SAFETY RADIO SYSTEM AT A TOTAL COST NOT TO EXCEED \$149,888.75 WITH SAID PURCHASE BEING EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 125.04 (C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

- Radios in the cars – lease we spoke about - \$149,000 – not have to start paying for it until 2011 – will get in August and get installed. Portables and mobiles for police department. Payment not being due until later. Mobile needed for bay station.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-45**

AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS HAS DETERMINED TO PICK-UP MANDATORY CONTRIBUTIONS BY THE CHIEF OF THE WILLOUGHBY HILLS POLICE DEPARTMENT WHO IS A MEMBER OF THE OHIO POLICE & FIRE PENSION FUND; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

- Clarify – no to pick up (tax credit) – the only two people that were not covered. Did not intend to – per recommendation to waive the Three Reading Rule and Adopt at Council this evening.
- Protects tax status of their contributions

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-46**

AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS HAS DETERMINED TOPICK-UP MANDATORY CONTRIBUTIONS BY THE CHIEF OF THE WILLOUGHBY HILLS FIRE DEPARTMENT WHO IS A PARTICIPATING MEMBER OF THE OHIO POLICE & FIRE PENSION FUND; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

**ORDINANCE NO. 2011-47**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT AMENDMENT WITH CT CONSULTANTS, INC. TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE OF THE EUCLID CREEK TRIBUTARY WATERSHED SANITARY SEWER IMPROVEMENTS – ASSESSMENT AREA “C” AND DECLARING AN EMERGENCY.

- Close out all costs – residents concerns after project has been completed. Recommended to put forth prior to the final levying Ordinances. Fiebig – do you have exhibit A?

**Recommendation to Waive the Three Reading Rule and Adopt at Council this evening.**

***Public Portion***

**Robert Kowalsky** – Wanted to come back to a question some time ago – why did you abstain when you were having a Council Meeting? Did get your letter – what you were doing – you asked them if you rent or own how would it be and they gave you – many instances of the law? Disclosure and full disclosure. Still don’t know what’s happening there – you did this not to me – where is the disclosure and the full disclosure – you don’t have to argue with me. Why did you abstain? Lobe – always to abstain if necessary – always telling you to abstain – minor matter as to being Council President. Did not want anybody to claim – what is the impropriety you speak of? **Cheryl Ota** – please if everybody would use their microphones. Hear everyone’s comments.

**Meeting adjourned at 6:34p.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.

**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.

**UTILITIES – Frank A. Germano, Chair****Committee Members:**

**Nancy E. Fellows, Raymond C. Somich**

**COMMITTEE MEETING JUNE 13, 2011**

**Members Present:** Councilman Frank A. Germano, Chair, Councilwoman Nancy E. Fellows, Councilman Raymond C. Somich

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

**Purpose of the Meeting was to discuss ECTW –Sanitary Sewer Assessment Area “C” and any other business.**

**Meeting convened at 7:04 p.m.**

***Order of Business***

Reviewed the Assessment Roll numbers for Area “C” – the numbers need further review by the City Finance Director before a vote of affirmative can be given. A Special Council Meeting to be called on Saturday, July 2<sup>nd</sup> to consider adoption.

***Public Portion***

The meeting was opened to the public for commentary; with no one coming forth from the public section, Public Portion was promptly closed.

**Meeting adjourned at 7:58 p.m.**

**PERSONNEL RELATIONS – Christopher L. Biro, Chair**

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

- The Personnel 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 no formal report was given.

**OTHER COUNCIL REPRESENTATIVE REPORTS**

- There were no other Council Representative Reports presented.

**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 7:18 p.m.**

1. Robert Kowalsky  
2585 Timberline Drive

**Re: No notification of Public Hearing for Tax Budget**

**Public Portion was closed at 7:19 p.m.**

**UNFINISHED BUSINESS**

Law Director Lobe stated that there was notification in the News Herald regarding the Public Hearing for the Tax Budget. Ordinance No. 2011-38, addressing the tax budget for fiscal year 2012 will be on first reading this evening. This Ordinance will be read on three separate occasions, allowing time for public review and commentary.

**LEGISLATION**

**ORDINANCE NO. 2011-38**

**AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2012 FOR THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

President Malecek stated that Ordinance No. 2011-38 would remain on First Reading.

**ORDINANCE NO. 2011-39**

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2011-10 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 SOMICH**, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2011-39.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-39 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Fiebig to adopt Ordinance No. 2011-39.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-39 has been adopted.**



**ORDINANCE NO. 2011-40**

**AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE AND STONE FOR THE PURCHASE OF LIMESTONE FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN GERMANO**, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-40.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-40 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN GERMANO** seconded by Councilman Reichelt to adopt Ordinance No. 2011-40.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-40 has been adopted.**

**ORDINANCE NO. 2011-41**

**AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE AND STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN GERMANO**, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2011-41.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-41 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN BIRO** seconded by Councilman Germano to adopt Ordinance No. 2011-41.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-41 has been adopted.**

**ORDINANCE NO. 2011-42**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A BACKBONE EQUIPMENT PURCHASE AGREEMENT FOR USE IN THE LAKE COUNTY 800/700 MHz RADIO SYSTEM AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2011-42.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-42 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Fiebig to adopt Ordinance No. 2011-42.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-42 has been adopted.**

**ORDINANCE NO. 2011-43**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF LAKE COUNTY COMMISSIONERS FOR USE OF AN 800/700 MHz RADIO SYSTEM AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN FIEBIG**, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-43.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-43 has been suspended.**



**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Fiebig to adopt Ordinance No. 2011-43.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-43 has been adopted.**

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**ORDINANCE NO. 2011-44**

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**AN ORDINANCE DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF IN-CAR AND PORTABLE RADIOS FOR USE WITH THE LAKE COUNTY BACKBONE PUBLIC SAFETY RADIO SYSTEM AT A TOTAL COST NOT TO EXCEED \$149,888.75 WITH SAID PURCHASE BEING EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 125.04 (C) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-44.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-44 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN REICHELT**, seconded by Councilman Biro to adopt Ordinance No. 2011-44.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-44 has been adopted.**

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**ORDINANCE NO. 2011-45**

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**AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS HAS DETERMINED TO PICK-UP MANDATORY CONTRIBUTIONS BY THE CHIEF OF THE WILLOUGHBY HILLS POLICE DEPARTMENT WHO IS A MEMBER OF THE OHIO POLICE & FIRE PENSION FUND; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN SOMICH**, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-45.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-45 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN SOMICH**, seconded by Councilman Biro to adopt Ordinance No. 2011-45.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that Ordinance No. 2011-45 has been adopted.**

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**ORDINANCE NO. 2011-46**

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**AN ORDINANCE DECLARING THAT THE CITY OF WILLOUGHBY HILLS HAS DETERMINED TO PICK-UP MANDATORY CONTRIBUTIONS BY THE CHIEF OF THE WILLOUGHBY HILLS FIRE DEPARTMENT WHO IS A PARTICIPATING MEMBER OF THE OHIO POLICE & FIRE PENSION FUND; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

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**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2011-46.

**Roll Call: 6 AYES**

**MOTION PASSES**

**President Malecek stated that the Three Reading Rule for Ordinance No. 2011-46 has been suspended.**

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Fiebig to adopt Ordinance No. 2011-46.

**Roll Call: 6 AYES**

**MOTION PASSES**

President Malecek stated that Ordinance No. 2011-46 has been adopted.

**ORDINANCE NO. 2011-47**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT AMENDMENT WITH CT CONSULTANTS, INC. TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE OF THE EUCLID CREEK TRIBUTARY WATERSHED SANITARY SEWER IMPROVEMENTS – ASSESSMENT AREA “C” AND DECLARING AN EMERGENCY.**

**MOTION WAS MADE BY COUNCILMAN SOMICH**, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2011-47.

**Roll Call: 6 AYES**

**MOTION PASSES**

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-47 has been suspended.

**MOTION WAS MADE BY COUNCILMAN GERMANO**, seconded by Councilman Biro to adopt Ordinance No. 2011-47.

**Roll Call: 6 AYES**

**MOTION PASSES**

President Malecek stated that Ordinance No. 2011-47 has been adopted.

**NEW BUSINESS**

- There was no new business brought forth to Council.

**FOR THE GOOD OF THE ORDER**

- Councilman Somich wanted to congratulate the Members of the Willoughby Rotary who just concluded their celebration of their 50<sup>th</sup> Anniversary of that organization which includes many members of the City of Willoughby Hills, including several of the Members of Council. The Rotary chose to hold their celebration right here in Willoughby Hills at Manakiki Golf Course, this past Friday.
- There are so many free events that are happening this time of year, that it is really impossible to mention all of them. Councilman Somich referred residents to the website of welw.com for a listing of all community events such as festivals, fairs, parades, senior events, that are happening all summer long.

**ADJOURNMENT**

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

**Roll Call: 6 AYES – unanimous**

**MOTION PASSES**

President Pro-tem Reichelt declared the Regular Council Meeting of June 9, 2011 to be adjourned at 7:33 p.m.

APPROVED: \_\_\_\_\_

Date

ATTEST: \_\_\_\_\_

Victoria Ann Savage, CMC  
Clerk of Council

\_\_\_\_\_  
Kevin D. Malecek  
President of Council