

# City of Willoughby Hills

## Regular Council Meeting

### Minutes of March 10, 2011

*All Council Meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part of the official records and minutes. Written minutes of Council shall be shortened whenever possible.*

Council of Clerk announced that the Regular Council Meeting of March 10, 2011 would be called to order by Todd D. Cipollo, attending for Law Director Thomas G. Lobe.

**7:04 p.m.** The Meeting was called to Order by Todd D. Cipollo, attending for Law Director Thomas G. Lobe

In accordance with Robert's Rules pertaining to "An Elected Chairman Pro-tem, Mr. Cipollo announced that he would accept a nomination for President of Council Pro-tem. He reminded the Members that when making a nomination, it need not be seconded.

A nomination had been received from Councilman Somich for Councilwoman Fellows to serve as President Pro-tem for this evening's meeting. Mr. Cipollo asked the Members if there were any objections to the nomination; hearing no objections to said nomination, Mr. Cipollo stated that Councilwoman Fellows will serve as President Pro-tem and presented the gavel to President Pro-tem Fellows.

President Pro-tem Fellows thanked Mr. Cipollo and the Members of Council. President Pro-tem Fellows announced that she would like to accept a nomination for Vice President Pro-tem. Again, the Members were reminded that when making a nomination, it does not require a second.

A nomination had been received from Councilman Fiebig for Councilman Somich to serve as Vice President Pro-tem for this evening's meeting. President Pro-tem Fellows asked the Members if there were any objections to the nomination; hearing no objections to said nomination, President Pro-tem Fellows declared that Councilman Somich would serve as Vice President Pro-tem.

*Pledge of Allegiance lead by President Pro-tem Fellows*

#### Roll Call of Council

**Members Present:** Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Raymond C. Somich, Councilman Christopher L. Biro

**Absent:** President Kevin D. Malecek, Vice President David A. Reichelt  
City Engineer Richard J. Iafelice

**Also Present:** Mayor Robert M. Weger, Attorney Todd D. Cipollo, attending for Law Director Thomas G. Lobe, Finance Director Frank J. Brichacek, Clerk of Council Victoria Ann Savage

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Somich to excuse President Kevin D. Malecek and Vice President David A. Reichelt from attending the Regular Council Meeting of March 10, 2011.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Pro-tem Fellows stated that President Kevin D. Malecek and Vice President David A. Reichelt have been excused from the Regular Council Meeting of March 10, 2011.**

**Disposition of the Journal Regular Council Meeting of February 10, 2011**

**MOTION WAS MADE BY COUNCILMAN BIRO**, seconded by Councilman Somich to approve the Minutes of the Regular Council Meeting of February 10, 2011 as submitted.

**Roll Call: 5 AYES**

**MOTION PASSES**

**President Pro-tem Fellows stated that the Regular Council Meeting Minutes of February 10, 2011 have been approved as submitted.**

***Correspondence***

- Mayor's Monthly Statement to Council for February 2011
- Memorandum from the Building Clerk dated February 24, 2011 re: Sheriffs Sales in the City of Willoughby Hills
- Kevin M. Delaney, Secretary/Airport Manager dated March 1, 2011 re: Noise Abatement Council (NAC) Meeting of March 30, 2011
- City Engineer's Status Report for March 2011 along with the Agenda & Issues for the Service Committee and the Agenda & Issues for the Utilities Committee

***Notifications***

- Lake County Farm Bureau, Inc., dated February 17, 2011 re: Re-Scheduling of Meeting – The Meeting will be held Friday, March 18, 2011 (Emailed: March 8, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of March 3, 2011 (Emailed: March 7, 2011)
- Recreation Commission Meeting of March 7, 2011 (Emailed: March 4, 2011)
- Rules & Legislation Committee Meeting of March 21, 2011 (Emailed: March 3, 2011)
- Utilities Committee Meeting of March 21, 2011 (Emailed: March 3, 2011)

***Minutes***

- Planning and Zoning Commission & Architectural Board of Review Minutes of February 3, 2011 (Emailed: February 28, 2011)

***On File***

- Willoughby Hills Senior Center Activity Pages for March 2011, Issue Number 3

**MAYOR'S REPORT – Robert M. Weger**

- Dodd Road Bridge Update
- **Department Reports:**
  - Police, Fire and Service Department very busy due to the very heavy snowfall and then sudden thaw. The Fire Department was out pumping out, reported flooded basements; they were there to assist the residents. We actually had (6) Storm sewer backups and (7) Sanitary backups
  - Two new Police Officers sworn-in; served as Lake County Sheriffs: Kevin Raico, Part-time Police Officer, Class 3 (rate of pay \$19.09 per hour) and Greg Leonbruno, Part time Police Officer, Probationary (rate of pay \$15.27 per hour)

- RITA – City Tax Assistance – Monday, March 21<sup>st</sup> from 1:00 p.m. to 7:00 p.m. – Council Chambers – no appointment necessary
- AARP assisting with Federal and State Income Tax – every Tuesday at WH Community Center – call City Hall to make appointment
- 2010 Census Information available
- **Acknowledgements:**  
 Welcomed Kelly Wright, Part-time Recreation Coordinator will be handling the Recreation Programs also across the street at the Community Center. Kelly was with the City last year and coordinated the entire Girls Softball Program as a part-time position  
 Boys League Raffle & Pancake Breakfast #1 – Nice events – Thanked the organizers (Tom Elliott, Boys League), volunteers and attendees  
 Thanked all City Hall Departments for good job during recent flooding
- **Upcoming Events:**  
 Girls Softball and Boys Baseball signups now underway  
 Pancake Breakfast #2 this Sunday from 8:30 a.m. to 2:00 p.m.  
 Corn Fest Raffle – tickets can be purchased now for TVs or Car

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

- President Pro-tem Fellows stated that Todd Cipollo was attending for the Law Director Thomas G. Lobe. There were no questions for the Law Director.

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

- No formal report
- Requested that Ordinance No. 2011-9 remain on Second Reading and enacted at the next Regular Council Meeting
- Distributed 2011 Proposed Budget to Administration and Members of Council in anticipation of Monday's (March 14<sup>th</sup>) Finance Committee Meeting

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

- President Pro-tem Fellows announced that the City Engineer is absent this evening; however, the Members of Council were provided with the Engineer's Status Report for March 2011 along with the Agendas for the upcoming Service and Utilities Committee Meetings

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

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

- Announced that the Finance Committee would be meeting this coming Monday, March 14<sup>th</sup>. It will be a joint session with the Service Committee. Discussed will be the proposed budget and the necessary service expenses

#### **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 that a meeting will be scheduled for Monday, March 28<sup>th</sup> to discuss the Master Plan. The census data came out so we will be analyzing that.
- Chairman Fiebig reported that Willoughby Hills' total population was 9,485 which is up about 10% over the 2000 data 8,595 – so we have picked up some people here in Willoughby Hills

#### **RECREATION – Nancy E. Fellows, Chair**

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

- President Pro-tem Fellows serves as the Chair for the Recreation Committee and reported that she has attended the Recreation Commission Meeting held this past Monday; the Mayor provided most of the information.
- Chair Fellows will be calling a meeting of the Recreation Committee of Council to further discuss rental fees aligned with O’Ryan Room, renting Monday through Thursday of the week

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

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

- In the absence of Chair Malecek, President Pro-tem Fellows reported that the Rules and Legislation Committee has not met.

#### **SAFETY – David A. Reichelt, Chair**

**Committee Members: Christopher L. Biro, David M. Fiebig**

- In the absence of Chair Reichelt, President Pro-tem Fellows reported that the Safety Committee has not met.

#### **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.
- As Councilman Somich stated, there will be a Joint Finance/Service Committee Meeting this coming Monday, March 14<sup>th</sup> to discuss the issues at hand, Capital Improvement Projects and the City’s Finances. The meeting has been scheduled for 6:30 p.m.

#### **UTILITIES – Frank A. Germano, Chair**

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

- The Utilities Committee has not met; therefore no formal report was given.
- Chair Germano stated that the Utilities Committee has been scheduled to meet on Monday, March 21<sup>st</sup>.

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

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

- The Personnel Relations Committee of Council has not met; therefore no formal report was given.
- Chair Biro stated that a Personnel Relations Committee will be scheduled in the near future to discuss Labor Contracts

#### **WORKING COMMITTEE OF COUNCIL – Kevin D. Malecek, President of Council**

- In the absence of Chair Malecek, President Pro-tem Fellows reported that the Working Committee of Council has not met.

#### **OTHER COUNCIL REPRESENTATIVE REPORTS**

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

#### **PUBLIC PORTION**

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

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

**Public Portion was opened at 7:22 p.m.**

1. **Charles Glinski**  
**2903 Lamplight**

**RE: Flooding and Flood Related Issues; What is happening with the Lamplight Lane Retention Program; Where are the secured funds for this Project?**

**Public Portion was closed at 7:28 p.m.**

## **UNFINISHED BUSINESS**

- The Mayor addressed Mr. Glinski's concerns. The City has studied this issue for 10 years; we really do not have a lot of control over Mother Nature. The storm that we had last week was a "forty-year" storm – they base it on how frequent they are and on the scale, that's a pretty heavy rain storm coupled with the twelve inches of snow we had on that Friday and the thaw. The Stormwater Management District, Mr. Miller and the City are coming up with some alternative options to mitigate this issue. We need to make some evaluations and determine what the appropriate investment to make in this situation. That is why on Monday, March 14<sup>th</sup> at 6: 30 p.m. the Finance and Service Committee is scheduled to meet and that is one of the topics that will be discussed. The City Engineer will be available; a lot of the information will be discussed there. You had mentioned the \$750,000 Grant by Mr. LaTourette, there a lot of strings tied to it, the City could not use that grant and the reason that we could not use it was the City needed more than \$750,000 in damages which the City could not justify over the last ten years. You provided the most data out of anybody about your losses; we didn't get any information from most of the people that were contacted. The Mayor stated that he was down there when it flooded and he was there when they brought the trucks down to block the roads and it was a very significant event because at 2:00 in the morning there was not water on the street; at 6:00 in the morning there was probably around four feet of water on the street. It went down probably by noon but your street wasn't the only street affected. There were streets by the river; there were streets everywhere in the City along with other Cities. In Gates Mills a damn broke which sent more water down this way, so it was a pretty devastating event for all Cities involved. It is something that we will be discussing on Monday. The Mayor urges everyone to come so that you can hear what is happening and we will actually have the City Engineer who can discuss it more in detail.

## **LEGISLATION**

### **ORDINANCE NO. 2011-9 – SECOND READING**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$250,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PROVIDING FUNDS FOR THE IMPROVEMENT OF OHIO STATE ROUTE 91 BY THE ENGINEERING, PURCHASE AND INSTALLATION OF SIGNALS, SIGNS, AND OTHER EQUIPMENT AND DEVICES TO DIRECT AND CONTROL THE FLOW OF VEHICULAR AND PEDESTRIAN TRAFFIC, AND RENOVATION OF VARIOUS SANITARY SEWER PUMP STATIONS SERVICING CERTAIN COMMERCIAL BUSINESSES LOCATED ON OHIO STATE ROUTE 91 IN THE CITY OF WILLOUGHBY HILLS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO.

President Pro-tem Fellows declared that Ordinance No. 2011-9 will remain on Second Reading.

## **NEW BUSINESS**

- Councilman Somich stated that he is meeting with residents, constituents that are having problems. He is having another meeting next week, actually two meetings next week with people who have flooding issues on the west-end. Councilman Somich wanted the people to know that we are sympathetic; he personally, not in his Willoughby Hills' home, but twenty-five years ago had major flooding in his Richmond Heights home and he knows what it is like to go through that, to have a lot of things destroyed and all the other concerns that go with it and I know that all my fellow council members feel that same way. It is not an easy solution, especially when we get this kind of weather and in the business that he is in, he happens to get to interview a number of the Mayors from Willowick and from Euclid and from a lot of the other communities, and we are all facing this. Part of the blame has to be on Mother Nature because of the crazy weather patterns that we are getting, so please realize that. Secondly, if there is anything that we can do, we will discuss it and we will work on this and we are going to try to be diligent in addressing it. You have our sympathy and concern and we'll try to do something if we can financially. Technically, if there is something that we can do we will work on that for you. Councilman Somich didn't want the people to think that they all came here tonight and the City is just passing this off because we are not. We hear you and we will do our best.

## **FOR THE GOOD OF THE ORDER**

- Councilman Somich announced the following events:
  - (1) Lake County United Way Annual Event called the "Celebrity Server". Willoughby Hills will be well represented with the Mayor and President Malecek. You can attend this big event being held on St. Patrick's Day by contacting the United Way for tickets at 352-3166.
  - (2) Willoughby South has its Annual Garage Sale at the High School on Saturday, March 19<sup>th</sup>. There is still the availability to take a booth to sell as well as to purchase. You can contact the School for further information.
  - (3) LakeHealth hosting Runner's Clinic at the Eastlake Radisson on Saturday, March 19<sup>th</sup>. Contact the Lake Health Website for more information.
- Councilman Fiebig announced that the Willoughby Middle School will be doing their production of Music Man this Friday and Saturday at 7:30 p.m. and he will be one proud papa sitting in the front row.
- Councilman Fiebig reminded everyone of the Pancake Breakfast to be held this Sunday and next Sunday. This Sunday the proceeds benefit the City's Recreation Department and the following Sunday the proceeds benefit the Willoughby Hills Lion's Club.

## **ADJOURNMENT**

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

**Roll Call: 5 AYES – unanimous**

**MOTION PASSES**

**President Pro-tem Fellows declared that the Regular Council Meeting of March 10, 2011 is adjourned at 7:35 p.m.**

**APPROVED:**

March 14 2011  
Date

**ATTEST:**

Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

Kevin D. Malecek  
Kevin D. Malecek  
President of Council