

City of Willoughby Hills

Regular Council Meeting

Minutes of March 25, 2010

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

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

Pledge of Allegiance

Roll Call of Council

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

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

PRESENTATION

A Resolution honoring George J. Kraincic for his many years of service to the City of Willoughby Hills.

President Malecek announced that this presentation will be rescheduled for the next Regular Council Meeting.

PUBLIC HEARINGS

1: APPLICATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT

The renewal application of Paul Penfield to retain parcels #31A-016-0-00-001-0, #31A-016-0-00-010-0, and #31-A-016-0-00-002-0 in an Agricultural District.

Public Portion was opened at 7:04 p.m. and with no one coming forth from the public sector was closed at 7:04 p.m.

2: ORDINANCE NO. 2010-8

AN ORDINANCE AMENDING PART ELEVEN – PLANNING AND ZONING CODE, TITLE NINE – SIGNS, CHAPTER 1151 – SIGN REGULATIONS, SECTION 1151.05 – SIGNS IN NONRESIDENTIAL DISTRICTS, SECTION 1151.06 – PROHIBITED SIGNS AND CHAPTER 1103 – DEFINITIONS, SECTION 1103.02 - DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.

Public Portion was opened at 7:05 p.m. with the following individual(s) coming forth:

1. Robert Kowalsky
2585 Timberline Drive

MAYOR'S REPORT – Robert M. Weger

- City-Wide Trash Program – begins April 1st
- Update provided for Assessment Area “C”
- Proclamation designating April as National Child Abuse Prevention Month
- Legislation: Supports the passage of Ordinance No. 2010-12 – Permanent Appropriations
- Thanked everyone involved with the Pancake Breakfasts
- AARP offering free assistance with Federal and State Income Taxes on Tuesdays from 9:00 a.m. to Noon – Call City Hall to get appointment time
- RITA coming to City Hall one day only (Monday, March 15th from Noon to 7:00 p.m. – No appointment necessary
- Save the Dates:
 - Saturday, March 27th
Easter Party
 - Sunday, June 20th
Captain's Game Day – Willoughby Hills Day
- Corn Fest: Victim of current Budget – no available City funding and not a good time to be requesting sponsorship from businesses

LAW DIRECTOR'S REPORT – Law Director Thomas G. Lobe, LLP

- Cuyahoga County Airport – Public Records Request, seeking any and all additional information
- Renewal of Penfield Application to place land in an Agricultural District
- Status of Litigation

FINANCE DIRECTOR'S REPORT – Joseph G. Mirtel

- Received bid from Andover Bank for \$1,250,000 Bank Note
- Ordinance No. 2010-12 – supports passage of this Ordinance; will provide balanced budget with little to no carry over for 2011
- Seeking Plan of Action from Administration and Council to implement Income Tax or decrease Tax Credit

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

- Bid Opening March 5th for the Maplegrove Slope Failure Project – Well below Budget; Project being funded by State, OPWC, and the Department of Stormwater Management with assistance from the Lake County Engineer's Office to provide inspection–project will at no cost to the City. The way the Stormwater Management Department works is that it is a reimbursement, the City pays the contractor, the City gets the payment back, reimbursed by the County
- ODOT Bid Opening held March 11th for the SOM Center Widening and Signalization Project - Under Budget, miscellaneous expenses that would be additional to occur; relatively minor
- Service Department – Sewer Investigation and Detection Program – Successful in implementing some of the recommendations, engaged Lake County Sewer to complete a grouting project on Chardon Road and also in the Green Ridge area, particularly on Chardon Road there were a number of clean water connections to the sanitary that were grouted and taken care of – there was a substantial reduction in infiltration into that sewer; money well spent, right now in the Green Ridge Area there were 6 home owners illegally connected, all home owners have been contacted and corrections are being made
- Project Report – Assessment Area “C” – Report No. 4 – Minor delay due to the location of the gas main – the gas main of Dominion was mismarked by 17 feet – documentation of costs incurred is being done by the City Engineer in order for the City to pursue reimbursement
- Lateral Installation Program – April 28th – Meeting with Contractors, there are 200/240 laterals in Assessment Area “C”
- Public Meetings – should be scheduled for May 10th and May 12th; Public Notices need to be sent
- Utilities Committee Meeting should be scheduled sometime in April to discuss lateral connections and to manage the inspections

FINANCE – Raymond C. Somich, Chair

Committee Members:

Nancy E. Fellows, David M. Fiebig

COMMITTEE MEETING MARCH 18, 2010

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

Also Present: Councilman Christopher L. Biro, Councilman Frank A. Germano, Councilman David A. Reichelt, Mayor Robert M. Weger, Finance Director Joseph G. Mirtel

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

Meeting convened at 5:38 p.m.

Order of Business

Reviewed Ordinance No. 2010-12 and Budget Summary

Notable Points:

- Despite 27th Payroll Period and Benefit Increases, most Personnel Services and Benefits decreased
- Discussed Union Negotiations needed this year
- Discussed RITA Collections
- Income Tax Revenue up for Q1, mostly due to efforts to collect back taxes and penalties
- Reviewing Service Contracts

Public Portion

Public Portion opened at 6:49 p.m.

Frank Cihula asked about Eaton training income tax revenue and if our City is checking where people live who share our zip codes 44092/44094

Lind Fulton asked about Union vs Non-Union Staff and offered to help communicate these budget issues to residents

Robert Kowalsky mentioned removing the tax credit now offered to our residents

Public Portion ended at 6:58 p.m.

Meeting adjourned at 6:59 pm

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.
- Referenced letter received from the Planning & Zoning Commission and Architectural Board of Review stating that the Master Plan has been completed; anticipates that a Planning & Zoning Committee will be called before the next Regular Council Meeting.

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.
- Stated the Chair will be attending the Recreation Commission Meeting to be held this Monday; one of the agenda items is if the profits from the Pancake Breakfasts have been moved to the Recreation Fund #460 which will come as a future Ordinance.

RULES & LEGISLATION – Kevin D. Malecek, Chair

Committee Members:

Frank A. Germano, David A. Reichelt

COMMITTEE MEETING MARCH 25, 2010

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

Also Present: Councilman Christopher L. Biro, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Law Director Thomas G. Lobe, Mayor Robert M. Weger

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

Meeting convened at 6:37 p.m.

Order of Business

Ordinance 2010-8: Sign Regulations Ordinance

Section 1103.02 – ghost signs – remaining images of previous commercial signs – add a blank sign to this – by a tenant – make it cleaner. Mayor says we do try to make them take down all their signs.

Recommendation to Adopt at tonight’s meeting

Ordinance 2010-12: 2010 Budget and Appropriations

Made a motion to take the Gym Fund out of the Budget at Finance.

Recommendation to waive Three Reading Rule and Adopt at tonight’s meeting

Two Motions on the Agenda – Floor Scrubber going out for Surplus and Asphalt Bidding authorization for the Mayor.

Public Portion

No one came forth from the Public Sector.

Meeting adjourned at 6:45 p.m.

SAFETY – David A. Reichelt, Chair

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

- The Safety Committee has not met; therefore no formal report was given.
- Chair Reichelt stated that in regards to comments that were included in the Finance Director’s report; the Safety Committee is conducting their own analysis of past, present and future budget needs and will be requesting information from the Finance Director; information from the Department Heads has already been requested. The Committee is keenly aware of the situation and is working on it.

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

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

PERSONNEL RELATIONS – Christopher L. Biro, Chair

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

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

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

- The Working Committee of Council has not met; therefore no formal report was given.

OTHER COUNCIL REPRESENTATIVE REPORTS

- No other Council Representative Reports were brought forth to Council.

PUBLIC PORTION

Section 107.08 – Public Meetings of Municipal Bodies of the Codified Ordinances of the City of Willoughby Hills:
(a) All meetings of any municipal body are declared to be public meetings open to the public at all times. All meetings shall provide a reasonable opportunity to hear public opinion.

Public Portion was opened at 7:36p.m.

1. Robert Kowalsky

2585 Timberline Drive

Re: US House passed the FAA Bill; made reference to the date of the 31st; acquire public comments prior to meeting with the FAA; what has been happening with respect to this issue?

Public Portion was closed at 7:40 p.m.

UNFINISHED BUSINESS

- There was no unfinished business brought forth to Council.

LEGISLATION

ORDINANCE NO. 2010-8 – THIRD READING

AN ORDINANCE AMENDING PART ELEVEN – PLANNING AND ZONING CODE, TITLE NINE – SIGNS, CHAPTER 1151 – SIGN REGULATIONS, SECTION 1151.05 – SIGNS IN NONRESIDENTIAL DISTRICTS, SECTION 1151.06 – PROHIBITED SIGNS AND CHAPTER 1103 – DEFINITIONS, SECTION 1103.02 - DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to adopt Ordinance No. 2010-8.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-8 has been adopted.

ORDINANCE NO. 2010-12

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2010; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2010-12.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-12 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Fiebig to adopt Ordinance No. 2010-12.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-12 has been adopted.

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilwoman Fellows to authorize the Mayor to seek bids for Limestone and Asphalt.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that the Mayor is authorized to advertise for bids for Limestone and Asphalt.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to declare a Belco Floor Scrubber – Model Waldman 20, Serial #BC-EE-3E413, valued at \$200 as surplus property.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Malecek declared that a Belco Floor Scrubber – Model Waldman 20, Serial #BC-EE-3E413, valued at \$200 has been declared surplus property.

FOR THE GOOD OF THE ORDER

- Councilwoman Councilman Somich stated that the Great Lakes Mall will host the 12th Annual Kid's Show this Saturday, March 27th and Sunday, March 28th this event is free and there is something for everyone; exhibited will be a number of County and State Government products and services, most of them free to the community.
- Councilman Fiebig announced that the Willoughby Middle School will be presenting the musical production of Oklahoma this Friday, March 26th and Saturday, March 27th at 7:00 p.m.
- Councilman Fiebig wished the City Engineer and his company good luck on their move into their new office.

