

City of Willoughby Hills

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

Regular Council Meeting

Minutes of September 8, 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: President Kevin D. Malecek, Vice President David A. Reichelt, Councilman Raymond C. Somich, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Frank A. Germano

Absent: Councilman Christopher L. Biro

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 COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to excuse Councilman Christopher L. Biro from attending the Regular Council Meeting of September 8, 2011.

Roll Call: 6 AYES **MOTION PASSES**

President Malecek stated that Councilman Christopher L. Biro has been excused from the Regular Council Meeting of September 8, 2011.

Disposition of the Journal Regular Council Meeting of June 9, 2011

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilwoman Fellows to approve the Minutes of the Regular Council Meeting of June 9, 2011 as submitted.

Roll Call: Malecek-abstain, Reichelt-yes, Somich-yes, Fellows-yes, Fiebig-yes, Germano-yes
5 AYES, 1- ABSTENTION **MOTION PASSES**

President Malecek declared that the Regular Council Meeting Minutes of June 9, 2011 have been approved as submitted.

Special Council Meeting of June 27, 2011

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to approve the Minutes of the Special Council Meeting of June 27, 2011 as submitted.

Roll Call: Malecek-yes, Reichelt-yes, Somich-yes, Fellows-abstain, Fiebig-yes, Germano-yes
5 AYES, 1- ABSTENTION **MOTION PASSES**

President Malecek declared that the Special Council Meeting Minutes of June 27, 2011 have been approved as submitted.

Special Council Meeting of July 2, 2011

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilwoman Fellows to approve the Minutes of the Special Council Meeting of July 2, 2011 as submitted.

Roll Call: 6 AYES

MOTION PASSES

President Malecek declared that the Special Council Meeting Minutes of July 2, 2011 have been approved as submitted.

Regular Council Meeting of July 14, 2011

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to approve the Minutes of the Regular Council Meeting of July 14, 2011 as submitted.

Roll Call: Malecek-yes, Reichelt-yes, Somich-yes, Fellows-abstain, Fiebig-yes, Germano-yes

5 AYES, 1- ABSTENTION

MOTION PASSES

President Malecek declared that the Regular Council Meeting Minutes of July 14, 2011 have been approved as submitted.

Regular Council Meeting of July 28, 2011

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilwoman Fellows to approve the Minutes of the Regular Council Meeting of July 28, 2011 as submitted.

Roll Call: Malecek-yes, Reichelt-yes, Somich-abstain, Fellows-yes, Fiebig-yes, Germano-yes

5 AYES, 1- ABSTENTION

MOTION PASSES

President Malecek declared that the Regular Council Meeting Minutes of July 28, 2011 have been approved as submitted.

Correspondence

- Emails received from Bob Kowalsky: (1) dated July 31, 2011 re: Tax Credit 2010-27 along with Letter to Members of Council regarding Income Tax Credit, Ordinance 2010-27; (2) August 1, 2011 to Councilwoman Nancy E. Fellows re: Tax Credit, (3) August 3, 2011 to Councilwoman Fellows re: Tax Credit 2010-27
- Email from President Malecek to Mr. Kowalsky, dated August 3, 2011 re: Tax Credit 2010-27
- Building Department to Administration and Members of Council, dated September 1, 2011 re: Sheriffs Sales in the City of Willoughby Hills (Emailed: September 6, 2011)
- City Engineer's Status Report for September 2011 (Emailed: September 6, 2011)
- Mayor's Court Monthly Report for July 31, 2011 (Emailed: August 1, 2011)
- Financial Reports for the Month Ending July 2011 consisting of: General Fund Income Statement, Cash Reconciliation, Purchase Order Reports, Fund Analysis Reports and Expense Reports (Emailed: August 8, 2011)

Notifications

- Board of Building & Zoning Appeals will not meet August 9, 2011 for no appeals were received (Emailed: August 2, 2011)
- Board of Building & Zoning Appeals will not meet September 13, 2011 for no appeals were received (Emailed: August 29, 2011)
- Cuyahoga County Airport Noise Abatement Council dated August 29, 2011 re: Noise Abatement Council (NAC) meeting scheduled for September 28, 2011 at 10:00 am. (Emailed: September 6, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of August 4, 2011 (Emailed: August 2, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of August 18, 2011 (Emailed: August 15, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of September 1 2011 (Emailed: August 29, 2011)
- Recreation Commission Meeting to be held Wednesday, September 7, 2011 (Emailed: September 2, 2011)
- Rules & Legislation Committee Meeting of September 8, 2011 (Emailed: September 2, 2011)

Minutes

- Planning and Zoning Commission & Architectural Board of Review Meeting of July 21, 2011 (Emailed: August 5, 2011)
- Planning and Zoning Commission & Architectural Board of Review Meeting of August 4, 2011 (Emailed: September 2, 2011)
- Recreation Commission Meeting of April 4, 2011 (Emailed: September 6, 2011)
- Recreation Commission Meeting of June 6, 2011 (Emailed: September 6, 2011)

On File

- Willoughby Hills Senior Center News Letter August 2011, Issue Number 8
- Willoughby Hills Senior Center News Letter September 2011, Issue Number 9

MAYOR'S REPORT – Robert M. Weger

- Eddy Road Resurfacing Project Update – Curb and Base Repair
- Camelot Court Cul-de-sac Update – meeting held last evening with CT Consultants, the Contractor, the Mayor and the affected residents – excellent meeting
- Flu Shots – Available at Community Center on September 20th, October 4th, October 18th and November 15th – will process insurance for \$22 fee – come to Senior Potluck and plan to get your flu shot at the same time!
- O'Reilly Auto Parts –breaking ground sometime in December
- **Acknowledgements**
 - Thanks to all who attended & participated in 2011 Touch-A-Truck – Special thanks to our Police, Fire and Service Departments
 - Sympathy to Millie Digman on the loss of her husband, Bernie
 - Congratulations to John Lillich, a member of the Planning and Zoning & Architectural Board of Review – new bride Carol – set for Friday wedding
- **Upcoming Events**
 - Corn Fest – September 10th and 11th – to be held at City Hall and across the street at the Community Center; we got Corn Hole Tournaments, Parades, Car Shows, Texas Roadhouse Dinners, A Salute to Our Heroes – 911 Salute.
 - Still fund raising – Car Raffle is the major funding source of the Corn Fest and tickets are available at City Hall – \$20.00 a ticket or 6 tickets for \$100.00
 - Wanted to thank everyone who has volunteered to participate in this event; to work for this event
 - Mayor gave a very special thank you to his Assistant Gloria Majeski who has headed this whole event up –doesn't know how she does it but she is an amazing woman and he just wanted to say thank you very very much! The Corn Fest wouldn't be possible without her!

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

- Status of Litigation
 - Brown vs. City of Willoughby Hills – Trial Date set for October

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

- Financial Statements for August will be ready sometime next week
- Complying to massive Public Records Request

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

- Update – Completion of the Sewer Project
 - Punch List has increased – Restoration Issues
- Eddy and Camelot – Service and Utilities Committee Meetings are needed to be scheduled - alternating months

Discussion ensued whereby Councilman Somich, Councilman Reichelt, Councilwoman Fellows, Councilman Fiebig and the Mayor had questions and expressed concerns pertaining to the restoration process. President Malecek suggested that further discussion pertaining to the restoration process be addressed in a Utilities Committee Meeting.

COMMITTEE REPORTS

FINANCE – Raymond C. Somich, Chair

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

- The Finance Committee has not met; therefore no formal report was given.
- When August Financial Reports are distributed, a Committee Meeting will be called to review the Financial Reports for the months of July and August

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.

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

COMMITTEE MEETING SEPTEMBER 8, 2011

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

Also Present: Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Raymond C. Somich, Mayor Robert M. Weger, Law Director Thomas G. Lobe

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

Meeting convened at 6:40 p.m.

Order of Business

Ordinance 2011-55

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (PATROL OFFICERS) AND DECLARING AN EMERGENCY.

Consensus to waive Three Reading Rule and Adopt at this evening's Council Meeting.

Discussed Registration of Contractors as requested by the Board of Building and Zoning Appeals

Public Portion

The meeting was opened to the public and Mr. Frank Cihula, Chair of the BZA came forth to speak.

Meeting adjourned at 6:57 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.
- Councilman Reichelt acknowledged the good work of the Safety Forces

SERVICE – Christopher L. Biro, Chair

Committee Members: Nancy E. Fellows, Frank A. Germano

- In Councilman Biro's absence, President Malecek reported that the Service Committee has not met; hence there is no formal report to present.

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.
- Councilman Germano announced that a Utilities Committee would be scheduled

PERSONNEL RELATIONS – Christopher L. Biro, Chair

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

- In Councilman Biro's absence, President Malecek reported that the Personnel Relations Committee has not met; hence there is no formal report to present.

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 7:35 p.m. and with no one coming forth from the public sector, was promptly closed at 7:35 p.m.

UNFINISHED BUSINESS

- There was no unfinished business to be addressed by Council.

LEGISLATION

ORDINANCE NO. 2011-55

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (PATROL OFFICERS) AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Somich to suspend the Three Reading Rule for Ordinance No. 2011-55.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-55 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to adopt Ordinance No. 2011-55.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-55 has been adopted.

NEW BUSINESS

- President Malecek requested that the issue of property acquisition be placed in the Finance Committee.

FOR THE GOOD OF THE ORDER

- Councilman Somich reminded everyone of the City's Corn Fest to be held this Saturday and Sunday
- Councilman Somich announced the following events:
 - Early 911 Ceremony would be held at 3:00 p.m. on Friday September 9th at Euclid City Hall
 - The Annual Sausage Festival to be held Wednesday, September 14th on Heath Road at the SNPJ Farm in Kirtland
 - Senior Day to be held at the Lake Farm Park - Free admission for all Lake County Seniors on Thursday, September 15th from 9:00 a.m. to 1:00 p.m.

ADJOURNMENT

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

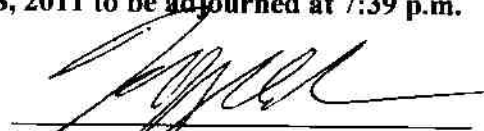
Roll Call: 6 AYES – unanimous

MOTION PASSES

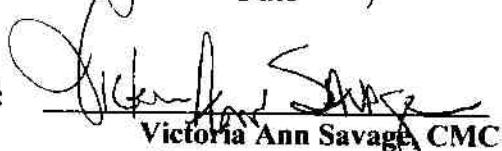
President Malecek declared the Regular Council Meeting of September 8, 2011 to be adjourned at 7:39 p.m.

APPROVED:


Date


Kevin D. Malecek
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council