

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
FRANK A. GERMANO
KEVIN D. MALECEK
RAYMOND C. SOMICH

Regular Council Meeting Minutes of January 12, 2012

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 7:02 p.m. by President David A. Reichelt

Pledge of Allegiance

Roll Call of Council

Members Present: Vice President Nancy E. Fellows, Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Kevin D. Malecek, President David A. Reichelt, Councilman Raymond C. Somich, 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 COUNCILMAN MALECEK, seconded by Councilman Germano to amend the Agenda to include Resolution No. 2012-2.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Agenda for the Regular Council Meeting of January 12, 2012 has been amended to include Resolution No. 2012-2.

Disposition of the Journal Regular Council Meeting of December 8, 2011

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilwoman Fellows to approve the Minutes of the Regular Council Meeting of December 8, 2011 as submitted.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the Regular Council Meeting Minutes of December 8, 2011 have been approved as submitted.

Correspondence

- Mayor's Court Monthly Statement to Council for December 2011 (Emailed: January 10, 2012)
- Letter from Cleveland Metroparks to Honorable Robert Weger, dated January 3, 2012 as copied to City Council, re: Cleveland Metroparks 2011 Deer Management Program (Emailed: January 9, 2012)
- City Engineer's Monthly Report for January 2012 (Emailed: January 9, 2012)
- Community Center Rental Report for December 2011 (Emailed: December 30, 2011)

Notifications

- Board of Building and Zoning Appeals Organizational Meeting of January 12, 2011 (Emailed: December 29, 2011)
- Planning and Zoning Commission and Architectural Board of Review: Cancellation of January 5, 2012 Meeting for there were no pending projects (Emailed: January 3, 2012)

- Rural Community Assistance Program (RCAP) and Ohio Environmental Protection Agency (EPA) present the Spring 2012 Schedule for Utility Management Training for Local Officials – A Four Part Training Series for Local Officials (Emailed: January 10, 2012)

Minutes

- Planning and Zoning Commission & Architectural Board of Review Meeting of November 3, 2011 (Emailed: December 23, 2011)

On File

- Memorandum from Recreation Commission to Mayor Weger, dated December 28, 2011 re: Commission Fund Transfer Request to Recreation 460 Capital Improvement Fund (Emailed: January 10, 2012)
- Interoffice Memo from Mayor Robert M. Weger to Finance Director Frank Brichacek, dated December 29, 2011 as copied to Council Clerk, re: Transfer to Recreation 460 Capital Improvement Fund (Emailed: January 10, 2012)
- Willoughby Hills Senior Center Activity Pages for January 2012, Issue Number 1

MAYOR'S REPORT – Robert M. Weger

- AARP Assistance to residents for Income Tax form completion – every Tuesday beginning February 5th to April at Community Center – call Mayor's Office for Appointment
- Bridge Repair – I-90/91 – Deputy Director Myron plans to go out for bid (including fence replacement) within 30 days
- Bridge Repair – Maple Grove – July target date to begin – will include road closure
- Rogers Road Update - Soil Testing and Boring
- Palmer Energy – Energy Conservation of City Hall Complex, Fire Department & Community Center have been assessed – waiting for outcome Report in the next few weeks
- CDBG Grant Update – first resident completed using Grant Funding, four more going through final stages of application and bidding process
- **Acknowledgements**
 Thank you to those in attendance at our recent Inauguration Ceremony
 Welcome to PT Police Officers Benjamin Pardue and Joseph Fink
 Welcome to PT Dispatcher Stacy Snyder
 In the future, whenever we hire and they are to be sworn in, we will be doing it at Council Meetings so that the Members of Council can meet the new employees
- **Upcoming Events**
 Basketball Sign Ups continuing thru January
 Baseball Sign Ups beginning soon
 Pancake Breakfasts (including Harvest for Hunger Campaign) beginning in March

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

- No formal report was given; for there is no litigation.

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

- No formal report was given.
- Closing out 2011 – Requested Passage of Resolution No. 2012-2 added to the Agenda for this evening's meeting

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

- Just received a message from the Director of the Lake County Stormwater Management Department which may impact how the City may want to move forward on the projects where there are obligated funds for; the message from Tim Miller indicates that while the Commissioners are talking about a planned increase on County Sales Tax, the Board of County Commissioners is also looking to reduce the Stormwater User Fee by 50% in 2013. There is no explanation; however Tim Miller is indicating some reservation and concern about this reduction for

2013 and how it will impact the projects currently being planned for construction. The City has two projects planned for construction and have those funds obligated.

- City Engineer to follow up that the Rogers and Lamplight Lane Projects remain fundable
- City Engineer recommends the regular Service/Utilities Committee Meetings continue with Service initially, particularly given the message received from the LCSWM Director Tim Miller and to allow, more time for the Finance Director to review the Sewer Funds - schedule a Utilities Committee Meeting maybe two weeks after Service. Will talk about projects, both Rogers Road and Lamplight Lane – where the City has those funds and seeing if maybe the City wants to work more aggressively in lieu of the information just received this evening.
- City Engineer wanted to add additional compliments to the Mayor’s message, regarding ODOT and the repairs being made to the I-90/91 Bridge; heretofore, we were not successful, but Council should know that the new Deputy Director of District 12 went out of his way, at the City’s request, to take a look at the situation, and “piggybacked” it on to another project, that is how it is really getting funded.
- Referenced Status Report for January 2012

Councilman Fiebig questioned what exactly is going to be done and how the I-90/91 Bridge was going to be restored aesthetically; City Engineer replied that he had not received a copy of the plans, the City Engineer had the same question for the Deputy Director, Myron Pakush

Councilman Malecek questioned if the City’s request for ODOT to include a sign on the bridge identifying the City of Willoughby Hills to be considered; City Engineer replied that the issue has been referred to the State Director.

COMMITTEE REPORTS

FINANCE – Kevin D. Malecek, Chair

Committee Members:

Christopher L. Biro, Nancy E. Fellows

- Announced Committee Members: Councilman Christopher L. Biro and Councilwoman Nancy E. Fellows
- Announced that a Finance Committee Meeting would be called for Thursday, January 26, 2012 to review the year-end financial reports

PLANNING & ZONING – David M. Fiebig, Chair

Committee Members:

Frank A. Germano, Nancy E. Fellows

- Announced Committee Members: Councilwoman Nancy E. Fellows and Councilman Frank A. Germano

President Reichelt announced that appointment of the Representative to the Planning & Zoning Commission would be addressed under “New Business”.

RECREATION – Christopher L. Biro, Chair

Committee Members:

Nancy E. Fellows, David M. Fiebig

- Announced Committee Members: Nancy E. Fellows, and David M. Fiebig
- Councilwoman Fellows presented the following report on the activities of the Recreation Commission:
- Meeting held January 4, 2012

Dan Phillips will continue as Chairman of the Commission

Joe Jarmuszkiewicz will continue as Vice Chairman of the Commission

There is approximately \$44,000 in Fund 460

Dates for all Community Events have been set for 2012 with the first being the Pancake Breakfasts

Recreation Coordinator Anne Hassoldt-Fenoff shared that prices for all products used at the Pancake Breakfasts have increased. Discussion ensued around raising the price of the tickets. Need to discuss with the Lions.

Extended discussion aligned with the creation of magnets highlighting our event dates. Questioned if this could be incorporated with the trash/recycle magnet calendars

Room Rental Revenues at the Community Center:

2009 - \$33,225.00

2010 - \$48,635.00

2011 - \$50,510.25

Recommendation from the Commission to have the City subsidize pool passes in Willoughby this summer – approximately \$8,000 for the year

Soccer Field discussion – plan is to grade the field this winter when the ground is frozen, hydro seed it in the spring at a cost of \$10,000 and mark off the parking lot with railroad ties and rope. Discussion followed with concerns about grading, leveling versus crowned for drainage.

Electric Sign – discussion on funding and placement. Commission did not feel it was prudent to place the sign in front of City Hall or the Community Center as there is not enough traffic to get out the messages. Suggestion – by Classic. Councilwoman Fellows distributed information to the Members of Council regarding the electric sign.

Councilwoman Fellows reported that the Recreation Coordinator wanted to know what Council was doing with respect to Monitor Fees; Councilwoman Fellows informed her that Council was not taking action on this issue; it was the responsibility of the Recreation Coordinator along with Administration to make a decision as to if they want to charge non-profit organizations monitoring fees after hours, a proposal would need to be presented to Council based on information obtained by working with the Finance Director to determine pricing through comparable research and then Council would be happy to legislate it; however, Council was not going to create it.

RULES & LEGISLATION – David A. Reichelt, Chair

Committee Members: Nancy E. Fellows, Kevin D. Malecek

- Announced Committee Members: Nancy E. Fellows, and Kevin D. Malecek
- Announced that the Committee will be meeting prior to the next Regular Council Meeting of Council

SAFETY – Raymond C. Somich, Chair

Committee Members: Christopher L. Biro, Nancy E. Fellows

- Announced Committee Members: Councilman Christopher L. Biro, and Nancy E. Fellows

SERVICE – Nancy E. Fellows, Chair

Committee Members: Frank A. Germano, Kevin D. Malecek

- Announced Committee Members: Councilman Frank A. Germano and Kevin D. Malecek
- Announced that a Service Committee Meeting would be scheduled for Monday, January 23rd at 6:15pm
(**NOTE: Actual time of Meeting was 5:45pm**)

UTILITIES – Frank A. Germano, Chair

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

- Announced Committee Members: Councilwoman Nancy E. Fellows and David M. Fiebig
- Announced that a Utilities Committee Meeting would be called to discuss tentative Sewer Rates

President Reichelt mentioned that we may need to re-address Committee Members for Councilwoman Fellows has been requested to serve on every Committee.

PERSONNEL RELATIONS – Kevin D. Malecek, Chair

Committee Members:

- Announced that the Members of the Personnel Committee were to be appointed by a Motion of Council during “New Business”.

President Reichelt stated for informational purposes, the Ordinance (*Section 121.01- Rules of Council*) requires that the Members of the Personnel Relations Committee be appointed by a Motion of Council; this will be addressed under “New Business”.

WORKING COMMITTEE OF COUNCIL – David A. Reichelt, 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 7:29pm

1. Joe Zawatski
2840 Loreto Drive

Re: Pancake Breakfasts – Rotate the Pancake Breakfasts instead of always having the Recreation Department hosting the first two weekends in March and the Lion's Club the third weekend in March

Public Portion closed at 7:30pm

UNFINISHED BUSINESS

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

LEGISLATION

RESOLUTION NO. 2012-1

A RESOLUTION APPROVING THE LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT'S AMENDED PLAN/5 YEAR UPDATE (DECEMBER, 2011) COMPLETED BY THE LAKE COUNTY SOLID WASTE MANAGEMENT COMMITTEE.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to suspend the Three Reading Rule for Resolution No. 2012-1

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt stated that the Three Reading Rule for Resolution No. 2012-1 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to adopt Resolution No. 2012-1.

Roll Call: 7AYES - unanimous

MOTION PASSES

President Reichelt stated that Resolution No. 2012-1 has been adopted.

RESOLUTION NO. 2012-2

A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE AND TO AUTHORIZE THE FINANCE DIRECTOR TO DRAW A WARRANT FOR THE ORDERS OR CONTACTS ASSOCIATED WITH SUCH CERTIFICATE.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Fiebig to suspend the Two Day Notification Rule for Resolution No. 2012-2.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt stated that the Two Day Notification Rule for Resolution No. 2012-2 has been suspended

MOTION WAS MADE BY COUNCILMAN MALECEK seconded by Councilman Biro to suspend the Three Reading Rule for Resolution No. 2012-2.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt stated that the Three Reading Rule for Resolution No. 2012-2 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO seconded by Councilman Somich to adopt Resolution No. 2012-2.

Vice President Fellows questioned how an invoice in the amount of \$12,000 was able to “slip through” and go unpaid. President Reichelt explained that the City experienced two major lightning strikes in August; providing technical assistance to the City, he served as the point person to deal with the City’s Claims Adjuster in processing the Insurance Claims. All copies of the invoices were to be submitted to him; unbeknownst to him, original invoices were given to him as well. President Reichelt said that he was under the impression that the invoices were being paid, until past due notices were received by the City. President Reichelt further stated that in true conformance with the Ohio Revised Code, the Finance Director has followed the letter of the law by the preparation of the “Then and Now” Certificate.

Discussion continued with the Finance Director, the Mayor and the Law Director providing commentary pertaining to the proper use of a “Then and Now” Certificate and compliance with State Auditor’s recommendations.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt stated that Resolution No. 2012-2 has been adopted.

NEW BUSINESS

MOTION MADE BY COUNCILMAN MALECEK, seconded by Councilman Biro to appoint Councilman Somich and Mayor Robert M. Weger to serve on the Personnel Relations Committee of Council

Roll Call: 6 AYES/Councilman Somich abstained

MOTION PASSES

President Reichelt declared that Councilman Somich and Mayor Robert M. Weger have been appointed to serve on the Personnel Relations Committee.

Councilman Somich stated that our Council and Mayor have agreed for many years that we need to do as much as we can in the area of Economic Development in the City and to begin this new year, he proposed that an Economic Development Task be created to work with Administration and Council efforts to improve the overall economic and business climate in the City of Willoughby Hills. This would be a five member Task Force, the duration would be determined as needed, it would not have a termination date, it would be an indefinite Committee so it would not be a permanent Committee of Council, it would include the Mayor, Councilman Somich would also like to serve as Chair. Specific goals would be to develop plans to reimage and market the Bishop Chardon Commercial area, the City’s largest and highest profile business district; to work with the business and property owners to create a business friendly environment that is more conducive to their success; to review the City’s current Enterprise Zones to make sure that they are competitive with other Cities; to initiate and communicate a shop Local Campaign to promote the City’s businesses with residents and other potential customers; and to aggressively work to attract new businesses into our City while also promoting the existing businesses. Councilman Somich asked that this Economic Development Task Force be approved this evening for immediate benefit to our community.

MOTION MADE BY COUNCILMAN SOMICH, seconded Council Fiebig by to create the Willoughby Hills Economic Development Task Force as described by Councilman Somich.

Law Director Lobe stated in keeping with the Ohio Sunshine Laws, the Economic Development Task Force meetings are to be Public.

Roll Call: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the City of Willoughby Hills Development Task Force has hereby been established.

President Reichelt stated that it would be appropriate to have a Motion to appoint a Chair of the Task Force.

MOTION MADE BY COUNCILWOMAN FELLOWS seconded by Councilman Biro to appoint Councilman Somich to serve as Chair of the City of Willoughby Hills Economic Development Task Force.

Roll Call: 6 AYES/Councilman Somich abstained

MOTION PASSES

President Reichelt congratulated Councilman Somich for he is now the Chair of the City of Willoughby Hills Economic Development Task Force.

MOTION MADE BY COUNCILMAN MALECEK, seconded by Councilman Germano to appoint Councilman David M. Fiebig to serve on the Planning & Zoning Commission as a Voting Member of the Commission.

Roll Call: 6 AYES/Councilman Fiebig abstained

MOTION PASSES

President Reichelt declared that Councilman Fiebig has been appointed to serve on the Planning & Zoning Commission as Council's Representative.

MOTION MADE BY COUNCILMAN FIEBIG, seconded by Councilman Somich to appoint Alternates to the Planning & Zoning Commission that would serve in the absence of Councilman Fiebig; the alternates would be Councilwoman Nancy E. Fellows and Councilman Frank A. Germano.

Roll Call: 6 AYES/Councilwoman Fellows and Councilman Germano abstained

MOTION PASSES

President Reichelt declared that Councilwoman Fellows and Councilman Germano are to serve as Alternates to the Planning & Zoning Commission.

President Reichelt stated that the Mayor has requested an Executive Session be called immediately following the "Good of the Order" to include the Members of Council, the Mayor and the Law Director to address Personnel Issues.

MOTION MADE BY COUNCILMAN GERMANO, seconded by Councilman Fiebig to adjourn into Executive Session inviting the Members of Council, the Mayor and the Law Director for the purpose of Personnel Issues.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt stated that Council will adjourn into Executive Session immediately following "For The Good of the Order".

FOR THE GOOD OF THE ORDER

- Councilman Somich announced the following events being held during the Martin Luther King Celebration Weekend:
 - James A. Garfield National Historic Site – Open Saturday, January 14th and Sunday, January 15th – Free to the public
 - Lake Metroparks Penitentiary Glen – Monday, January 16th – Free Admission – 10:00am to 4:00pm
 - Willoughby Fine Arts Association – Winter Warm Up Concert – being held on January 22nd at 3:00pm. Students & Faculty will be performing a free Concert for the community
- President Reichelt thanked his colleagues for nominating him to serve as Council President and for their indulgence this evening; it has been four years of very clear sailing under former Council President Malecek's direction, and it is not as easy as it looks. President Reichelt commends Council Malecek for his years of service.

Councilman Germano asked President Reichelt if it would be appropriate to excuse the Finance Director and City Engineer. President Reichelt concurred; the Finance Director and City Engineer were excused.

- Vice President Fellows wanted to thank all of her colleagues for giving her the opportunity to serve as the Vice President of Council. Vice President Fellows further stated that she has served on Council for quite awhile and looks forward to serving in this leadership position.

Council, along with the Mayor and the Law Director adjourned into Executive Session at 7:51pm
The Council Meeting reconvened at 8:47pm with all of the Members of Council, the Mayor and Law Director present.

ADJOURNMENT


MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Fiebig to adjourn the Meeting.

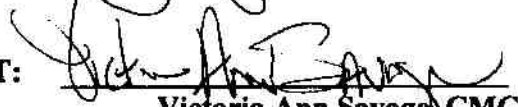
Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared the Regular Council Meeting of January 12, 2012 to be adjourned at 8:48pm

APPROVED: 
Date


David A. Reichelt
President of Council

ATTEST: 
Victoria Ann Savage, CMC
Clerk of Council