

City of Willoughby Hills

Organizational Meeting of Council

Minutes of January 9, 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 wherever possible.

7:02 p.m. - Organization Meeting of Council called to order by Law Director Thomas G. Lobe pursuant to Article III, Section 3.23 of the Charter of the City of Willoughby Hills.

Pledge of Allegiance

Law Director Lobe stated that until such time as the Clerk is appointed for the next term he will be taking roll call.

Roll Call of Council: Councilman Christopher L. Biro, Councilman David M. Fiebig, Councilwoman Nancy E. Fellows, Councilman Frank A. Germano, Councilman Kevin D. Malecek, Councilman David A. Reichelt, Councilman Raymond C. Somich

Absent: Councilman Christopher L. Biro

Also Present: Mayor Robert M. Weger, Law Director Thomas G. Lobe

PUBLIC PORTION

Section 107.08 – Public Meetings of Municipal Bodies

- (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.

Law Director Thomas G. Lobe opened the Public Portion at 7:12 p.m. directing anyone from the public to come forth to address Council with their comments pertaining to the Organizational Meeting set forth by the Agenda. With no one coming forth from the public sector, Public Portion was closed at 7:12 p.m.

ORGANIZATION OF COUNCIL

City Charter – Section 3.25

Motion to appoint Clerk of Council

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Reichelt to appoint Victoria Ann Savage as Clerk of Council.

Roll Call: 6 AYES – unanimous

MOTION PASSES

Law Director Thomas Lobe turned over the duties of Clerk of Council to Victoria Ann Savage.

City Charter – Section 3.22

Nomination of President of Council

Law Director Thomas Lobe stated that nominations don't have to be seconded and requested nominations for President of Council.

COUNCILMAN FIEBIG nominated Councilman David A. Reichelt for the position of President of Council. Councilman Reichelt accepted the nomination.

Law Director Lobe asked three separate times for any other nominations; there were none.

MOTION WAS MADE BY COUNCILMAN SOMICH seconded by Councilwoman Fellows to close the nominations.

Roll Call: 4 AYES/ Councilman Malecek and Councilman Reichelt abstained

MOTION PASSES

Law Director Lobe passed the gavel to President of Council David A. Reichelt.

City Charter – Section 3.22 Nomination of the Vice President of Council
President Reichelt opened nominations for the position of Vice President of Council.

COUNCILMAN GERMANO nominated Councilwoman Nancy E. Fellows for the position of Vice President of Council. Councilwoman Fellows accepted the nomination.

President Reichelt stated that a nomination has been made for Councilwoman Fellows to serve as Vice President of Council. President Reichelt asked three separate times for any other nominations; there were none.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Germano to close the nominations.

President Reichelt asked if there was any discussion on the Motion; seeing none President Reichelt asked all in favor of closing nominations say Aye, any opposed, let the record show that there were no opposing votes.

Roll Call: 5 AYES/Councilwoman Fellows abstained

MOTION PASSES

President Reichelt stated that it is now official; Councilwoman Nancy E. Fellows will serve as Council Vice President.

COMMITTEES OF COUNCIL

Administrative Code – Section 121.01(c)(1) Committees
President Reichelt opened nominations for the Chair of the Finance Committee.

COUNCILWOMAN FELLOWS nominated Councilman Kevin D. Malecek to serve as Chair of the Finance Committee with Councilman Somich seconding the nomination. Councilman Malecek accepted the nomination.

President Reichelt stated a nomination has been made for Councilman Malecek to serve as Chair of the Finance Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilman Malecek abstained

MOTION PASSES

President Reichelt announced that Councilman Kevin D. Malecek has been named Chair of the Finance Committee.

President Reichelt opened nominations for the Chair of the Planning and Zoning Committee.

COUNCILMAN GERMANO nominated Councilman David M. Fiebig to Chair the Planning and Zoning Committee. Councilman Fiebig accepted the nomination.

President Reichelt stated that Councilman Fiebig has been nominated to serve as Chair of the Planning and Zoning Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilman Fiebig abstained

MOTION PASSES

President Reichelt announced that Councilman David M. Fiebig has been named Chair of the Planning and Zoning Committee.

President Reichelt opened nominations for the Chair of the Recreation Committee.

President Reichelt stated that the Chair of the Planning and Zoning Committee of Council is required to attend the Planning & Zoning Commission meetings; however that requirement can be met by Alternates.

The Recreation Committee of Council, typically the Chairman, may attend Recreation Commission Meetings but is not a voting member of that body.

COUNCILMAN MALECEK nominated Councilman Christopher L. Biro to serve as Chair of the Recreation Committee. President Reichelt stated that he received confirmation from Councilman Biro that he would be honored to serve as Chair of the Recreation Committee, if so nominated.

President Reichelt stated that Councilman Biro has been nominated to serve as Chair of the Recreation Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt announced that Councilman Christopher L. Biro has been named Chair of the Recreation Committee.

President Reichelt opened nominations for the Chair of the Rules and Legislation Committee.

COUNCILMAN MALECEK nominated Council President David A. Reichelt to Chair the Rules and Legislation Committee, as past practice. President Reichelt accepted the nomination.

President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Council President Reichelt abstained

MOTION PASSES

President Reichelt accepted the nomination and will serve as Chairman of the Rules and Legislation Committee.

President Reichelt opened nominations for the Chair of the Safety Committee.

COUNCILMAN GERMANO nominated Councilman Raymond C. Somich to Chair the Safety Committee. Councilman Somich accepted the nomination.

President Reichelt stated that Councilman Somich has been nominated to Chair the Safety Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilman Somich abstained

MOTION PASSES

President Malecek announced that Councilman Raymond C. Somich has been named Chair of the Safety Committee.

President Reichelt opened nominations for the Chair of the Service Committee.

COUNCILMAN SOMICH nominated Councilwoman Fellows to Chair the Service Committee. Councilwoman Fellows accepted the nomination.

President Reichelt stated that Councilwoman Fellows has been nominated to Chair the Service Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilwoman Fellows abstained

MOTION PASSES

President Reichelt announced that Councilwoman Nancy E. Fellows has been named Chair of the Service Committee.

President Reichelt opened the nominations for the Chair of the Utilities Committee.

COUNCILMAN MALECEK nominated Councilman Frank A. Germano to Chair the Utilities Committee. Councilman Germano accepted the nomination.

President Reichelt stated that Councilman Frank A. Germano has been nominated to serve as the Chair of the Utilities Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilman Germano abstained

MOTION PASSES

President Reichelt announced that Councilman Frank A. Germano has been named Chair of the Utilities Committee.

Administrative Code – Section 121.01(c)(3)

Personnel Relations Committee

President Reichelt stated that this committee is slightly different than other committees in that a member can be a non-Council Member, but we nevertheless need a Committee Chair of Council.

COUNCILMAN FIEBIG nominated Councilman Kevin D. Malecek to serve as the Chair of the Personnel Relations Committee. Councilman Malecek accepted the nomination.

President Reichelt stated that Councilman Kevin D. Malecek has been nominated to serve as Chair of the Personnel Relations Committee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilman Malecek abstained

MOTION PASSES

President Reichelt announced that Councilman Kevin D. Malecek has been named Chair of the Personnel Relations Committee.

COUNCIL REPRESENTATIVES FOR SUBCOMMITTEES OF COUNCIL

President Reichelt announced that we will now be looking at Council Representatives for several Boards. The first is the Chagrin River Watershed Partners Trustee and Alternate Trustee. President Reichelt stated that in the past, former Council President Billie Kamis has served as the City's Representative to the Chagrin River Watershed Partners Organization; President Reichelt did confirm that Billie Kamis was willing to continue to serve as the City's Representative if Council so deems.

COUNCILMAN SOMICH nominated Wilhelmina "Billie" Kamis to serve as the City's Chagrin River Watershed Partners Trustee.

Roll Call: 6 AYES

MOTION PASSES

President Reichelt announced that Wilhelmina "Billie" Kamis has been nominated to serve as Trustee to the Chagrin River Watershed Partners and will be so advised.

COUNCILMAN SOMICH nominated Councilwoman Nancy E. Fellows to serve as the City's Chagrin River Watershed Alternate Trustee. Councilwoman Fellows accepted the nomination.

President Reichelt stated that Councilwoman Nancy E. Fellows has been nominated to serve as the City's Chagrin River Watershed Alternate Trustee. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilwoman Fellows abstained

MOTION PASSES

President Reichelt declared that Councilwoman Nancy E. Fellows has been nominated to serve as the Alternate Trustee to the Chagrin River Watershed Partners.

Administrative Code – Section 185.2501 Income Tax Board of Review

COUNCILMAN MALECEK nominated Frank A. Germano to serve as the Representative to the Income Tax Board of Review. Councilman Germano accepted the nomination.

President Reichelt stated that Councilman Frank A. Germano has been nominated to serve as Council Representative to the Income Tax Board of Review. President Reichelt asked three separate times for any other nominations; there being no further nominations, nominations were closed.

Roll Call: 5 AYES/Councilman Germano abstained

MOTION PASSES

President Reichelt announced that Councilman Frank A. Germano will serve as Council Representative to the Income Tax Board of Review.

City Charter – Section 5.11

Planning & Zoning Commission

President Reichelt stated that the next order of business was the Designee to be the Representative to the Planning & Zoning Commission. Typically this is handled by the Chairman of the Planning & Zoning Committee of Council; however, attendees can be designated in that regard, typically by the Committee Chair.

President Reichelt consulted Law Director Lobe as to if Council should fill the position, even though we are undecided about how the attendance should take place in the future. Law Director Lobe recommended continuing the issue to the next meeting if there are concerns.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Somich to postpone the appointment of the Planning & Zoning Commission Representative until the Regular Council Meeting of January 12, 2012.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt announced that the appointment of the Planning & Zoning Representative to serve on the Planning & Zoning Commission will be addressed at the Regular Council Meeting of January 12, 2012.

City Charter – Section 5.41

Recreation Commission

President Reichelt stated that this is not appointing someone to serve on the Recreation Commission; it is merely a formality to state that the Recreation Commission is a separate body from the Recreation Committee of Council and if at all possible, the Recreation Committee of Council Chairman will attend those meetings but there is no obligation nor is there any vote associated with the appointment.

CONSIDERATION OF THE POLICIES OF COUNCIL

President Reichelt stated that in his cursory review of the Policies of Council it seems to him that these policies have been around a while and that some have grown to be a bit outdated. Perhaps there should be a review of the policies by the Rules and Legislation Committee before any of the policies are adopted. If the Members find otherwise, the President is open to suggestions.

POINT OF ORDER: Councilman Somich questioned what would happen if the policies were not adopted this evening; would the former policies just continue until there are adopted. The Law Director recommended a Motion stating that the policies would be continued until such time of any adopted changes.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Fiebig to continue the existing Rules of Council that are currently in place until such time the Rules & Legislation Committee of Council can review and recommend to Council the changes that might be required.

Roll Call: 6 AYES – unanimous

MOTION PASSED

President Reichelt declared that the Motion had passed, so the Rules and Legislation Committee will then adopt the obligation of reviewing these rules and make recommendations to Council at a subsequent meeting.

The Policies of Council, as referenced, have been provided.

Policy No. 1.

Roll Call of Council will be by rotating alphabetically each Council Meeting. (1/2/80)

Policy No. 2.

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 wherever possible.

(rev. 1/1/02); (rev. 1/3/08)

Policy No. 3.

To provide that the Chair be required to recognize the Mayor, permitting him to participate in matters of discussion before the body. (12/9/82)

Policy No. 4.

No legislation can be considered unless it is presented 48 hours in advance, except when such legislation meets the criteria as emergency legislation. This Rule has no provision for suspension. (9/8/84)

Policy No. 5.

Notification of all new Safety Forces is to be made in writing to the Clerk of Council's Office within 72 hours of hiring. (1/11/96); (revised 1/3/06); (revised 1/4/10).

Policy No. 6.

Council shall not expend City funds for any charitable or philanthropic purpose. (4/11/96) (4/11/96); (revised 1/3/08)

Policy No. 7.

A "reasonable opportunity to hear the public portion" set forth in Chapter 107.08(a) shall be a one-time period of three (3) minutes per person, per meeting. (1/1/02)

Policy No. 8.

If any member of Council in attendance at a Council Meeting fails to obey and/or abide by the Chair's ruling when one is ruled out of order more than twice at any given meeting, that disruptive behavior shall be grounds for expulsion from the meeting for the remainder of the meeting. The Chair shall advise the member of the violation of this rule and the potential consequences after the second violation. A vote of Council without debate for expulsion shall be in order after the third violation is declared by the Chair.

(3/3/97); (Del. 1/1/00); (reinstated 1/1/02); (Revised 1/4/10)

Policy No. 9.

To adopt the Council Seating Arrangement identified "CITY OF WILLOUGHBY HILLS COUNCIL SEATING ARRANGEMENT, Revised: January 4, 2010" to serve as the seating arrangement for Regular and Special Meetings of Council and Working Committee of Council. (1/1/02); (Revised 1/4/10)

Policy No. 10.

The Law Director shall serve as Council's advisor as to the procedural rules for the conducting of Council Meetings and any other necessary procedures. (1/1/02)

ADJOURN

MOTION WAS MADE BY COUNCILMAN SOMICH seconded by Councilman Germano to adjourn the meeting.

Roll Call: 6AYES – unanimous

MOTION PASSES

President Reichelt declared the Organizational Meeting of January 9, 2012 to be adjourned at 7:33 p.m.

Meeting was adjourned at 7:33 p.m.

APPROVED:


Date



David A. Reichelt

President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council