

ROBERT M. WEGER
President of Council

KEVIN D. MALECEK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

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

Regular Council Meeting

Minutes of February 22, 2007

8:00 p.m.

Meeting called to order by President Robert M. Weger

Pledge of Allegiance

Roll Call of Council

Members Present: President of Council Robert M. Weger, Councilman Christopher L. Biro, Councilman Frank A. Germano, Councilman David A. Reichelt

Members Absent: Councilman Raymond C. Somich
Councilwoman Nancy E. Fellows (arrived at 9:24 p.m.)
Vice President Kevin D. Malecek

Also Present: Mayor Kenneth A. Lorenz, Law Director Thomas G. Lobe,
Finance Director Lawrence W. Trennel, City Engineer Richard Iafelice,
Clerk of Council Victoria Ann Savage

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to excuse Councilman Somich.

Roll Call: 4 AYES – unanimous

MOTION PASSES

President Weger declared that Councilman Raymond C. Somich has been excused.

MOTION MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to excuse Councilwoman Nancy E. Fellows.

Roll Call: 4 AYES – unanimous

MOTION PASSES

President Weger declared that Councilwoman Nancy E. Fellows has been excused.

MOTION MADE BY COUNCILMAN REICHELTL, seconded by Councilman Biro to excuse Vice President of Council Kevin D. Malecek.

Roll Call: 4 AYES – unanimous

MOTION PASSES

President Weger declared that Vice President Kevin D. Malecek has been excused.

MOTION MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to appoint Councilman Reichelt to serve as Vice President Pro-tem.

Roll Call: 3 AYES w/ Reichelt abstaining

MOTION PASSES

President Weger declared that Councilman Reichelt has been appointed to serve as Vice President Pro-tem.

PRESENTATION

President of Council Robert M. Weger presented a Resolution of Appreciation to Officer Randy Mullenax for his Professional Skill and Dedication to Duty while serving with the Willoughby Hills Police Department.

DISPOSITION OF JOURNAL – Regular Council Meeting Minutes of January 25, 2007

MOTION MADE BY COUNCILMAN REICHELTL, seconded by Councilman Germano to approve the Regular Council Meeting Minutes of January 25, 2007.

Roll Call: 4 AYES – unanimous

MOTION PASSES

President Weger declared that the Regular Council Meeting Minutes for the Regular Council Meeting of January 25, 2007 have been approved.

DISPOSITION OF JOURNAL – Regular Council Meeting Minutes of February 8, 2007

MOTION MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to approve the Regular Council Meeting Minutes of February 8, 2007.

Roll Call: 4 AYES – unanimous

MOTION PASSES

President Weger declared that the Regular Council Meeting Minutes for the Regular Council Meeting of February 8, 2007 have been approved.

Correspondence

- Kenneth A. Lorenz to Robert Weger, Council President, dated February 16, 2007 re: Cuyahoga County Airport Expansion
- Ohio Municipal League Bulletin No. 2, dated February 16, 2007
- **KENNETH A. LORENZ, MAYOR TO DAVID A. REICHELT, DATED FEBRUARY 21, 2007 RE: PUBLIC RECORDS REQUEST**

Notifications

- Kathleen C. Kane/C&S Engineers Design Build Technical Resources Operations to Community Advisory Committee (CAC) and Focus Groups: Community Leaders, Non-Airside Tenants, and Neighbors, Dated February 12, 2007 re: Joint Meeting of the CAC and Focus Groups
- Personnel Relations Committee Meeting of February 26, 2007
- Planning and Zoning Commission & Architectural Board of Review Meeting of February 15, 2007
- Joint Meeting of February 13, 2007 with the Recreation Committee of Council, the Recreation Commission and the Members of the Willoughby Hills Boys League
- Rules and Legislation Committee Meeting of February 22, 2007
- Safety Committee Meeting of February 12, 2007
- Tree Preservation Sub-Committee of the Planning & Zoning Commission Meeting of February 12, 2007
- Working Committee of Council Meeting of February 15, 2007
- **LAKELAND FOUNDATION: INVITATION TO THE GALA BENEFIT FOR THE ANDY NOWACKI ENDOWMENT FUND**

Minutes

- Working Committee of Council Meeting of February 15, 2007

On File

- Executive Summary from the Cuyahoga County Airport – Master Plan Update
- Cuyahoga County Airport Report for February 2007
- Planning Commission and Architectural Board of Review Rules and Procedures – *(as they have been updated)*
- Consolidated Fund Statement with Encumbrances for the Month Ending December 31, 2006 – *(as it has been updated)*
- Thank You Letter, dated February 15, 2007
- **TIMOTHY J. GRENDALL/STATE SENATOR, 18TH DISTRICT LETTER TO KEVIN DELANEY MANAGER, CUYAHOGA COUNTY AIRPORT**
- **CITY OF WILLOUGHBY HILLS/NPDES PHASE II STORMWATER MANAGEMENT PROGRAM/ANNUAL REPORT SUBMITTAL, DATED FEBRUARY 2007**
- **NORTHEAST OHIO REGIONAL SEWER DISTRICT TO THE HONORABLE KENNETH A. LORENZ, MAYOR, DATED FEBRUARY 20, 2007 RE: RATE INCREASE**
- **CITIES & VILLAGES FOR JANUARY/FEBRUARY 2007**

MAYOR'S REPORT – Kenneth A. Lorenz

- Topics of the Mayor's Report:

Formation of a Citizens Advisory Committee for the purpose of additional public input on the Cuyahoga County Airport Expansion as well as any other pending issues. This Committee will be a Mayor's Advisory Committee.

Ordinance No. 2007-8 – employment of David W. Zoll of Zoll and Kranz, LLC Attorneys at Law

Encouraged "prudent" Financial Planning and Spending with respect to the following:

Purchase of land in the Chagrin Valley (i.e. Warner Nurseries) may be best suited for Lake Metro Parks or Gates Mills Land Conservatory

Need to be more prudent with City Finances - to keep Bishop Road Ramps open will be at a cost of approximately \$225,000

Completion of the Sanitary Sewer Upgrades

Pull all financial resources to fight the expansion of the Cuyahoga County Airport

New Fifth Third Bank location in Willoughby Hills

Update of Police Department Activities

Update of Fire Department Activities

- residents along the Chagrin River Valley should receive a form to update contact information – please return form to the Fire Department

Service Department

- salt usage to date: 3,763 tons equal to \$137,236

Update of the Recreation Department

LAW DIRECTOR'S REPORT – Thomas G. Lobe

- Public Records Request was made through the Cuyahoga County Prosecutor

FINANCE DIRECTOR'S REPORT – Lawrence W. Trennel

- January close is in process
- Budget formalization for 2007
- Local Government Services Department of the Auditor of State to begin the conversion of last year's statements again to the 34 compliance.

President Weger asked the Finance Director when Council might see the first draft. Finance Director replied "a week and a half."

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

- Memorandum of Understanding between Cleveland Clinic and Classic Auto Campus in reconciling cost of the Traffic Signalization
- Stormwater Management Ordinance has been completed for Council review
- Bishop Road Update – Cost negotiation from ODOT with the Contractor regarding the maintaining the ramps and the selections for aesthesis treatments that are on the bridge per contact
- Sayle Farm Drainage Improvement Project

COMMITTEE REPORTS

FINANCE – Raymond C. Somich

- Councilman Somich was not in attendance; therefore no formal report was given.

PLANNING & ZONING – David A. Reichelt

- Planning & Zoning Committee has not met; therefore no formal report was given.

RECREATION – Christopher L. Biro

- Recreation Committee met with the Recreation Commission and with the Members of the Willoughby Hills Boys League on Tuesday, February 13, 2007 to discuss field improvements such as extending fences, the cementing of dugouts, clearing brush - all safety related improvements. Boys League was willing to finance improvements. Donations allowable up to \$25,000 with Law Director to confirm with State Auditors. Implementation of baseball upgrades with Council allocating \$10,000 from the Capital Improvements fund for improvements.

RULES & LEGISLATION – Robert M. Weger

- The Rules & Legislation Committee met on Thursday, February 22nd to review the following legislation:
Ordinance No. 2007-8
Resolution No. 2007-8

SAFETY – Kevin D. Malecek

- Councilman Malecek was not in attendance; therefore, no formal report was given.

SERVICE – Nancy E. Fellows

- Councilwoman Fellows was not in attendance; therefore, no formal report was given.

UTILITIES – Frank A. Germano

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

PERSONNEL RELATIONS – Raymond C. Somich

- Councilman Somich was not in attendance; therefore no formal report was given.
- President Weger that a meeting has been scheduled for this coming Monday, February 26, 2007.

WORKING COMMITTEE OF COUNCIL – President Robert M. Weger

- Working Committee of Council met on February 15, 2007 met with the Administrator of the Cuyahoga County Airport and Representatives of C&S Engineers. A brief summary of the Draft of the Final Master Plan process, a comprehensive study and analysis of the Cuyahoga County Airport's short-intermediate and long range plans for development. Kevin Delaney, Airport Manager, C&S Engineers Matt Wenham and Mark Petranchek answered questions purposed by both Council and the public sector. An audio CD is also available of the Working Committee of Council Meeting.

OTHER COUNCIL REPRESENTATIVE REPORTS

- There no other Council Representative Reports brought forth.

PUBLIC PORTION

President Weger opened Public Portion at 8:39 p.m. inviting the public to come forth to address Council with their comments.

1. Robert Kowalsky of 2585 Timberline Drive re: stated opposition to the expansion of the Cuyahoga County Airport and requested that County and City Officials stop all future expansion the Cuyahoga County Airport into Willoughby Hills
2. William Weber of 2983 Lynn Drive re: questioned what was driving the direction of the expansion of Cuyahoga County Airport into Willoughby Hills
3. Jennifer Rajko of 2905 Istra Lane re: flight path and size of planes; questioned property value; stated opposition to the expansion of the CCA Airport
4. Laura Wingfield of 29292 Willow Lane re: loss of privacy; City Motto is "Where the City meets the County, not where the City meets the Airport"
5. Kevin Woods of 2941 Canterbury Court re: questioned if Council and Administration can represent the residents of Willoughby Hills in an effort to stop the expansion of the CCA Aiport.
6. Walter Schaffer of 2962 Canterbury Court re: do something about the expansion
7. Mort O'Ryan of 35400 Hanna Road re: previous Administrations fought airport expansion; stated that he is the Representative for the Lake County Commissioner
8. Peter Pike of 2903 Cricket Lane re: concerned with the expansion of the airport; referenced Resolution 1994-22; referenced 1967 Master Plan
9. Julie Rajko of 2804 Rockefeller Road re: against airport expansion; noise wakes child
10. Elias Nader of 2954 Canterbury Court re: questioned why Cuyahoga County was expanding into Willoughby Hills; didn't Willoughby Hills know of the expansion
11. Ed McKenna of Lamplight Lane re: Master Plan – Chapter 5 is new information
12. Bob McKruit of 2968 Tall Tree Trail re: news article; reporting on Tall Tree Trail; Alternative 29

13. Tonda DiPlacido of 2910 Istra Lane re: against expansion and wants City to draft Ordinance to address the issue of noise
14. Donna Walters of 2964 Tall Tree Trail re: CCA Meeting scheduled for February 27, 2007; Ordinance for sound
15. Ed Erich of 2980 of Erich Drive re: not a new issue for the City; expansion should be kept in Richmond Heights
16. Faye Sivazlian of 37250 Chardon Road re: opposed to airport expansion; not a new issue; damaging to public health
17. Cindy Hudock of 2909 Cricket Lane re: form letter provided to residents to send out

With no one else coming forth, Public Portion was closed at 9:24 p.m.

At 9:25 p.m. President Weger acknowledged the presence of Councilwoman Nancy E. Fellows.

UNFINISHED BUSINESS

- There was no Unfinished Business brought forth to Council.

LEGISLATION

ORDINANCE NO. 2007-8

AN ORDINANCE PROVIDING FOR THE APPOINTMENT AND COMPENSATION FOR DAVID W. ZOLL OF ZOLL & KRANZ, LLC TO REPRESENT THE CITY IN CONNECTION WITH THE CUYAHOGA COUNTY AIRPORT EXPANSION INTO THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2007-8.

Roll Call: 5 AYES – unanimous

MOTION PASSES

President Weger declared that the Three Reading Rule for Ordinance No. 2007-8 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to adopt Ordinance No. 2007-8.

Roll Call: 5 AYES – unanimous

MOTION PASSES

President Weger declared that Ordinance No. 2007-8 has been adopted.

Mayor Lorenz requested that the Clerk of Council immediately fax a signed copy of Ordinance No. 2007-8 as amended to David W. Zoll of Zoll and Kranz, LLC and follow up with a certified copy of Ordinance No. 2007-8 as amended sent via U.S. Mail.

RESOLUTION NO. 2007-8

A RESOLUTION IN OPPOSITION TO THE ENLARGEMENT OF THE SIZE AND EXPANSION OF THE USE OF CUYAHOGA COUNTY AIRPORT INTO THE CITY OF WILLOUGHBY HILLS.

Mayor Lorenz asked if Council would consider amending Resolution No. 2007-8 by making it an emergency measure. Mayor Lorenz wanted to drive the point across to everyone that the City is serious.

The Law Director stated that as a matter of protocol, that the Two Day Notification be waived to preserve

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilwoman Fellows to amend Resolution No. 2007-8 to include “*declaring an emergency*” in the caption and amending Section 4, as follows: “*This Resolution constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual operation of a municipal department and for the further reason that it is urgent to move forward with said Resolution to notify the Federal Aviation Administration, the Cuyahoga County Commissioners and all appropriate State and Federal elected representatives that the City of Willoughby Hills is*

in opposition to the enlargement of the size and expansion and the use of Cuyahoga County Airport into the City of Willoughby Hills; wherefore this Resolution shall be in full force and effect from and after its adoption and approval by the Mayor.”

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to suspend the Two Day Notification for Resolution No. 2007-8 as amended.

Roll Call: 5 AYES – unanimous

MOTION PASSES

President Weger declared that the Two Day Notification for Resolution No. 2007-8 as amended has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to suspend the Three Reading Rule for Resolution No. 2007-8 as amended.

Roll Call: 5 AYES – unanimous

MOTION PASSES

President Weger declared that the Three Reading Rule for Resolution No. 2007-8 – as amended has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilwoman Fellows to adopt Resolution No. 2007-8 as amended.

Roll Call: 5 AYES – unanimous

MOTION PASSES

President Weger declared that Resolution No. 2007-8 as amended has been adopted.

NEW BUSINESS

- There was not new Business brought forth to Council.

FOR THE GOOD OF THE ORDER

- Councilman Biro reminded everyone that tickets are available for the Pancake Breakfasts coming up on March 4th and March 11th. Easter Egg Hunt will be held at the WH Community Center on Saturday, March 31st at 11:00 a.m.

There being no further items on the Agenda, Council President stated that he would entertain a motion to adjourn.

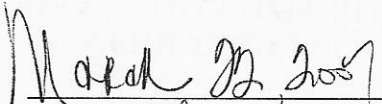
MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Reichelt to adjourn.

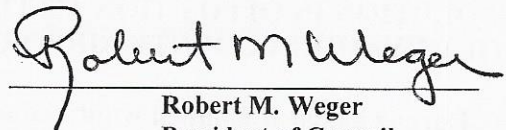
Roll Call: 5 AYES – unanimous

MOTION PASSES

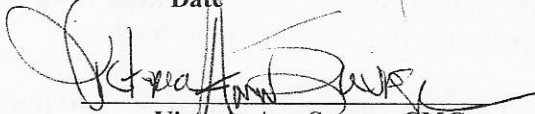
Meeting Adjourned at 9:35 p.m.

APPROVED:


Date


Robert M. Weger
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council

Mayor Kenneth A. Lorenz
Mayor's Report
City of Willoughby Hills
Thursday, February 22, 2007

- Effective immediately, I am going to form a Citizens Advisory Committee, for the purpose of additional public input regarding Cuyahoga County Airport expansion, as well as any other pending issues.
 - Anyone wishing to volunteer please contact me by e-mail at: whmayor@willoughbyhills.net or send a letter stating your interest.
 - I would like to start this committee as soon as possible.
- I wish to thank council for Ordinance NO.2007-8 for declaring an emergency and to employ David W. Zoll of ZOLL & KRANZ, LLC for outside legal counsel to guide city officials in the quest to ward off overtures that might threaten the city's west-end housing stock, which mirrors the prevalent 1-acre zoning that voters approved for our city in regards to Cuyahoga County Airport expansion.
 - Along with the federally and state mandated installation of sanitary sewers, the bulk in the western half of Willoughby Hills, to protect the Euclid Creek Watershed – a fact recognized on page 2-47 of the

airport master plan, city officials must add averting further incursion of the airport beyond its property spread across corners of Willoughby Hills along with Highland Heights and Richmond Heights in Cuyahoga County.

- This pressing matter also means any efforts to purchase land in the Chagrin Valley prior to auction – may be suited better for parks agency or a group similar to the Gates Mills Land Conservancy – should be taken off the city’s path in planning. We also need to be more prudent with our city money and forget the frills of expending up to \$225,000 to keep a couple of ramps open during the overhaul of Interstate 90 and Bishop Rd. A rejection letter from the mayor and city council in neighboring Wickliffe to that plan is on file in Willoughby Hills City Council’s office.
- We need to focus our financial resources on saving the big picture of Willoughby Hills’ west end and thwarting airport expansion plans. Long-term, bigger-picture priorities in Willoughby Hills city planning rest with completion of sewer upgrades, and now, ensuring the people footing the bill for the capital improvements, do not see their own money and lifetime household stakes flushed into history, all from a neighboring county’s airport.
- On Tuesday, February 20th, 2007, Mario Di Franco and I met with representatives of Fifth Third Bank for the purpose of discussing a new bank in our city down by Winchester Hills. They are expected to bring preliminary plans to the Architectural Board of Review very shortly for a work session.

The Police Department:

- Between January 1, 2007 and February 21, 2007, WHPD Officers responded to the report of 87 motor vehicle accidents and 207 disabled vehicles. Many of these were the result of bad weather and excessive speed. Even during the bad weather and wet roadways, traffic officers reported citing several vehicle operators on the freeway for speeds in excess of 80 mph in a 60 mph zone.
- Officers made a traffic stop on IR-90 for a traffic violation and conducted a consent search of the car that resulted in the seizure of 28 white pills in a Ziploc bag. The evidence was sent to the Lake County Crime Lab for analysis.
- Officers responded to a report of drug activity in an apartment at the Willoughby Hills Towers. Officers with the assistance of a police K-9, conducted a search of the apartment and seized several drug paraphernalia items and marijuana. Drug possession charges are pending.
- Officers are investigating the alleged sexual assault of a 13 year old female by a 17 year old male neighbor. Lake County Children Services is assisting with this investigation. Officers are also investigating an alleged burglary of the same home two days prior to the reported sexual assault. The same 17 year old male has been questioned.
- Car 784, a 2004 Ford with 78,000 miles, is in the shop to repair an engine exhaust leak.

The Fire Department:

Equipment Report:

- The new ambulance has been delivered and is due to be placed in service within two to three weeks.

- The 1993 ambulance is still out of service for major repairs, but should be back in four to six weeks.
- The 1997 pick up truck is out of service for mechanical repairs.

Special Notice:

- Residents living along the Chagrin River Valley should have received a form to update your contact information. If you have not done so already, please return this form as soon as possible.
- An additional survey will be sent to the residents in the flood zone within the next month. Please complete this survey and return it to Fire Chief Rich Harmon. The information collected will be used in part, to aid the fire department efforts in securing Federal funds. These much needed funds will be used to enhance the flood warning system for the Chagrin River Valley.

The Service Department:

- Service Dept. crews are cleaning snow from catch basins so the meltdown will not cause flooding. Also, we've been answering calls from residents to clear snow from their mailboxes.
- The road salt used to date is 3,763 tons. Each ton costs \$36.47, putting our road salt total to \$137,236.61 so far this season.
- Night shift continues to work on equipment when it's not snowing.
- Our new truck will hopefully be delivered next week.

The Recreation Department:

March Pancake Breakfasts;

3/4 and 3/11

- Tickets for the Recreation Commission breakfasts are available at City Hall Front Desk, and from members of city boards and commissions.

Easter Egg Hunt

Saturday, March 31

Community Center

11:00 a.m.

- Registration for Girls Softball continues through March 19.
- Walk – in registration will be offered at first 3 pancake breakfasts.
- Currently planning for Summer Recreation programs. Brochures and registration forms will be available in early March.

Summer Day Camp

June 11 – August 10

Sports Camps

To be announced

Safety Town

July 23 – August 3

- On February 19, Senior Day Camp Counselor Heather Taylor, and I, attended a YMCA workshop entitled “*Working with Children ages 5- 12*”, focusing on the characteristics and developmental benchmarks of this age group, emphasizing age-appropriate programming.

- On February 20 and 21, I attended a workshop entitled *“YMCA Day Camp Director”* designed for staffs who direct day camps. Topics included; character development, setting goals/objectives, American Camp Association standards, program planning, activity ideas, budgeting, marketing, staffing, site management, promotion/membership, safety and risk management and program evaluation.
- Both courses were highly beneficial and well-attended by YMCA directors nationwide. We were the only municipality represented at these workshops. We are fortunate that we have such resources in our area, and that the YMCA offers these courses to outside groups.