

ROBERT M. WEGER
President of Council

KEVIN D. MALECEK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Regular Council Meeting

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

Minutes of April 12, 2007

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

8:00 p.m.

Meeting called to order by President Robert M. Weger

Pledge of Allegiance

Roll Call of Council

Members Present: Councilman Frank A. Germano, Vice President Kevin Malecek, Councilman David A. Reichelt, Councilman Raymond C. Somich, President of Council Robert M. Weger, Councilwoman Nancy E. Fellows

Also Present: Mayor Kenneth A. Lorenz, City Engineer Richard Iafelice, Todd Cipollo attending for Law Director Thomas G. Lobe
Clerk of Council Victoria Ann Savage

Absent: Councilman Christopher L. Biro, Law Director Thomas G. Lobe,
Finance Director Lawrence W. Trennel

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to excuse Councilman Christopher L. Biro from the Regular Council Meeting of April 12, 2007.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger stated that Councilman Christopher L. Biro has been excused.

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

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Malecek to approve the Regular Council Meeting Minutes for March 8, 2007.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger stated that the Regular Council Meeting Minutes of March 8, 2007 have been approved.

– Regular Council Meeting Minutes of March 22, 2007

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilwoman Fellows to approve the Regular Council Meeting Minutes for March 22, 2007.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger stated that the Regular Council Meeting Minutes of March 22, 2007 have been approved.

– Special Council Meeting Minutes of March 30, 2007

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Malecek to approve the Special Council Meeting Minutes for March 30, 2007.

Roll Call: 5 AYES w/Councilman Reichelt abstaining

MOTION PASSES

President Weger stated that the Special Council Meeting Minutes of March 30, 2007 have been approved.

Correspondence

- Ohio Municipal League: Legislative Bulletin No. 4, dated March 23, 2007
- Ohio Municipal League: Legislative Bulletin No. 5, dated March 30, 2007
- Ohio Municipal League: Announcing OML Regional Training Series
- Chief Christopher J. Collins to All Personnel, dated March 26, 2007 re: Smoking by PD Entrance Door
- Richard Iafelice to Honorable Kenneth A. Lorenz and Members of Council, re: April Status Report
- Mayor's Monthly Statement to Council for March 2007
- Ohio Ethics Commission to Mayors/City Clerks/City Manager/City Auditors/Council Clerks, dated March 30, 2007 re: 2006 Financial Disclosure Statement Filing Deadline

Notifications

- Board of Building and Zoning Appeals Meeting of April 10, 2007
- Finance Committee Meeting of March 26, 2007
- Planning and Zoning Commission & Architectural Board of Review Meeting of April 5, 2007
- Rules and Legislation Committee Meeting of April 9, 2007
- Service Committee Meeting of April 9, 2007
- Tree Preservation Sub-Committee of the Planning & Zoning Commission Meeting of April 2, 2007
- **TREE PRESERVATION SUB-COMMITTEE OF THE PLANNING & ZONING COMMISSION MEETING OF APRIL 16, 2007**
- Utilities Committee of April 9, 2007
- Willoughby Hills Advisory Committee Meeting of April 7, 2007
- Working Committee of Council Meeting of March 27, 2007

Minutes

- Bishop Road Task Force Meeting of March 21, 2007
- Willoughby Hills Airport Advisory Committee Meeting of March 31, 2007
- **Finance Committee Meeting of March 26, 2007**
- **Rules & Legislation Committee Meeting of April 9, 2007**
- **Service Committee Meeting of April 9, 2007**
- **Utilities Committee Meeting of April 9, 2007**
- **Working Committee Meeting of Council Meeting of March 27, 2007**

On File

- Vicki Savage, Clerk of Council to Kenneth A. Lorenz, Mayor/Service/Safety Director, dated March 22, 2007 re: Ohio Division of Liquor Control – C TRFO 5652158
- Ohio Department of Transportation to City of Willoughby Hills/Attention Mayor Kenneth A. Lorenz, dated March 15, 2007 re: Project 06-038 (Bishop Road Reconstruction)
- Kenneth A. Lorenz, to the Ohio Department of Transportation, dated April 3, 2007 re: LAK-90/84-0.54/0.43 Bishop Road Improvement Project/PID No. 9247 – Funding of Temporary Ramp No. 9
- Governor Ted Strickland to Mayor Kenneth A. Lorenz, dated March 15, 2007 re: Governor Strickland's FY 08-09 Executive Budget Proposal
- Lorraine M. Fende/State Representative 62nd House District to Kenneth Lorenz, Mayor, dated March 27, 2007 re: City Council's Stand Against the Expansion of the Cuyahoga County Airport into Willoughby Hills
- Lorraine M. Fende/State Representative 62nd House District to Irene R. Porter/Federal Aviation Administration, dated March 14, 2007 re: Alternatives to the Cuyahoga County Airport Expansion into Lake County
- **News Release:** from the Cuyahoga County Board of Commissioners dated April 2, 2007 re: Cuyahoga County/Lake County Commissioners Joint Announcement on Cuyahoga County Airport Expansion
- Letter from Gil Martello to the Mayor and Council Members, date stamped April 4, 2007 re: City Issues
- Albert J. Pestotnik to Victoria Ann Savage, dated March 25, 2007 re: Thank You Letter and Card
- Christopher J. Collins, Chief of Police to the Marcum Family, dated March 14, 2007 re: Thank You Letter of February 26, 2007
- Tim and Fran Manning to Willoughby Hills City Council, dated March 29, 2007 re: Willoughby South High School Academic Decathlon Team
- Consolidated Fund Statement for the Month Ending February 28, 2007

- YTD Fund Report for Month 02 – City of Willoughby Hills

MAYOR'S REPORT – Kenneth A. Lorenz

- Topics of the Mayor's Report:
Disbanded the Mayor's Airport Citizen's Advisory Committee and Mr. Gil Martello, President-Elect concurred with the abandonment of the Committee.
- Mayor further stated that he felt that the threat of the Cuyahoga County Airport was still a concern.
- Bishop Road - Appropriations for 2007 provided for 2 ramps to remain; it was the Mayor's decision to fund only one ramp at a cost of \$130,000. City of Wickliffe elected not to lend financial support
- 2006 Current Road Levy generated \$649,000. In 2008, the City is committed to spend \$700,000 repaving Chardon Road in conjunction with ODOT.
- Police Department Activities
- Fire Department Activities – Spring fire hydrant maintenance is scheduled to begin in May
- Service Department Activities – Spring cleanup in parks and on roads
- Building Department – webpage has been redesigned to make it easier to read and find information. The Zoning code has been added as a PDF link
- Recreation Department – Willoughby Hills Girls Softball teams
- Thanked all the volunteers who helped with the City's Easter Egg Hunt

LAW DIRECTOR'S REPORT – Todd Cipollo attending for Law Director Thomas G. Lobe

- Law Director was not in attendance. Todd Cipollo reported that he had no formal report to present to Council; however he would address any questions that Council may have.

FINANCE DIRECTOR'S REPORT – Lawrence W. Trennel

- Finance Director was not in attendance; therefore no formal report was given.

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

- Reference Status Report for April
- Authorization to Advertise for bids for the Stripping Road Program/higher grade stripping
- Ordinance No. 2007-17 - Renewal of Engineering & Architectural Services through CT Consultants, Inc.
- Land Conservancy relative to the third and final phase of the sewer program – Executive to be called at the next Regular Council Meeting
- Resolution No. 2007-11 – for Section 319 (h) Grant for the Red Fox Pass/Kennelly Drive Stream Restoration and Conservation Project

COMMITTEE REPORTS

FINANCE – Raymond C. Somich

COMMITTEE MEETING MINUTES FOR MARCH 26, 2007

Members Present: Chair Raymond C. Somich, David A. Reichelt, President Robert M. Weger

Absent: Nancy E. Fellows

Also Invited and Present: Mayor Kenneth A. Lorenz, Finance Director Lawrence W. Trennel, Councilman Kevin D. Malecek, Councilman Frank A. Germano, Councilman Christopher L. Biro

Meeting called to order at 7:00 p.m.

Purpose of the Meeting was to discuss 2007 Appropriations and any other business

- The figures in the 2007 budget
- Recess was called at 7:45 p.m. to allow members to attend Wickliffe's Council Meeting to urge support and participation in funding the ramps.
- Meeting reconvened for further discussion on the 2007 budget

Meeting adjourned at 1:09 a.m.

PLANNING & ZONING – David A. Reichelt

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

RECREATION – Christopher L. Biro

- The Chair of the Recreation Committee was not in attendance; therefore no formal report was given.

RULES & LEGISLATION – Robert M. Weger

COMMITTEE MEETING MINUTES FOR APRIL 9, 2007

Members Present: Chair Robert M. Weger, Nancy E. Fellows

Absent: Christopher L. Biro

Also Invited and Present: Mayor Kenneth A. Lorenz, Kevin D. Malecek, Frank A. Germano, David A. Reichelt

Meeting called to order at 7:10 p.m.

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

- **Ordinance No. 2007-17**
AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, OHIO AND THE FIRM OF CT CONSULTANTS, INC. FOR ENGINEERING AND ARCHITECTURAL SERVICES; AND REPEALING CONFLICTING LEGISLATION.
 - **Consensus of the Committee was to approve the legislation in form and content and thereby recommended that Council adopt this Ordinance at the Regular Council Meeting of April 12, 2007.**
- Meeting adjourned at 7:24 p.m.**

SAFETY – Kevin D. Malecek

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

SERVICE – Nancy E. Fellows

COMMITTEE MEETING MINUTES FOR APRIL 9, 2007

Members Present: Chair Nancy E. Fellows, Frank A. Germano, Kevin D. Malecek

Absent: Raymond C. Somich

Also Invited and Present: Mayor Kenneth A. Lorenz, City Engineer Richard Iafelice, David A. Reichelt, Robert M. Weger

Meeting called to order at 7:30 p.m.

Purpose of the Meeting was to discuss Review of 2007 Road Levy and Review of Various Drainage Projects and any other business

- **2007 Capital Improvement Program as of April 9, 2007;** Summarize projects within budget available, all projects in various stages.
- **Project (Street) Status Report:** Living document of projects whether they are pending, active or complete.
- **Red Fox Pass:** Draft: For Stream Restoration and Conservation Project. Moved to Lake County Storm Water Management Depart, Soil & Mater Conservation District, Ohio EPA, etc. Committee to recommend to Council to support this project. City Engineer to inquire if legislation is needed or to authorize Mayor to fine application for grant
- **Miscellaneous –** Challenges traversing Dodd Road, look for Stop Sign at Dodd and Eagle westbound. City Engineer to inquire protocol. Information i.e. Chagrin River and Trailard property bank deterioration. Residence looking for assistance to help decrease the deterioration. City Engineer to inquire and follow through.
- Committee to ask Council to authorize Mayor to advertise for stripping.

Following people came forth with questions/comments:

Frank Cihula shared information on projects historically to assist with deterioration of Chagrin River banks.

Joyce Grady shared concerns aligned with ditches and storm sewers. Employ city to look at all options.

Meeting adjourned at 8:30 p.m.

UTILITIES – Frank A. Germano

COMMITTEE MEETING MINUTES FOR APRIL 9, 2007

Members Present: Chair Frank Germano, Nancy Fellows, Kevin Malecek, Robert Weger

Absent: Raymond C. Somich

Also Invited and Present: City Engineer Richard Iafelice, David A. Reichelt

Meeting called to order at 8:32 p.m.

Purpose of the Meeting was to discuss: Time Warner Contract and Status of Sanitary Sewer Projects – ECTW Areas B & C and any other business

- Time Warner Contract

Consensus of the Committee was to request legislation for the Regular Council Meeting of April 26, 2007.

- Woodlands Sewer Project
- Sewer Lateral Project

Out to bid, expect to receive bids next week. Accept bids for project at the Regular Council Meeting of April 26, 2007.

- ETCW – B Project

Will be back for restoration early in spring. Certify the cost by September 1, 2007.

- St. Noel Church

Can build sewer to Roemisch Field sewer and get rid of pump station. Recommendation of Administration is to allow the project, if totally paid for by the Church.

- Flow Monitor

To determine flow going into Euclid Sewers. Going to be for 60 days.

- Assessment Area C Draft Plan

Need to make decisions in the May time frame for finalization of Area C plan. Plan to have a meeting in the future to finalize this plan – April 23rd at 7:00 p.m.

Public Portion:

No one came forth with questions/comments.

Meeting adjourned at 9:15 p.m.

PERSONNEL RELATIONS – Raymond C. Somich

- Councilman Somich reported that the Committee is waiting for information to be provided from Administration.

WORKING COMMITTEE OF COUNCIL – President Robert M. Weger

WORKING COMMITTEE OF COUNCIL MEETING MINUTES FOR MARCH 27, 2007

Members Present: Robert M. Weger, President of Council, Kevin D. Malecek, Christopher L. Biro, Nancy E. Fellows, Frank A. Germano, David A. Reichelt, Raymond C. Somich

Absent: Nancy Fellows

Also Invited and Present: Mayor Kenneth A. Law Director Thomas G. Lobe, City Engineer Richard Iafelice

Meeting was called to order by President of Council Robert M. Weger at 8:35 p.m.

Purpose of the Meeting was to discuss the Bishop Road Widening Project and the feasibility of keeping Ramps 9 and 11 open during construction.

City Engineer Richard Iafelice gave a brief over view of the Bishop Road Widening Project to date. Original design had complete closure for 12 months – with temporary closure looking at a total of 120 days.

- Bishop Road – Clarified cost of project – both Cities (Wickliffe & Willoughby Hills) have incurred cost of slightly over \$1,000,000 on the project – project continues as planned and the allotted contingencies are sufficient to finish project - the City's total cost in this project will be \$1,000,000. So all the rest of the funding coming from the Ohio Works Commission as well as the remaining money coming from the Lake County Engineer will pay the balance that is due to the State for the Project – again this is a Federally Aided State Administered Project
- Adding Ramps to the Project – Estimate approximate investment in designing the Eastbound Entrance Ramp and the Westbound Entrance Ramp to be \$25,000.00 in developing the similar maintenance traffic plans for those and a six-week time period in which two weeks to design the two ramps, a week for ODOT review; a week to address ODOT review comments; Contractor to prepare a Change Order price in a week and then review and approval of the Change Order another week – approximately a six-week time frame. A quick estimate for Council's information – in terms of scheduling costs – if the City adds two more ramps – it would double the construction price – City Engineer was saying this without a design – the design should be similar to the on ramps (8 and 10). Time frame would be six weeks and that would impact ODOT's schedule and when you impact the schedule, you incur delay claims.
- Process – This is a Federally-Aided State Administered Project – There is no money due from the City for anything on this Project, including Change Orders until the Project is closed-out. There is no money due this year or next year. The Project is intended/scheduled for July 2008 at the earliest the State would close the Project would be in the summer of 2009 – that is when a bill would be sent to the City of Wickliffe for the balance. And the balance, if we don't use the contingencies or if we use the contingencies but meet the budget – will only be the Change Orders that the City approves.
- City Engineer will be attending the job meeting under the retainer because there is just too much miss-communication and miss-information that is out to the public and business owners
- The City Engineer also stated that the work to be done was being moved ahead at “full-tilt”. Phase I to be done within 30 days.

Public Portion opened at 9:10 p.m. The following expressed their opinions and/or concerns:

1. Paula J. McNeill of 2904 Bishop Road re: questioned the spending of City funds to keep temporary ramps open
2. Laura Wingfield of 29292 Willow Lane re: questioned the obligation of the City of Wickliffe
3. Manager of Baker Square Restaurant re: just get project done as soon as possible – no need for temporary ramps
4. Paul McNeill of 2896 Bishop Road re: not in support of temporary ramps

5. Peter Delic of 37525 Rogers Road re: don't spend tax dollars to keep ramps open
6. Frank Cihula of 35060 Dixon Road re: offer businesses a financial incentive rather than spending money for temporary ramps

Public Portion was closed at 9:21 p.m.

- President Weger announced that the City of Wickliffe will be holding a Council Meeting on Monday, April 2nd at 7:00 p.m.
- City Engineer stated that the City of Willoughby Hills needed to communicate decision pertaining to the use of temporary ramps 9 and/or 11 by April 3rd. The City will incur cost delays.

Meeting adjourned at 10:12 p.m.

OTHER COUNCIL REPRESENTATIVE REPORTS

- There were no "Other Council Representative Reports" brought forth to Council.

PUBLIC PORTION

President Weger opened Public Portion at 8:43 p.m. inviting the public to come forth to address Council with their comments.

1. Pat O'Brien of Pat O'Brien Car Dealership – re: Keeping Ramps open during Bishop Road Widening Project – impact of not having ramps open on area businesses
2. August Bruno of 2974 Tall Tree Trail re: Home owners shouldn't have to pay for ramps; put money into advertising for area businesses
3. Madge Ciofani of 35631 Hanna Road re: questioned if project wasn't State approved; questioned why the ramps weren't included in the original plan
4. Peter Delic of 37525 Rogers Road re: spending \$280,000 to keep ramps open for 37 days is not being fiscally responsible
5. Gil Martello of 2900 Rockefeller Road re: cost justification for spending \$130,000 - \$280,000 for ramps – there should be a cost benefit analysis done before spending money
6. Peter Pike of 2903 Cricket Lane re: Bishop Road Widening Project dates back over 12 years to when Mr. Pike was on Council; not in favor of allocating additional money to keep ramps open

With no one else coming forth, Public Portion was closed at 8:58 p.m.

UNFINISHED BUSINESS

- There was no "Unfinished Business" brought forth to Council.

LEGISLATION

ORDINANCE NO. 2007-17

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, OHIO AND THE FIRM OF CT CONSULTANTS, INC. FOR ENGINEERING AND ARCHITECTURAL SERVICES; AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to suspend the Three Reading Rule for Resolution No. 2007-17.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger declared that the Three Reading Rule for Resolution No. 2007-17 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Malecek to adopt Resolution No. 2007-17.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger declared that Resolution No. 2007-17 has been adopted.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to Amend the Agenda to include Resolution No. 2007-11.

Roll Call: 6 AYES – unanimous

MOTION PASSES

RESOLUTION NO. 2007-11

A RESOLUTION OF SUPPORT FOR THE APPLICATION OF A SECTION 319(h) IMPLEMENTATION GRANT ADMINISTERED BY THE OHIO EPA FOR THE RED FOX PASS/KENNELLY DRIVE STREAM RESTORATION AND CONSERVATION PROJECT AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to suspend the Two Day Notification for Resolution No. 2007-11.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger declared that the Two Day Notification for Resolution No. 2007-11 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilwoman Fellows to suspend the Three Reading Rule for Resolution No. 2007-11.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger declared that the Three Reading Rule for Resolution No. 2007-11 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Malecek to adopt Resolution No. 2007-11.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger declared that Resolution No. 2007-9 has been adopted.

NEW BUSINESS

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Malecek to authorize the Mayor to advertise for bids for the 2007 Road Striping Program.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Weger declared that the Mayor is authorized to advertise for bids for the 2007 Road Stripping Program.

- Councilwoman Fellows referenced her Memo dated April 12, 2006 to Council pertaining to Storm Sewer Management/Marcum Boulevard (Parkview). Councilwoman Fellows to follow through with the concerns listed in said Memo. (*Memo attached to the Regular Council Meeting Minutes of April 12, 2007*)

FOR THE GOOD OF THE ORDER

- Councilman Somich mentioned that Council had received a thank you letter from Albert J. Pestotnik and took a moment to share some of the comments from Mr. Pestotnik's thank you letter.
- Mayor Lorenz commented that he had received a letter from the Executive Director of the Willoughby Chamber of Commerce and read a portion of the letter.
- President Weger congratulated Councilman Malecek on his recent engagement.

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

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Malecek to adjourn.

Roll Call: 6 AYES – unanimous

MOTION PASSES

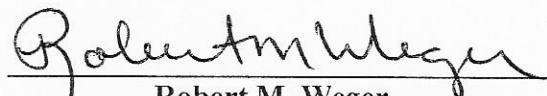
Meeting Adjourned at 9:09 p.m.

APPROVED: _____

Date

ATTEST: _____

Victoria Ann Savage, CMC
Clerk of Council



Robert M. Weger
President of Council

