

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

DAVID M. FIEBIG
CHRISTOPHER HALLUM
LAURA LENZ
JANET R. MAJKA
LAURA PIZMOHT

ORDINANCE NO. 2018-13 **(AS AMENDED)**

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2018; REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

WHEREAS, the Council of the City of Willoughby Hills on October 26, 2017 adopted Ordinance No. 2017-67 making available interim appropriations for expenses and other expenditures within the City of Willoughby Hills for the fiscal period beginning January 1, 2017 through March 31, 2017; and

WHEREAS, on February 1, 2018, the Mayor submitted for Council's review and consideration the City's proposed 2018 Annual Operating Budget and Mayor's Budget Message required by Sections 2.24 and 2.25 of the City's Charter; and

WHEREAS, as noted in the Mayor's Budget Message, like the operating budgets of the last four years, the 2018 budget is very lean, to the point of being painful; and

WHEREAS, the City resources limit it from fully providing all the services and improvements for its residents and further requires the deferment of various capital projects and equipment replacement on a timely basis; and

WHEREAS, in an environment of reduced support from the State combined with stagnant to declining property values, the Administration and Council must consider what service, staffing, and funding levels are acceptable in 2018 and beyond.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. To provide funds for the current expenses and other expenditures of said City of Willoughby Hills during the period beginning January 1, 2018 through December 31, 2018, the sums as reflected in the "**City of Willoughby Hills Schedule of 2018 Appropriations**", prepared 03/27/18, marked as the "**Exhibit A**" attached hereto, consisting of five (5) pages and incorporated herein by reference, be and hereby are set aside and appropriated as provided hereinafter.

SECTION 2. The "**City of Willoughby Hills Schedule of 2018 Appropriations**", prepared 03/27/18, as presented eliminates any and all appropriations and funding allocations for the following positions: the full-time Executive Administrative Assistant (aka Administrative Assistant/Mayor's Administrative Assistant), full-time Mayor's Court Clerk of Courts (aka Clerk of Courts), full-time Finance Assistant, full-time Building/Service Department Clerk (aka part-time Service Department Clerk/Service Building Secretary), the part-time Property Staff Member (aka Property Staff Managers/PT Community Center Monitors), Clerk-Recreation Commission (aka Clerk Stenographer-PT as provided for under Recreation/Recreation Operation Fund) and the Secretary/Recreation PT as provided for under the Recreation/Recreation Operation Fund.

SECTION 3. The "**City of Willoughby Hills Schedule of 2018 Appropriations**", prepared 03/27/18, provides appropriations and funding allocations for the following positions: one part-time Clerk of Courts (25 hours at \$25.00 per hour); one part-time Building Department Clerk (20 hours at \$17.00); one part-time Recreation Coordinator (29 hours at \$13.25 per hour); Clerk of the BZA and the Planning & Zoning

Commission and Architectural Board of Review as provided for under the General Fund/Building Department Fund).

SECTION 4. The “City of Willoughby Hills Schedule of 2018 Appropriations”, prepared 03/27/18, does not provide for the position of “Clerk Stenographer” referenced in Section 157.10 of the City of Willoughby Hills’ Codified Ordinances and as further referenced in the AFSCME Ohio Council 8 AFL-CIO Union Agreement.

SECTION 5. During the fiscal year of 2018, on a quarterly basis, the Finance Department shall provide the following reports to Council: 2018 Payroll Detail; 2018 Wage Detail; 2018 Wage Hour Detail; 2018 Wage Related Benefit Detail.

SECTION 6. All monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

SECTION 7. All expenditures within the fiscal year ending December 31, 2018 shall be made in accordance with the code accounts hereinabove set forth and shall be made within the appropriations herein provided. “Appropriation” as used means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented, the Mayor or the Finance Director is authorized to transfer budgeted amounts within each fund provided that the total amount appropriated or the fund is not exceeded.

SECTION 8. The City Finance Director be and is hereby authorized and directed to draw his warrants against the appropriations set forth upon presentation of proper vouchers.

SECTION 9. All prior legislation inconsistent with this legislation in whole or in part is repealed to the extent necessary to avoid conflict with this legislation; Section 157.10 established by Ordinance No. 2002-02 shall be repealed in its entirety.

SECTION 10. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 11. This Ordinance shall take effect immediately.

PASSED: March 29, 2018

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval on this 29 day of March, 2018

Approved by the Mayor
March 31, 2018

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor



****I hereby veto Sections 2, 3, 4, 5 and 9 of Ordinance 2018-13 and have serious concerns about Council’s recent actions to pass this legislation on March 29, 2018. My complete memo dated March 31, 2018 is attached.
Mayor Robert M. Weger

City of Willoughby Hills

Interoffice Memo

Date: March 31, 2018

To: Council President Fellows, Council Members and Council Clerk

From: Robert M. Weger, Mayor/Safety Director *rw*

Subject: Veto on Ordinance 2018-13, Sections 2, 3, 4, 5 and 9 Due to Ongoing Concerns on Legality, Ethics and Mifeasance/Malfeasance Council Actions

I hereby veto Sections 2, 3, 4, 5 and 9 of Ordinance 2018-13 and have serious concerns about Council's recent actions to pass this legislation on March 29, 2018.

My concerns are a continuance of Council's actions that were evaluated in Court, following passage of Ordinance 2017-70 and Ordinance 2017-88 (as outlined in previous veto memos dated October 12, 2017, and January 10, 2018, respectively).

Now, concerning Council's recent passage of 2018-13, I defer to my memo dated March 27, 2018, which was distributed to Council prior to the Council meeting of March 29, 2018, outlines concerns I had, including:

- Lack of experience of Councilwoman Pizmoht to evaluate a balanced budget from a Mayor who has received numerous accolades from the State Auditor, as well as bringing our City from unauditible financial records to those with a surplus balance over several years,
- Using General Fund monies to pay for "sewer fund" work when all of our residents do not have sewers or pay into that fund. All sewer fund work, including salaries of the Finance Director and Assistant Finance Director when performing that work, should be allocated from the "Sewer Fund", not the "General Fund",
- Mayor's Court – the work, personnel and sustainability were inaccurately assessed.

- Mayor's Office – there was unfair assessment of my Executive Assistant's job description and an unfair assumption that I could assume that role by "answering my own phones."
- Many of the expenditures made by **Council** have been excessive and reckless and instead could have been utilized for the Fire and Road projects being suggested. Instead, Council passed legislation to:
 - 1) Hire a Law Director at \$10K per month (compared to \$2500/mo. for our former Law Director),
 - 2) Non-confirmation of a new Law Director, which would have ended the exorbitant \$10K per month fees,
 - 3) Non-confirmation of a new Building Commissioner, which sent most Building functions to Lake County Building Department, resulting in a loss of \$50,000 in permit and contractor fees, as well as having to allocate \$75K to the City Engineer to perform Zoning Official duties. (Our previous Building Commissioner was paid \$55K for the entire Building and Zoning job),
 - 4) Non-confirmation of a new Fire Chief, which has resulted in a LT earning excessive overtime pay, and
 - 5) Allocating \$15,000 for a forensic audit by Skoda, Minotti to review the actions of a Finance Department without any notion of what Skoda may be investigating and the fact that our Finance Department has received the Auditors's Award of Distinction for several years for their superb recordkeeping.
- "Union Busting" – Council's actions to reduce eight Administrative positions, all belonging to the recently formed Union, are reckless, politically-motivated, and will serve to open the City up for an Unfair Labor Practice or lawsuit by the Union or lawsuits by employees in the Union itself. If Council were to read the Union contract, the following Articles of the contract are being violated by Council:
 - 1) Article 7 – Hours of Work
 - 2) Article 9 – Layoff/Recall
 - 3) Article 10 – Job Classification
 - 4) Article 12 – Promotions and Job Bidding
 - 5) Article 25 – Wages
 - 6) Article 33 – Management Rights (grants "The Mayor", not "Council" the right to determine adequacy of the workforce and determination to effectively manage the work force

Further, Article 2.02 prohibits discrimination of Union employees, which is what Council has done by eliminating the eight Administrative positions proposed in Ordinances 2018-13 and 2018-19. Reviewing the contract

prior to adopting Ordinance 2018-13 and 2018-19 would have provided Council members with the knowledge that they have no power to proceed with their actions and acting with such subjective reckless indifference with respect to the illegality of these actions and subjective reckless indifference to the outcome, certainly causes me a grave concern for a possible Union lawsuit and Council's actions being deemed as misfeasance or malfeasance.

I am vetoing Section 5 of Ordinance 2018-13 because the financial reports with the particular titles listed in the Ordinance are not currently available by our Finance Department, which currently provides Council and our residents with much of the information but in different formats. I do not want an unnecessary burden placed on our Finance's Payroll Department.

Council's actions to attempt to allocate \$100,000 additional funding for the Fire Department is, I believe, an attempt to spend General Fund money, making it unavailable for Administrative position wages. Council has cited the increase in calls and need for additional part-time personnel. When Council was asked by me in July 2017, however, to review the emergency call fees to bring them up to where other municipalities currently are (through Ordinance 2017-36), **Exhibit 1** Council tabled this Ordinance on July 13, 2017, with Councilman Plecnik stating that he "wanted fee comparisons", Councilman Fiebig moving to table the Ordinance, and Councilwoman Majka seconding the tabling of the Ordinance, and adding that she "wanted more time to review the information after receiving additional information from Finance Director Brichacek." It has been eight months and this Ordinance nor its contents have been discussed or further reviewed. This was a means of additional City income that Council voted to give up, and is now urgently trying to find more ways to help the Fire Department. This is another example of how Council appears to be "targeting malice" toward Administrative employees with their conduct specifically intended to cause harm. I believe Council's actions now, to try to provide for additional funding, after they denied a means to provide for additional funding eight months ago, shows bad faith in the sense of exercising the public powers granted to Council, as elected officials, for an improper or ulterior motive.

Council's actions to attempt to allocate additional funding for the paving of additional roads is also, I believe, an attempt to spend General Fund money, making it unavailable for Administrative position wages. Council approved nearly \$8,500 for our City Engineer to conduct the Street Ratings Analysis, which was completed and distributed to Council in a memo dated July 27, 2017. **Exhibit 2** This outlined the severity of each of the roads in our city. Council's Service Committee of Council met on October 9, 2017, **Exhibit 3**

reporting its analysis of the Street Ratings Analysis Report at the October 12, 2017, Council meeting. The roads presented in my initial balanced budget were the roads discussed by Council at this meeting and being "the plan" for 2018. This is further conveyed to Council in my memo dated November 13, 2017, **Exhibit 4** where I listed "Kennelly Drive, Red Fox Pass, Jennie Lane and Somrack Drive" for 2018, and "Dodd Road (OPWC approved project), Bates Lane and Evergreen Lane for 2018. For Council to now, in attempt to deplete the budget for Administrative salaries and recommend a quick change of plan, without forethought or discussion and deviating from a plan that we paid nearly \$8,500 of our taxpayers' monies, I find to be in bad faith, once again exercising the powers granted to you by our residents, for an improper or ulterior motive. It is truly not to "pave more roads," specifically when it was pointed out how much is needed to actually make a difference. I will not sacrifice my personnel at City Hall for this reckless indifference to the outcome, which I believe constitutes misfeasance or malfeasance on the part of any Council member supporting this type of balanced budget.

I had prepared a balanced budget for your passage. Instead, you chose to deviate in a manner that is disruptive and reckless. There have been no studies done on salaries, and the evidence presented by Councilwoman Pizmoht was inaccurate, incomplete, and just wrong. I would hope that Council would revisit my original proposal for a balanced budget as we continue to work for the best interest of our residents.

Tabled 7/13/17

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
JENNIFER SOMMERS GREER
CHRISTOPHER HALLUM
JANET R. MAJKA

ORDINANCE NO. 2017-36

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 141 – FIRE DEPARTMENT, SECTION 141.05 – EMERGENCY CALL FEES, SUB-SECTION (d) – FEES OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, on November 18, 2002 the Council of the City of Willoughby Hills adopted Ordinance No. 2002-108 determining it to be in the best interest of the City and the residents to institute a policy that would bill the residents of Willoughby Hills and their insurers, including the Federal Health Care Programs, Medicare and Medicaid, but only to the extent of their insurance coverage (i.e. no out of pocket costs to the residents) and to treat the revenue received from local taxes as payment of any otherwise applicable co-payments and deductibles due from the residents (i.e. “Insurance Only” billing); and

WHEREAS, on October 13, 2005 the Council of the City of Willoughby Hills adopted Ordinance 2005-108 amending Section 141.05 – Rescue Call Fees determining it to be in the best interest of the City and the residents to institute a policy that would bill the non-residents of Willoughby Hills, Waite Hill and their insurers, for nonresident fire and rescue and special services and designated a billing agent for the fees referenced in Section 141.05; and

WHEREAS, on April 13, 2006 the Council of the City of Willoughby Hills adopted Ordinance No. 2006-29 amending Section 141.05 – Rescue Call Fees and designated Life Force Management, Inc. as the collection agent for the fees referenced within said ordinance; and

WHEREAS, the City has not increased emergency call fees in nearly nine years and upon the recommendation of the City’s contracted billing service Life Force Management, Inc., the Fire Chief in his email of June 5, 2015 requested that Council consider revisions to Section 141.05 – Emergency Call Fees of the Codified Ordinances of the City of Willoughby Hills; and

WHEREAS, on July 9, 2015, Ordinance No. 2015-27 was adopted increasing the fees for fire and rescue and special services for non-residents; and

WHEREAS, pursuant to the Mayor’s Interoffice Memo to Council President, Council Clerk and Council Members, dated May 30, 2017, attached hereto as the “Exhibit A”, consisting of four (4) pages and incorporated herein by reference, a request was made by the Mayor to prepare an ordinance to increase the emergency fees for non-residents as this increase will put the City in line with other area departments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, LAKE COUNTY, STATE OF OHIO THAT:

SECTION 1. The existing Sub-Section (d) – Fees of Section 141.05 – Emergency Call Fees of the Codified Ordinances of the City of Willoughby Hills be, and it hereby is amended to read and provide in its entirety as follows:

EXHIBIT 1

“141.05 EMERGENCY CALL FEES.

(d) Fees

ALS2	\$900.00
ALS	\$800.00
BLS	\$700.00
Mileage	\$ 14.00

Scene Safety, Traffic Control and Investigation	\$ 435.00
Extinguishment, Clean-up, Scene Safety, Traffic Control, plus materials	\$ 495.00
Vehicle Extrications, Extinguishment, Clean up, Scene Safety, Traffic Control, Materials	\$1,800.00
Landing Zone, Vehicle Extrications, Extinguishment, Clean-up, Scene Safety Investigation, Traffic Control, Materials	\$2,100.00”

SECTION 2. All Ordinances, or parts thereof, in conflict with the provisions of this Ordinance be, and they are hereby repealed as of the effective date of this Ordinance.

SECTION 3. The actions of this Council concerning and relating to the passage of this legislation were conducted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance 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 daily operation of a municipal department, and further reason to immediately increase Emergency Service Fees to aid in defraying operational costs of the Willoughby Hills Department of Public Safety; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _____, 2017

Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this _____ day of _____, 2017

Approved by the Mayor

_____, 2017

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor

City of Willoughby Hills

Interoffice Memo

Date: May 30, 2017
To: Council President Fellows, Council Clerk Savage and Council Members
From: Robert M. Weger, Mayor/Safety Director *R. Weger*
Subject: Ordinance to Amend 141.05 Emergency Call Fees

I respectfully request an Ordinance for the June 8, 2017, Council meeting for the amendment of Codified Ordinance 141.05 Emergency Call Fees. The purpose of this amendment is to increase the ambulance billing fees as follows:

<u>Category</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
ALS2	\$700.00	\$900.00
ALS1	\$650.00	\$800.00
BLS	\$550.00	\$700.00
Mileage	\$12.00	\$14.00

Acting Fire Chief Heller has provided me with an analysis which shows the current fees charged by area fire departments, which were compiled by the attached "Wickliffe EMS Provider Rate Survey - April 2017." With this fee increase, we will be in line with other area departments and still be able to maximize our reimbursement from insurance carriers.

Thank you.

Cc: Acting Fire Chief Heller
Finance Director Brichacek
Law Director Lobe

Wickliffe EMS Provider Rate Survey - April 2017

City	BLS	ALS 1	ALS 2	Mileage
Chester Twp.	\$599.55	\$710.85	\$1,030.05	\$12.15
Concord	\$550.00	\$750.00	\$850.00	\$14.00
Eastlake	\$1,100.00	\$1,100.00	\$1,100.00	\$17.00
Euclid	\$450.00	\$550.00	\$700.00	\$10.00
Fairport	\$650.00	\$850.00	\$950.00	\$14.00
Grand River	\$650.00	\$750.00	\$850.00	\$14.00
Highland Hts	\$550.00	\$650.00	\$750.00	\$12.00
Kirtland	\$700.00	\$800.00	\$900.00	\$14.00
Leroy	\$650.00	\$750.00	\$850.00	\$14.00
Lyndhurst	\$550.00	\$650.00	\$700.00	\$10.00
Madison	\$650.00	\$875.00	\$975.00	\$18.00
Mayfield Hts	\$550.00	\$650.00	\$750.00	\$12.00
Mayfield Village	\$450.00	\$650.00	\$750.00	\$10.00
Mentor	\$550.00	\$750.00	\$850.00	\$14.00
Mentor ot Lake	\$650.00	\$850.00	\$950.00	\$14.00
Munson Twp	\$750.00	\$850.00	\$1,150.00	\$15.00
Paines. Twp	\$650.00	\$750.00	\$850.00	\$14.00
Painesville	\$943.00	\$943.00	\$943.00	\$14.19
Perry	\$550.00	\$750.00	\$850.00	\$14.00
Richmond Heights	\$550.00	\$650.00	\$750.00	\$12.00
Wickliffe	\$675.00	\$800.00	\$900.00	\$14.00
Will Hills	\$550.00	\$650.00	\$700.00	\$12.00
Willoughby	\$700.00	\$800.00	\$900.00	\$14.00
Willowick	\$450.00	\$550.00	\$700.00	\$10.00
Average	\$629.90	\$753.29	\$862.42	\$13.26

\$700 \$800 \$900 \$14

141.05 EMERGENCY CALL FEES.

(a) Resident Ambulance Service. The City will provide ambulance and emergency rescue squad services to residents and the City shall only bill residents of Willoughby Hills and Waite Hill and their insurers, including the Federal Health Care Programs of Medicare and Medicaid, for the services provided but only to the extent of their insurance coverage, i.e. there will be no out of pocket costs to the residents of the City or the residents of the Village of Waite Hill. The City shall treat the revenues received from Waite Hill contract payments and Willoughby Hills' local taxes as payment of any of other applicable co-payments and deductibles that would otherwise be due from the residents of the City of Willoughby Hills and the Village of Waite Hill.

(b) Non-Resident Ambulance Service. The City of Willoughby Hills is hereby authorized to charge nonresidents who receive emergency medical and rescue squad services from the Willoughby Hills Fire Department the usual, reasonable and customary fees that can be charged for such services. Usual, reasonable and customary fees are defined as the fees established by the Medicare operations insurance carrier for the Medicare locality area three, as revised from time to time.

(c) Non-Resident Fire and Rescue & Special Services. Whenever the City of Willoughby Hills Department of Public Safety, Division Fire or Division of Police responds to a motor vehicle crash, motor vehicle fire, hazardous materials incident, technical rescue or structure fire, and fire alarms or other emergency service, either inside or outside the fire district response area, the fee structure listed in Sub-Section (d) shall apply and be billed to non-residents and their insurers for the services provided. (Ord. 2006-29. Passed 6-13-06.)

(d) Fees.

ALS2	\$700.00
ALS	\$650.00
BLS	\$550.00
Mileage	\$ 12.00

Scene Safety, Traffic Control and Investigation	\$435.00
Extinguishment, Clean-up, Scene Safety, Traffic Control, plus materials	\$495.00
Vehicle Extrications, Extinguishment, Clean up, Scene Safety, Traffic Control, Materials	\$1,800.00
Landing Zone, Vehicle Extrications, Extinguishment, Clean-up, Scene Safety Investigation, Traffic Control, Materials	\$2,100.00

(Ord. 2015-27. Passed 7-9-15.)

(e) The Mayor is authorized to enter into an agreement with a company that will provide electronic claims filing systems for the purpose of collecting insurance proceeds indicated in subsection (d) hereof or as modified thereafter.

(f) The Mayor and the Finance Director are authorized to establish guidelines and procedures to assist the indigent and the financially needy that are unable to pay for emergency services. (Ord. 2006-29. Passed 6-13-06.)

(g) The funds collected pursuant to this Section shall be disbursed as follows:

(1) Such part thereof necessary to defray all expenses of collection shall be paid.

(2) The balance remaining after such payment shall be deposited in the Fire Department Capital Improvement fund in the following manner:

A. Non-resident ambulance fees shall be deposited into the Fire Department Capital Improvement Fund No. 441 and shall be pledged to retire the bonds issued in November of 2001 to renovate the Fire Station. Any revenue from non-resident ambulance fees in excess of the amount needed to fully finance the 2001 Fire Station Improvement Bond debt service shall be credited to the Fire Department Property, Plant and Equipment Capital Fund No. 444.

B. Resident ambulance fees for residents of the City of Willoughby Hills and the Village of Waite Hill shall be deposited into the Fire Levy Fund No. 240.

C. Proceeds from the billing of motor vehicle accidents shall be deposited into Fund No. 444, and shall be used to assist in the retirement of the bond issued in January of 2005 for the purchase of a new Aerial Platform. (Ord. 2016-8. Passed 2-25-16.)

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
CHRISTOPHER HALLUM
JANET R. MAJKA
LAURA PIZMOHT

Regular Meeting of Council Minutes of September 14, 2017

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.

The Regular Council Meeting was held on Thursday, September 14, 2017 at 7:00pm in the Willoughby Hills Council Chamber. President Fellows presided.

Members Present: Councilman Christopher L. Biro, President Nancy E. Fellows, Councilman David M. Fiebig, Councilman Christopher Hallum, Councilwoman Janet R. Majka, Councilwoman Laura Pizmoht, Vice President John Plecnik

Others Present: Mayor Robert M. Weger, Law Director Thomas G. Lobe, Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. Di Franco, Clerk of Council Victoria Ann Savage

DISPOSITION OF THE JOURNAL

President Fellows: The first order of business is the Disposition of the Journals. The first one is for the Regular Council Meeting of July 13, 2017.

Councilman Fiebig moved to adopt the Regular Council Meeting Minutes of July 13, 2017. Vice President seconded.

Roll call: **YEAS:** **Fellows, Fiebig, Hallum, Majka, Plecnik**
Abstention: Biro, Pizmoht

Motion PASSED.

Councilman Fiebig moved to adopt the Regular Council Meeting Minutes of July 27, 2017. Councilwoman Majka seconded.

Roll call: **YEAS:** **Biro, Fellows, Fiebig, Majka, Plecnik**
Abstention: Hallum, Pizmoht

Motion PASSED.

Councilman Fiebig moved to adopt the Special Council Meeting Minutes of August 13, 2017. Councilwoman Majka seconded.

Roll call: **YEAS:** **Biro, Fellows, Fiebig, Hallum, Majka, Pizmoht, Plecnik**
Abstention: Hallum

Motion PASSED.

Councilman Hallum: I'm sorry, Madame President, I realized that was the one that I was out. I wasn't actually here. Please change my vote to abstain. I was trying to remember if that was the one that I was gone.

size. These projects are too small and it would cost them way too much just to mobilize. We did talk to the contractor who picked up the plans and we asked him why did you submit? And he gave us the same reason. He said that our estimate was too low. Our estimate was about a hundred and ten thousand (110,000) which was based on a quote from a smaller contractor which I will discuss in a minute. But, this particular contractor who picked up plans, but did not submit, said that his costs would have been twice as much as our estimate. This particular paint supplier also said that this small contractor who gave us an initial quote of about a hundred thousand (100,000) which is what we used for our estimate, has created a niche for himself. He's a small contractor, it's just him and a couple of employees. And they go around working on these particular small bridges for counties and municipalities because they break it down into phases and keep it under the public bidding limit. So, those government authorities can hire them to do the bridge in phases over multiple years and therefore, he doesn't bid on projects. He just works that way. So, we've also talked with the Lake County Engineer and we said, look, would you be able to manage this for us since you already hired this contractor? And he said that would be an option which we would discuss with the Mayor.

We completed our Street Rating Project in July or early August and I distributed that report and I'm hoping to have a council committee to discuss the findings and to come up with an agreed upon budget that can start planning for projects of next year. We'd like to get these out to bid in late winter to get good pricing and in hopes of having these projects done before school starts in late August, early September.

I have a couple concerns about legislation tonight. The first is regarding Ordinance 2017-65 which reduces the Mayor's spending limit to a thousand dollars (\$1,000). My concern is related to Building Department permits. This could potentially delay Building Department permits where the applicant is required to submit a deposit for plan review above a thousand dollars (\$1,000). I also have a concern about Ordinance 2017-66 regarding responsible contracting. I was only, I only had the opportunity to review this since yesterday, but my initial concern was that it's burdensome to contractors and could reduce competition which can ultimately increase costs to the City. I did have an opportunity to talk with Mr. Plecnik yesterday which alleviated some of my concerns; however, I would like some additional time to make sure that I understand it and can implement it. And that concludes my report.

President Fellows: Thank you. Are there any questions for the City Engineer this evening?

Councilman Fiebig: One comment, Madame President. On the mention that you had about the contractor, the small contractor who wanted to go under a spending authority but as you know, you're not allowed to do that because of a sum of the whole, you can't just break it up into pieces and have that be, you know, a separate contract and a separate contract but it's all on the same bridge for example. That's a good example of an unethical way to get around that. Did you guys talk about that at all?

Finance Director: That issue did come up and I pointed that out and that's the reason why we went out for a public bid. Because the term for this is called the "splitting of purchase order" and I did not permit that to happen.

City Engineer: However, I would have to research it a little more. I think that applies to the splitting up of a contract amongst different suppliers or contractors within the same year. But doing it over multiple years, I'd have to research it a little more. But, I would liken it to a road program. You don't do all of your roads in one year.

Councilman Fiebig: Would you liken it to doing the westside of the road one year and the eastside of the road another year? Is that the idea, that you would...anyway, that's something that we want to look into and make sure that it's being done right, that's all.

R I C H A R D L . B O W E N + A S S O C I A T E S I N C .

Date: July 27, 2017

To: Mayor & Members of Council

2 1 6 . 4 9 1 . 9 3 0 0

From: Pietro DiFranco & Kevin Trepal

Re: 2017 Street Ratings
Willoughby Hills, Ohio

F A X . 4 9 1 . 8 0 5 3

Rating Procedure

1. Visual observation of each pavement section.
2. Rate each Distress category based on Severity and Extent on scale of 1 to 5.
3. Field Rating Factor = [Severity] X [Extent]
4. Extract Calculated Field Rating from Table 1.
5. Determine an Observed Field Rating based on rater's experience and judgement.
6. Calculate Overall Rating based on average of Calculated and Observed values, with Observed Values carrying more weight.

Field Rating Factor		Field Rating (Calculated)
From	To	
0	0	10
1	7	9
8	14	8
15	21	7
22	28	6
29	35	5
36	42	4
43	49	3
50	56	2
57	100	1

Table 1: Field Rating Scale

13000 SHAKER BLVD

CLEVELAND, OHIO 44120

Historical Bid Data

Project	Year	Length (LF)	Bidder	Bid Amount	Engineering	Unit Cost
Recycle & Overlay						
Dodd's Landing	2013	2,000	Specialized	\$194,630	\$19,097	\$107/LF
Eddy Rd	2015	2,700	Specialized	*\$205,824	*\$19,937	*\$84/LF
Eddy Rd	2015	2,700	Ronyak	*\$212,001	*\$20,400	*\$86/LF
Eddy Rd	2015	2,700	Chagrin Valley	*\$228,451	*\$21,634	*\$93/LF
Rockefeller & Stark	2017	3,800	Specialized	\$357,796	\$31,335	\$102/LF
Rockefeller & Stark	2017	3,800	Chagrin Valley	\$375,034	\$32,628	\$107/LF
				PLANNING USE		\$100/LF
Plane & Overlay (Bids were received, however Alternate Bid for Recycling was accepted)						
Eddy Rd	2015	2,700	Ronyak	*\$159,593	*\$16,469	*\$65/LF
Eddy Rd	2015	2,700	Chagrin Valley	*\$186,458	*\$18,484	*\$76/LF
Eddy Rd	2015	2,700	Specialized	*\$194,058	*\$19,054	*\$79/LF
				PLANNING USE		\$80/LF
Concrete Replacement (Projects weren't linear, so length was calculated assuming 24 ft wide roadway)						
Canterbury	2012	336	TC Constr.	**\$84,387	**\$10,126	**\$281/LF
Canterbury	2012	336	Great Lakes	**\$85,976	**\$10,317	**\$287/LF
Canterbury	2012	336	A&J Cement	**\$97,354	**\$11,682	**\$324/LF
Gatsby-Kristen	2013	354	Phil Miller	\$85,087	\$10,210	\$269/LF
Gatsby-Kristen	2013	354	A&J Cement	\$88,028	\$10,563	\$279/LF
Gatsby-Kristen	2013	354	TC Constr.	\$89,989	\$10,799	\$285/LF
				PLANNING USE		\$290/LF

Table 2: Historical Bid Data

Notes: * Includes 7% contingency which was mistakenly omitted from original bids
 ** Significant storm sewer improvements removed from cost data for comparison

A R C H I T E C T S

Attachments

1. Street Ratings
2. Street Resurfacing Priorities
3. Conceptual Schedule
4. Street Rehab Map
5. Street Rating Forms – Flexible Pavement / Rigid Pavement

E N G I N E E R S

C O N S T R U C T I O N
M A N A G E M E N T

STREET RATINGS
WILLOUGHBY HILLS
PREPARED: 7/27/2017

RATING LEGEND			
9-10	V. GOOD	3-4	POOR
7-8	GOOD	1-2	BAD
5-6	FAIR		

STREET PVT: PRIVATE	SECTION	DISTRICT	PVMT WIDTH (FT)	SURF TYPE	CURB	DRAINAGE SYSTEM	TOTAL LEN. (MI)	TOTAL LEN. (FT)	YEAR IMP.	'13 RATE (Nate)	'17 RATE	NOTES
Alan Dr	All	3	23	Asphalt	No	Ditched	0.30	1610	1999		5	
Andover Cir (PVT)	All	2										
Aspen Run (PVT)	All	3										
Bates Ln	All	3	22	Asphalt	No	Ditched	0.23	1230	2000		2	Repairs by Service Dept. in 2016
Beach Hills Dr	All	1	17	Asphalt	No	Ditched	0.61	3200	2004		3	Repairs by Service Dept. in 2016
Berkshire Hills Dr	All	1	17	Asphalt	No	Ditched	0.43	2270	2000		6	
Bishop Park Dr (PVT)	All	1										
Bishop Rd	Bridge over I-90	2	47	Concrete	Yes	Piped	0.08	400	2008	10	9	
Bishop Rd	Chardon to N Line	2	38	Concrete	Yes	Piped	0.35	1870	2008		8	
Bishop Rd	Chardon to S Line	2	25	Concrete	Mixture	Mixture	0.95	5040	2010		8	
Breit Dr (PVT)	All	3	18				0.19	1000				
Cambridge Cr (PVT)	All	2										
Camelot Ct	All	2	24	Concrete	No	Piped	0.30	1600			9	
Canterbury Ct	All	2	24	Concrete	No	Piped	0.21	1110			7	
Cardinal Ln (PVT)	All	3										
Cedar Tr (PVT)	All	3										
Chagrin Dr	All	1	17	Asphalt	No	Ditched	0.18	960	2001		5	
Chardon Rd	SR-174 to E. Corp	1	25	Asphalt	No	Ditched	1.42	7485	2008	10	8	
Chardon Rd	W. Corp. to SR-84	2	42	Asphalt	No	Ditched	0.43	2270	2008	10	7	
Chardon Rd	SR-84 to SR-91	2,3	25	Asphalt	No	Ditched	2.17	11470	2008	10	9	
Chardon Rd	SR-91 to SR-174	3	40	Asphalt	No	Ditched	1.16	6109	2008	10	9	
Chimney Ridge Tr	All	1	24	Asphalt	No	Ditched	0.18	960	2001	7	8	
Christine Dr (PVT)	All	2										
Cricket Ln	All	2	21	Asphalt	No	Ditched	0.38	1990	2010	10	8	
Curtiss Wright Pkwy	All	2	28	Concrete	Yes	Piped	0.46	2450		4	6	Repairs by Service Dept. in 2016
Deer Run	All	3	25	Asphalt	No	Ditched	0.17	890	2007	7	8	
Derby Run (PVT)	All	2										
Diane Ct	All	3	22	Asphalt	No	Ditched	0.15	810	1999	7	6	
Dixon Rd	All	3	19	Asphalt	No	Ditched	0.42	2210	2007	10	8	
Dodd Rd	Bridge	1	22	Asphalt	No	N/A	0.03	170	1999		10	
Dodd Rd	Bridge to Pleasant V.	1	22	Asphalt	No	Ditched	0.64	3400	1999	2	1	
Dodd Rd	Eagle to Bridge	1	22	Asphalt	No	Mixture	1.05	5540	1999	8	5	
Dodds Hill Rd	All	1	22	Asphalt	Mixture	Mixture	0.41	2180	1996	4	2	
Dodds Landing	All	1	21	Asphalt	No	Ditched	0.40	2110	2013	2	9	
Donald Ross Dr (PVT)	All	1										
Eagle Nest Rd (PVT)	All	1	18				0.17	900				
Eagle Rd	All	1	20	Asphalt	No	Ditched	0.72	3800	2000	8	6	
Eddy Rd	Bishop to Rockefeller	2	22	Asphalt	No	Ditched	1.07	5640	2011	9	8	
Eddy Rd	Bridge @ I-271	3	24	Concrete	Yes	Piped	0.09	500			10	
Eddy Rd	I-271 to SR-91	3	20	Asphalt	No	Ditched	0.45	2370	1997	6	7	
Eddy Rd	Rockefeller to I-271	2,3	21	Asphalt	No	Ditched	0.51	2690	2015	6	10	
Eddy Rd	SR-91 to I-174	1,3	21	Asphalt	No	Ditched	1.31	6910	2012	10	9	
Emerald Lakes Blvd	All	2	21	Asphalt	No	Ditched	0.31	1650	2005	9	7	
Erich Dr	All	2	21	Asphalt	No	Ditched	0.37	1940	2010	10	8	
Evergreen Ave	All	2	19	Asphalt	No	Ditched	0.14	760		7	3	
Fairview Dr	All	2	18	Asphalt	No	Ditched	0.13	710	2007	8	7	
Florence Rd	All	1	24	Asphalt	No	Ditched	0.23	1190	2002	7	8	All cracks have been sealed
Forest Ln	All	3	20	Asphalt	No	Ditched	0.13	710	2000	10	8	
Fowler Dr	All	3	22	Asphalt	No	Ditched	0.51	2710	1995	5	5	
Gatsby Ln	All	3	23	Concrete	No	Mixture	0.45	2400		5	8	
Glen Kyle Ln	All	1	25	Concrete	Yes	Piped	0.18	950		5	5	
Glenagate Rd	All	1	15	Asphalt	No	Ditched	0.17	910	1999	4	3	
Graylock Dr	All	1	17	Asphalt	No	Ditched	0.36	1890	2001	5	3	Roundabout pavement in poor condition
Gullybrook Ln (PVT)	All	1										

STREET RATINGS
WILLOUGHBY HILLS
PREPARED: 7/27/2017

RATING LEGEND			
9-10	V. GOOD	3-4	POOR
7-8	GOOD	1-2	BAD
5-6	FAIR		

NOTES

STREET PVT: PRIVATE	SECTION	DISTRICT	PVMT WIDTH (FT)	SURF TYPE	CURB	DRAINAGE SYSTEM	TOTAL LEN. (MI)	TOTAL LEN. (FT)	YEAR IMP.	'13 RATE (Nate)	'17 RATE	NOTES
Hanna Rd	Eddy - Palmer	1	17	Asphalt	No	Ditched	0.37	1930	2013	3	8	
Hanna Rd	Palmer - End	1	17	Asphalt	No	Ditched	0.48	2560	2013	3	8	
Hayes Dr	All	1	16	Asphalt	No	Ditched	0.64	3380	2001	9	6	
Hemlock Dr (PVT)	All	1	18				0.51	2700				
Hunters Woods Ln	S of Cul-De-Sac	1	24	Asphalt	No	Ditched	0.13	700	2002	9	7	
Hunters Woods Ln (PVT)	N of Cul-De-Sac	1	18				0.30	1600				
Hunting Tr (PVT)	All	3										
Istra Ln	All	2	26	Asphalt	No	Ditched	0.30	1560	2007	10	9	
Jennie Ln	All	1	20	Asphalt	No	Ditched	0.16	840	1994	3	2	Repairs by Service Dept. in 2016; Asphalt is very thin
Kallope Ln (PVT)	All	18					0.27	1400				
Kennelly Dr	All	1	21	Asphalt	No	Ditched	0.15	810	2000	5	1	
Kourtney Ct	All	3	24	Concrete	No	Piped	0.08	440		6	7	
Kristen Ct	All	3	24	Concrete	No	Piped	0.09	480		6	8	
Lamplight Ln	All	3	24	Concrete	No	Piped	0.61	3220		7	7	
Legend Ln	All	2	25	Asphalt	Yes	Ditched	0.38	1990	2005	8	4	2017 Repairs by Service In-Progress; Rating based on completion
Loreto Dr	All	1	24	Asphalt	No	Piped	0.46	2430	2002	8	8	2016 & 2017 Repairs by Service Dept.
Lynn Dr	All	2	21	Asphalt	No	Ditched	0.39	2050	2010	10	8	All cracks have been sealed
Maple Hill Rd	All	1	25	Concrete	Yes	Piped	0.39	2060	2014		10	
Maple View Ln	All	1	17	Asphalt	No	Piped	0.38	2030	2003	8	2	
Maplegrove Rd	Bridge	1	24	Concrete	Yes	N/A	0.13	710	2012		10	
Maplegrove Rd	East of Parsons	1	21	Asphalt	No	Ditched	0.57	3000		5	7	
Maplegrove Rd	East of Parsons	1	24	Concrete	Yes	Piped	0.18	955		3	8	
Maplegrove Rd	West of Parsons	1	21	Asphalt	No	Ditched	0.15	790	2013	1	9	
Marlin Rd	All	3	18	Asphalt	No	Ditched	0.49	2590	2007	8	6	
Marlin Rd	All	3	19	Asphalt	No	Ditched	0.40	2130	2007	10	8	
Mayfiars Rd	All	1	16	Asphalt	No	Ditched	0.18	960	1999	4	3	
Meadowbrook Dr	All	3	22	Asphalt	Mixture	Mixture	0.22	1160	1999	6	5	
Michelle Ct	All	1	24	Asphalt	Yes	Piped	0.24	1290	2005	10	10	
Milann Dr	All	1	16	Asphalt	No	Ditched	0.51	2710	2002	9	7	
Mill Gate Dr	All	1	24	Asphalt	No	Ditched	0.56	2960	2001	8	7	
Miller Ave	All	3	22	Asphalt	No	Ditched	0.57	3030	2002	6	4	
Morning Star Ct	All	3	24	Concrete	Yes	Piped	0.10	510		6	5	
Oak St	All	2,3	21	Asphalt	No	Ditched	0.31	1620	2002	10	8	
Oakview Rd (PVT)	All	2	18				0.14	750				
Oakwood Dr	All	3	24	Concrete	No	Piped	0.26	1360			6	
Orchard Dr	All	2	19	Asphalt	No	Piped	0.28	1460	2007	9	7	
Orchard Ext (PVT)	All	2	18				0.09	450	2007			
Palmer Dr	All	1	18	Asphalt	No	Ditched	0.15	780	2001	9	8	
Par Lane (PVT)	All	3										
Parkview Rd	All	3	18	Asphalt	No	Ditched	0.30	1570	2007	10	6	
Parsons Dr	All	1	21	Asphalt	No	Ditched	0.27	1400	2002	8	8	
Pebblebrook Dr (PVT)	All	3	18				0.61	3200				
Pine Valley Dr	All	1	24	Asphalt	Yes	Piped	0.47	2480	2005	10	10	
Plaza Dr (PVT)	All	2										
Pleasant Valley Rd	Bridge	1	19	Asphalt	No	N/A	0.03	170	2007	8	10	
Pleasant Valley Rd	East of Bridge	1	22	Asphalt	No	Ditched	0.44	2300	2015	8	10	
Pleasant Valley Rd	West of Bridge	1	22	Asphalt	No	Ditched	0.45	2350	2002	7	5	
Red Fox Pass	All	1	19	Asphalt	No	Ditched	0.16	850		2	1	Repairs by Service in 2016; Portion of turn-around is private
River Rd	Chardon to Eagle	1,3	23	Asphalt	No	Ditched	0.69	3650	2006	9	7	
River Rd	Eagle To Maplegrove	1	23	Asphalt	No	Ditched	0.44	2330	2006	9	7	
River Rd	Hayes to Chardon	1,3	23	Asphalt	No	Mixture	0.57	3010	2006	9	6	
River Rd	Maplegrove to N Line	1	23	Asphalt	No	Ditched	1.20	6360	2006	9	6	
River Rd	S Line to Hayes	1,3	23	Asphalt	No	Ditched	0.89	4710	2006	9	6	
Rivers Edge Dr	All	1	24	Asphalt	Yes	Piped	0.44	2310		10	8	
Riviera Ridge Rd	All	1	22	Asphalt	No	Ditched	0.24	1250	2012	3	9	

STREET RATINGS
WILLOUGHBY HILLS
PREPARED: 7/27/2017

RATING LEGEND			
9-10	V. GOOD	3-4	POOR
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STREET PVT: PRIVATE	SECTION	DISTRICT	PVMT WIDTH (FT)	SURF TYPE	CURB	DRAINAGE SYSTEM	TOTAL LEN. (MI)	TOTAL LEN. (FT)	YEAR IMP.	'13 RATE (Nate)	'17 RATE	NOTES
Rockefeller Rd	Eddy to Chardon	2	21	Asphalt	No	Ditched	0.34	1770	2017	5	n/a	Not rated; Resurfacing in progress
Rockefeller Rd	N of Eddy	2,3	21	Asphalt	No	Ditched	0.23	1220	1996	5	9	
Rockefeller Rd	S of Chardon	2,3	21	Asphalt	No	Ditched	0.96	5050	1996	5	5	Repairs by Service Dept. planned in 2017
Rogers Rd	Bridge	1	21	Asphalt	No	N/A	0.05	280	2007	10	10	
Rogers Rd	Bridge to Worrell	1	21	Asphalt	No	Ditched	1.45	7640	1999	5	7	
Rogers Rd	River Rd to Bridge	1	10	Asphalt	No	Ditched	0.34	1820		3	9	
Rosewood Tr	All	3	26	Concrete	Yes	Piped	0.36	1910		5	9	Repairs by Service Dept. in 2016
Sayle Dr	All	2	24	Asphalt	No	Piped	0.21	1130	2011	2	9	
Scotch Ln (PVT)	All	3										
Sherbrooke Valley Ct	All	1	24	Asphalt	No	Ditched	0.40	2090	2001	8	8	
Sherwood Ln	E. of Address 36000	1	19	Concrete	Yes	Piped	0.11	590		8	9	
Sherwood Ln	W. of Address 36000	1	19	Asphalt	No	Ditched	0.15	810	2001	8	8	
Skyline Dr	All	1	17	Asphalt	No	Ditched	0.30	1610	2003	7	8	
Sleepy Hollow Dr (PVT)	All	1										
SOM Center Rd	Eddy to I-90	1,3	55	Asphalt	Yes	Piped	0.69	3620	2016	5	10	
SOM Center Rd	Martin to Eddy	3	55	Asphalt	Yes	Piped	0.53	2810	2016	5	10	
SOM Center Rd	S Line to Martin	3	55	Asphalt	Yes	Piped	0.84	4430	2016	5	10	
Somirack Dr	All	1	21	Asphalt	No	Ditched	0.23	1200	1994	5	2	
Spruce Tr (PVT)	All	3										
Stark Dr	All	3	19	Asphalt	No	Ditched	0.38	2020	2017	2	n/a	Not rated; Resurfacing in progress
Steeple Chase Dr (PVT)	All	2										
Stone Ct (PVT)	All	3										
Stratford Way (PVT)	All	2										
Tail Tree Tr	All	2	18	Asphalt	No	Ditched	0.25	1330	1996	4	9	
Timberline Dr	All	1	19	Asphalt	No	Ditched	0.36	1890	2009	10	8	
Trabar Dr	All	2	19	Asphalt	No	Ditched	0.26	1370	2010	10	7	
Trailard Dr	All	1	16	Asphalt	No	Ditched	0.66	3490	1999	6	3	
Valley Brook Dr	All	1	24	Asphalt	No	Ditched	0.16	870	2012	4	9	
West Miller Dr	All	2	19	Asphalt	No	Ditched	0.28	1500	2001	8	5	
White Rd	Bishop to Erich	2	22	Asphalt	No	Ditched	0.78	4120	2010	10	8	
White Rd	Bridge @ I-271	3	24	Concrete	Yes	Piped	0.09	450			10	
White Rd	Erich to Rockefeller	2	22	Asphalt	No	Ditched	0.24	1280	2014		6	
White Rd	I-271 to SR-91	3	12	Asphalt	Mixture		0.36	1900		8	9	
White Rd	Rockefeller to I-271	3	23	Asphalt	No	Ditched	0.61	3240	2014	5	6	
White Rd	W Line to Bishop	2	24	Asphalt	No	Ditched	0.52	2770	2010	10	8	
Willow Ln	All	2	17	Asphalt	No	Ditched	0.28	1460	2010	6	8	
Winchester Hill (PVT)	All	2										
Windy Hill Dr (PVT)	All	1										
Worrell Rd	All Except Bridge	1	20	Asphalt	No	Ditched	1.10	5830	2016	2	10	
Worrell Rd	Bridge	1	20	Asphalt	No	N/A	0.02	90	2016		10	

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
CHRISTOPHER HALLUM
JANET R. MAJKA
LAURA PIZMOHT

Regular Meeting of Council Minutes of October 12, 2017

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.

The Regular Council Meeting was held on Thursday, October 12, 2017 at 7:00pm in the Willoughby Hills Council Chamber. President Fellows presided.

Members Present: Councilman David M. Fiebig, Councilman Christopher Hallum, Councilwoman Janet R. Majka, Councilwoman Laura Pizmoht, Vice President John Plecnik, Councilman Christopher L. Biro, President Nancy E. Fellows

Others Present: Mayor Robert M. Weger, Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. Di Franco, Clerk of Council Victoria Ann Savage

CORRESPONDENCE

President Fellows: First order of business is correspondence. This evening I received Ordinance No. 2017-70 from the Mayor unsigned. So, I would entertain a motion to amend the agenda for the consideration of overriding his veto.

Vice President Plecnik: So moved.

Councilman Fiebig: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilman Fiebig to amend the agenda to consider the overriding of the Ordinance 2017-70. Any discussion on the motion?

Roll call: YEAS: Fiebig, Majka, Pizmoht, Plecnik, Fellows
NAYS: Hallum, Biro

Motion PASSED.

President Fellows: The motion to amend the agenda to consider the veto of Ordinance 2017-70 has passed.

Vice President Plecnik: Madame President. Motion to override the Mayor's veto of Ordinance 2017-70.

Councilman Fiebig: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilman Fiebig to override the veto of 2017-70. Is there any discussion on the motion?

Councilman Hallum: Madame President. I think that I made myself very clear in the letter I sent to Council last week; however, for the benefit of the citizens here tonight, I would just restate the fact that I believe this particular ordinance and the proceedings of the executive session last week, at our last meeting rather, were

Councilman Biro: Thank you, Madame President. Service did meet on Monday at 6:00. Committee members, myself and Ms. Majka were present as well as Mayor Bob Weger, Pete Di Franco, our City Engineer, Tom Talcott, our acting Fire Chief, Mark Grubiss, our Service Director, Councilpersons Fiebig, Pizmoht, and also Kevin Trepal and Britney Jablonski both assistants to the City Engineer.

We had a couple orders of business. One, was roads. We talked with Mr. Grubiss and Di Franco about roads that need to be replaced in the coming year. We worked off a priority list of roads for road restoration. I was informed that we have fifty-one miles of road we are responsible for. And we're on a replacement schedule, we need to replace at least two miles every year at roughly the cost of one million dollars (\$1,000,000.00). So, it's quite expensive. Planning starts now with identifying the roads to be replaced. We need to look at the budget for funding available and appropriates, I'm sorry, appropriations at the end of the year so bids can go out in late winter or earlier spring. Roadwork begins in the springs and projects by fall. We identified roads, Dodd Road at a rough cost of three hundred-forty thousand (\$340,000); Kennelly Road at eighty-one thousand (81,000); Red Fox Pass at eighty-five (85,000); and Bates Road at a hundred and twenty-three thousand (123,000) with a total of six hundred and twenty-nine thousand (629,000) on a wish list. If budget allows only three hundred thousand (300,000), Pete suggested Kennelly, Red Fox and Bates. But if the budget, if we have the money, at less six hundred thousand (600,000) would also add Dodd to the list. The Road Levy brings in about four hundred, twenty-seven thousand (427,000) a year. So, maybe, it might be advantageous for us to rollover the current note of around four hundred thousand (400,000) to borrow another million (1,000,000) for a preferential rate of, I think it was 1.1 or 1.2 percent, something like that and be able to finish some other road projects like the section of Rockefeller and White roads. There's a possibility for Issue 2 monies, so that may change our planning in that, but the problem is with Issue 2 money, it only applies for 2019. So, if we were to do Dodd Road, and include that in Issue 2 money, stall that project and do the other three streets and apply for those monies next year. The next step is to look at budget and finances to see what roads are possible.

Mr. Grubiss did report that the new plow truck has been built and should be ready for delivery around January, early or late January. Also, Mr. Grubiss informed us that leaf pickup has begun and he estimates that roughly each house will get about four passes of the truck to pick up the leaves and possibly more, depending on the season, you know, if it rains or snows.

Second order of business, was the Fire Department vehicles. Acting Fire Chief Talcott presented the Service Committee with a capital budget items document and other planning items. And the highest priority on that were the three vehicles that need to be replaced. The first one is Engine 1213, it's a Sutphen Pumper Truck, 1997 and the project includes the design and specification of a triple combination fire engine that will support our daily firefighting and vehicle rescue operations and the cost is about six hundred, twenty-five thousand (625,000). The second vehicle is the re-chassis of an ambulance, number 1212. It's a 2006 Ford Lifeline. The ambulance module is in good shape. So, we'll be able to refurbish that, renew it. We need a new E450 chassis with the refurbishment of the module would come in at about one twenty-five to a hundred forty thousand. And the third item is the replacement of the Chief's 2007 Durango which has fifty-seven thousand miles. It's heavily rusted and is operationally compromised. A new Ford Explorer would be just under thirty thousand (30,000) but would recommend a Tahoe or a Suburban which can be setup as a command post vehicle. There were several other requests for fire station upgrades and repairs. But those are part of potentially future planning as funds become available. The consensus of the committee was to reman to finance and budget discussions. Linda Fulton and Cheryl Ota came forward with questions and comments in public portion and the meeting adjourned at 7:02pm. That's my report and open to questions.

President Fellows: Any questions for Councilman Biro?

Vice President Plecnik: Madame President. Real quick, this is, as you said, the time of the year for leaf pickup and I've started to get some questions from residents about it, as I do recurrently. And the primary question I tend to get is what's the schedule? When can I expect my road to have leaf pickup? And in talking with our Street Superintendent, I'm aware that we don't currently have a schedule. He has proposed having one in the past. And I was just curious if there is any discussion about the possibility of trying to have some sort of schedule so that residents can have some sort of sense of when they need to have their leaves by the side of the road.

Councilman Biro: He discussed that. There is a schedule of, there's three individuals, two individuals, he did discuss that in our meeting. I think it's part of a document that he submitted, I don't remember, did he submit that document?

Mayor: Yeah.

Councilman Biro: Yah, to City Hall so that we can put that out there. It can be interrupted by weather, so you know, it just depends on what that holds for us. But also, that they concentrate a little more on the westside because of the density of the housing and a lot of the people on the eastside just kind of blow them into the woods. So, we do have a schedule somewhat. And like I said, he does anticipate at least four passes for every house in the City. So, hopefully if we can get that information out there too, for a schedule.

Vice President Plecnik: If it would be possible to get it on the website and maybe as things change, it could be updated so that people could have their best guesses of when their street might be visited.

Councilman Biro: Right. And one of the other things he informed us was that the equipment that we had issues with last year, seemed to be in, they were rebuilt, in good working order. So, hopefully, barring any, you know, mechanical issues, we should be pretty much kept up on schedule.

Councilman Hallum: Madame Chair. Was there any conversation, I did know, I think last year, or maybe the year before, we got two powerlift gurneys and one ambulance we were also able to get the actual kit that goes on inside the ambulance. But we actually have a second gurney that we don't have a powerlift or that puts it into the ambulance. Is there any, did they mention anything about whether there was a grant was coming up to be able to utilize together...

Councilman Biro: This may be a discussion for safety.

Councilman Hallum: Mayor, do you know...

Mayor: We already purchased it. And we're just waiting to install it.

Councilman Hallum: Okay.

Mayor: It came out like twenty thousand dollars (\$20,000), a little less.

Councilman Hallum: So, we can use the other...

Mayor: We have the cots for both...

Councilman Hallum: Right, right.

Mayor: But the load system...

City of Willoughby Hills

Interoffice Memo

Date: November 13, 2017

To: Council President Fellows, Council Members and Council Clerk

From: Robert M. Weger, Mayor/Safety Director

Subject: 2018-19 Street Resurfacing

Based on the 2017 Street Ratings Report prepared by the City Engineer in conjunction with the Street Superintendent, and as requested at the Service Committee meeting on October 9, 2017, following are the streets recommended for resurfacing in 2018 and 2019:

2018				
#	Name	City Funding	Other Funding	Total
1	Kennelly Drive	\$81,000	0	\$81,000
2	Red Fox Pass	\$85,000	0	\$85,000
3	Jennie Lane	\$84,000	0	\$84,000
4	Somrack Drive	\$120,000	0	\$120,000
	Total	\$370,000	0	\$370,000

2019				
#	Name	City Funding	Other Funding	Total
1	Dodd Road	\$204,000	\$136,000*	\$340,000
2	Bates Lane	\$123,000	0	\$123,000
3	Evergreen Avenue	\$76,000	0	\$76,000
	Total	\$403,000	\$136,000	\$539,000

*Apply for grant from Ohio Public Works Commission.

These recommendations are based on the same \$400,000 budget included in the 2017 budget; see Fund 56000. I respectfully request the scheduling of a committee meeting so funding can be appropriated to allow the preparation of bid documents in Dec-Jan.

EXHIBIT 4

cc: Finance Director Frank Brichacek
Road Superintendent Mark Grubiss
City Engineer Pietro DiFranco