

City of Willoughby Hills

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

Regular Council Meeting

Minutes of October 27, 2011

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

Meeting Called to Order at 7:05 p.m. by President Kevin D. Malecek

Pledge of Allegiance

Roll Call of Council

Members Present: Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Frank A. Germano, President Kevin D. Malecek, Vice President David A. Reichelt, Councilman Raymond C. Somich

Absent: Councilman Christopher L. Brio

Also Present: Mayor Robert M. Weger, Law Director Thomas G. Lobe, Finance Director Frank J. Brichacek, City Engineer Richard J. Iafelice, Clerk of Council Victoria Ann Savage

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Somich to excuse Councilman Christopher L. Biro from attending the Regular Council Meeting of October 27, 2011.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that Councilman Christopher L. Brio has been excused from attending the Regular Council Meeting of October 27, 2011.

Disposition of the Journal Regular Council Meeting of October 13, 2011

President Malecek stated that the Regular Council Meeting Minutes of October 13, 2011 have not been distributed to the Members of Council.

Correspondence

- Letter to Ohio Department of Transportation, District 12, dated October 20, 2011 re: Interstate 90/SOM Center Road Bridge (S.R. 91)
- **FINANCIAL REPORTS FOR THE MONTH ENDING SEPTEMBER 2011 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: October 14, 2011)**

Notifications

- Planning and Zoning Commission & Architectural Board of Review Meeting of October 20, 2011 has been cancelled for there was no pending business (Emailed: October 17, 2011)
- Planning and Zoning Committee Meeting of October 24, 2011 (Emailed: October 19, 2011)
- Recreation Committee Meeting of October 27, 2011 (Emailed: October 24, 2011)
- Rules & Legislation Committee Meeting of October 24, 2011 (Emailed: October 19, 2011)

- Utilities Committee Meeting of October 24, 2011 (Emailed: October 19, 2011)

Minutes

- Rules & Legislation Committee Meeting Minutes of October 24, 2011 (Emailed: October 25, 2011)
- Service Committee Meeting Minutes of October 10, 2011 (Emailed: October 25, 2011)
- **PLANNING AND ZONING COMMITTEE MEETING MINUTES OF OCTOBER 24, 2011 (EMAILED: OCTOBER 27, 2011)**

On File

- Gatsby Estates Subdivision/City of Willoughby Hills – Flooding Mitigation Study/Report Findings, October 2011

MAYOR'S REPORT – Robert M. Weger

- Area C – letters out to residents (gives residents a year to tie-in, available financing programs – Link Deposit Program and the CDBG Grant Program to be administered through Administration)
- Eddy Road Update - complete
- Dodd Road Bridge Update
- Camelot Court Update
- Absentee Ballots – Applications available at City Hall
- **Acknowledgements**
Thanks to Recreation Commission and Staff and especially Dave and Denise Reichelt for helping provide a wonderful community Halloween Party last weekend
Welcome to part-time firefighter Keith Kanner
Goodbye and thank you to part-time police officers Joshua Mikolajski and Matt Neath
- **Upcoming Events**
Trick or Treat – October 31st
Election Day – November 8th
Veterans Day Ceremony – November 11th

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

- No formal report was given.

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

- No formal report was given.

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

- Camelot Court – experiencing rain delays; contractor delays – evaluating request for time extension/liquidated damages in contract
- Eddy Road Project – completed on time
- Service Committee Meeting to be scheduled to discuss Stormwater Management legislation

COMMITTEE REPORTS

FINANCE – Raymond C. Somich, Chair

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

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

PLANNING & ZONING – David M. Fiebig, Chair

Committee Members: Frank A. Germano, David A. Reichelt

COMMITTEE MEETING OCTOBER 24, 2011

Members Present: Councilman David M. Fiebig, Chair, Councilman Frank A. Germano, Vice President David A. Reichelt

Also Present: Councilman Christopher L. Biro, President Kevin D. Malecek, Councilman Raymond C. Somich, Law Director Thomas G. Lobe, City Engineer (remained from previous meeting)

Purpose of the Meeting was to discuss 1) Proposed Master Plan for Comprehensive Land Use (2) Development of Vanity Fair Space and any other business.

Meeting convened at 6:40pm

Order of Business

Presentation of Vanity Fair business proposal. Submitted written binder.

Christian Haffey. 2871 Camelot Ct. Reported educational background, and restaurant background.

Trucking Domino Logistics...Liquidated – going out of business. Now available to pursue this work. Chair inquired if others present were part of project team. CH introduced 2 others.

He would be CEO and managing partner. This proposal is akin to Cleveland's Nautica Charity Poker in Cleveland. WH offers a better, suburban location. Poker Pro is the company he would work with...Has Electronic dealer, therefore, don't need as many volunteers. Faster, no mistakes. The charity gets 10% of pot at a table. City of WH benefits: City charges \$200 per day to charity. Added Police presence. 20-50 employees and income tax. Local charities or we can set up a committee to select charity groups – open to how. Increased traffic to local retailers.

August Garafoli – CPMG Realty as agent for Spiegel Properties. He would like to see this happen. Big box retail is not coming back.

Jack Fay. 12816 Auburn Rd. Architectural design. 3 weeks into developing plans. Likes patrol, safety, using 20% of the VF space can attract to the other 80%.

Discussion: REICHEL: What is the City involvement? HAFLEY: You can resolve the legal issues. The City is the lessee. LOBE: The Ohio Charity Services LLC. Cannot 100% limit liability. SOMICH: Spoke with owner directly, met with Chief Collins, no concerns about safety. This isn't a dress shop, would love to have that sort of thing, but talked to many real estate people, those opportunities are not out there.

GARAFOLI: This is a perfect for us in this venue. Willing to write the lease with no liability. LOBE, A governmental unit is needed. BIRO: Have you approached other cities or areas. CH: Other than Nautica, this is it. B: We are surrounded by residential. HAFLEY: Yes. Done a lot of research on Nautica. Other charities are making \$50k over 4 days. FIEBIG: This proposal has no forecast, no numbers other than a potential, no demographics, research. Where is the cash flow if, by law, no salary may be paid to operators? HAFLEY: Concessions, Catering, Renting a table. DF: Employees – if volunteers, how can you state up to 50? *Cleaning, police, manager, auditors.* MALECEK: Most likely here to be for gaming, but this plan...We need a financial proposal. City on the line. HAFLEY: Charity pays all expenses, DF: That means a charity pays your utilities, CAM, insurances, heat, water, everything? *Yes.* GARAFOLI: Want a radical permissible tenant. MALECEK: You are asking us to be an investor, must see more solid numbers. GARAFOLI: Ten year deal. Maybe five. Voter referendum shows 66% passage approves gambling. GERMANO: Have you approached other entities? *No.* CHRIS McCauley. Introduced as a consultant to this project. AG opinion is that there is no liability to City. REICHEL: Would City officers be used (off-duty)? CM: Yes, others would be LAKE CO. SHERRIFF. R: What about the use of squad car. Can it be called away? *Yes.* How would signage, marketing, Charity Event Center. Gambling Hall feel not good. HAFLEY: WH has control over signage. Wants to open before casino downtown to establish customers. DR: Vegas has a gaming commission, What kind of oversight? *You can check our books anytime.* DR: Is it consistent with zoning? Other retail attraction to fill space. Only 6k is City lease, for gaming tables. \$200 per day – open 365 days. FIEBIG: Really? *Ok only 360 days.* REICHEL: Residents' concerns about image of internet cafes. Perception of signs. Signs could be regulated for content as well as other – even NAME. GERMANO: Not against but we need to consider all legal. LOBE: Impossible to write out liability. FG: Post a bond? Could have potential. Garafoli: landlord, tenant would all agree to indemnify. 24-40 generate per day. 8k per day, rent util, employees, parking, lease for recorder. LEASE runs out in April for VF – last lessee. FIEBIG: Policy #6 of Council does not allow contributions to charity. SOMICH: That was for direct donations. Discussion about why that is and the impact on choosing which charity might get into the event center – DF: Does the City appear to sponsor the charity since City is the lessee? Overall, much more discussion/information is needed, plan does not appear ready/many questions/unresolved. BIRO: People are not happy with gambling – image in the City; Son's group does school charity – 35k to support sports program. He participated. Run very well at Nautica. But we need to get more info. GERMANO: Believe could be a quality type thing, fills a vacancy, puts people to work. But a lot of questions. BIRO: Agree. Appreciate your time and discussion. Thinking outside the box is positive.

Public Portion opened at 7:50pm

Cihula – How much frontage, 79' Restroom, yes.

ACTION: Tabled for more information. REICHEL, GERMANO agree. Chair concurs.

REF: 2915.02 Gambling.

(A) No person shall do any of the following:

- (1) Engage in bookmaking, or knowingly engage in conduct that facilitates bookmaking;
- (2) Establish, promote, or operate or knowingly engage in conduct that facilitates any game of chance conducted for profit or any scheme of chance;
- (3) Knowingly procure, transmit, exchange, or engage in conduct that facilitates the procurement, transmission, or exchange of information for use in establishing odds or determining winners in connection with bookmaking or with any game of chance conducted for profit or any scheme of chance;
- (4) Engage in betting or in playing any scheme or game of chance as a substantial source of income or livelihood;
- (5) With purpose to violate division (A)(1), (2), (3), or (4) of this section, acquire, possess, control, or operate any gambling device.

(B) For purposes of division (A)(1) of this section, a person facilitates bookmaking if the person in any way knowingly aids an illegal bookmaking operation, including, without limitation, placing a bet with a person engaged in or facilitating illegal bookmaking. For purposes of division (A)(2) of this section, a person facilitates a game of chance conducted for profit or a scheme of chance if the person in any way knowingly aids in the conduct or operation of any such game or scheme, including, without limitation, playing any such game or scheme.

(C) This section does not prohibit conduct in connection with gambling expressly permitted by law.

(D) This section does not apply to any of the following:

(1) Games of chance, if all of the following apply:

- (a) The games of chance are not craps for money or roulette for money.
- (b) The games of chance are conducted by a charitable organization that is, and has received from the internal revenue service a determination letter that is currently in effect, stating that the organization is, exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code.
- (c) The games of chance are conducted at festivals of the charitable organization that are conducted either for a period of four consecutive days or less and not more than twice a year or for a period of five consecutive days not more than once a year, and are conducted on premises owned by the charitable organization for a period of no less than one year immediately preceding the conducting of the games of chance, on premises leased from a governmental unit, or on premises that are leased from a veteran's or fraternal organization and that have been owned by the lessor veteran's or fraternal organization for a period of no less than one year immediately preceding the conducting of the games of chance.

A charitable organization shall not lease premises from a veteran's or fraternal organization to conduct a festival described in division (D)(1)(c) of this section if the veteran's or fraternal organization already has leased the premises twelve times during the preceding year to charitable organizations for that purpose. If a charitable organization leases premises from a veteran's or fraternal organization to conduct a festival described in division (D)(1)(c) of this section, the charitable organization shall not pay a rental rate for the premises per day of the festival that exceeds the rental rate per bingo session that a charitable organization may pay under division (B)(1) of section [2915.09](#) of the Revised Code when it leases premises from another charitable organization to conduct bingo games.

(d) All of the money or assets received from the games of chance after deduction only of prizes paid out during the conduct of the games of chance are used by, or given, donated, or otherwise transferred to,

any organization that is described in subsection 509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code and is either a governmental unit or an organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3) of the Internal Revenue Code;

(e) The games of chance are not conducted during, or within ten hours of, a bingo game conducted for amusement purposes only pursuant to section [2915.12](#) of the Revised Code.

No person shall receive any commission, wage, salary, reward, tip, donation, gratuity, or other form of compensation, directly or indirectly, for operating or assisting in the operation of any game of chance.

(2) Any tag fishing tournament operated under a permit issued under section [1533.92](#) of the Revised Code, as "tag fishing tournament" is defined in section [1531.01](#) of the Revised Code;

(3) Bingo conducted by a charitable organization that holds a license issued under section [2915.08](#) of the Revised Code.

(E) Division (D) of this section shall not be construed to authorize the sale, lease, or other temporary or permanent transfer of the right to conduct games of chance, as granted by that division, by any charitable organization that is granted that right.

(F) Whoever violates this section is guilty of gambling, a misdemeanor of the first degree. If the offender previously has been convicted of any gambling offense, gambling is a felony of the fifth degree.

Amended by 128th General Assembly File No. 38, HB 519, § 1, eff. 9/10/2010.

Effective Date: 07-01-2003

Master Plan Update:

Gone as far as we can go, without a redo of style, substance, approach. Will have suggestions for future MP committees as to form and function. Incorporated D.B. Hartt suggestions as they could be implemented. Broken into chapters. Eliminated pagination, chapters instead, for ease of working with maps, etc. There is a couple census data info to still get. Essentially complete, not perfect. Reichelt: Needs time to review it, Germano, ok to move ahead. Give to Commission.

Public Portion opened at 8:04pm

Final document. CIHULA. Correct version. Date certain.

ACTION: REICHELT, GERMANO agree. Chair concurs. First Reading. Submit to Commission.

Meeting adjourned at 8:10pm

RECREATION – Nancy E. Fellows, Chair

Committee Members:

Christopher L. Biro, David A. Reichelt

COMMITTEE MEETING OCTOBER 27, 2011

Members Present: Councilwoman Nancy E. Fellows, Chair, Vice President David A. Reichelt

Also Present: Councilman David M. Fiebig, President Kevin D. Malecek, Recreation Coordinator Anne Hassoldt-Fenoff

Purpose of the Meeting was to discuss Use of Public Property and any other business.

Meeting convened at 6:27pm

Order of Business

- 1) **Monitor Fee:** It is the desire of the Recreation Coordinators based on information, safety concerns, and revenue that a monitor fee of \$10.00 per hour (calculated by the Finance Director based on an average of the monitor's wages) is charged to non-profit organizations that are not charged a fee for the room after hours (4:30 p.m. and on Saturday and Sunday). Councilman Reichelt voiced concerns with charging non-profits a monitor fee. We could go a lot further with building civic relationships, without charging a monitor fee. Councilman Fiebig agreed; feel we should be providing the community with a center to meet, especially for non-profit organizations. Question poised – how much would this really amount to? Council President Malecek suggests that whatever changes are made with the policy or ordinance should be made in accordance or guidance from the Law Director and State Auditor.
- 2) Councilman Reichelt suggests that an energy conservation review may be in order to save on our utility charges at the Community Center.

- 3) It was a recommendation from the Committee that monitor fees not be charged at this time.
- 4) Recreation Coordinator Anne Hassoldt-Fenoff suggests the Codified Ordinance TITLE FIVE- Other Public Services Chapter 941 Sections (g) and (j) needs to be revised. It was the consensus of the Committee suggesting that the Recreation Coordinators, along with the Mayor and the Mayor's Executive Assistance review these sections and bring back to the committee their recommendations and rational for any changes, including fees and criteria.

At a later date a review of those bodies that have not been charged and why, and those that have been charged and why, if it is outside our Ordinance will take place.

Public Portion

The following individual came forth with questions/comments: Frank Cihula, speaking for the WH Historical Society, if a monitor is charged, that fee should be taken against the \$1,700 and monetary items donated to the Community Center. Frank does not see a need for the monitor as the Society cleans-up after themselves. Concerning the Senior Room – numerous grants have been applied; possibly use these funds to deter a monitor fee.

Meeting adjourned at 6:55pm

RULES & LEGISLATION – Kevin D. Malecek, Chair

Committee Members:

Frank A. Germano, David A. Reichelt

COMMITTEE MEETING OCTOBER 24, 2011

Members Present: President Kevin D. Malecek, Chair, Councilman Frank A. Germano, Vice President David A. Reichelt

Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, Councilman Raymond C. Somich,

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

Meeting convened at 8:10pm

Order of Business

Continued Discussion on **Ordinance 2011-56:** Contractor Registration – current set for Second Reading on Thursday. No further discussion at this meeting.

Ordinance 2011-57: Reappropriation Ordinance: Property Purchase and CDBG Grant

Reconfiguration of funds for the property purchase and CDBG grant.

Consensus to waive Three Reading Rule and Recommend Adoption at the Regular Council Meeting on Thursday.

Ordinance 2011-58: Purchase of Property at 35245 Chardon Road

Right price has been amended into the document. Addition of park bench a nice touch.

Consensus to waive Three Reading Rule and Recommend Adoption at the Regular Council Meeting on Thursday.

Resolution 2011-4: Then and Now Certificate

For asphalt at City Hall – road materials. Formality – questions directed to the Finance Director.

Consensus to waive Three Reading Rule and Recommend Adoption at the Regular Council Meeting on Thursday.

Run by Law Director on placing the **MASTER PLAN ORDINANCE ON THE AGENDA FOR FIRST READING ON THURSDAY** – should the Commission take it and submit it to Council first? Legally can we put it in – happy to ask on your behalf – same master plan – suggestions that we asked for – get back with them – don't see it as a problem. Ask Law Director and Planning Commission Chair before putting it on the agenda.

Deer Management Discussion – would like to see a mocked-up ordinance at our next Rules Meeting for permitting bow on acreage at 5 or over.

Snowplowing at next meeting on October 24th – Councilman Germano to coordinate with Clerk. Ordinance 2011-4 – past years – chaotic mess on the East side – residents did to the streets – they plowed one side and pushed snow across the street to a “vacant lot” – windrows of snow. Plowing street – did not even look like I plowed it. Came up with ordinance – City of Wickliffe and City of Lyndhurst – few modifications – covers all things. Permit required fee – snowplow licensing – wanted to remove it. Wanted it in – adding a lot of workload on us. Put the burden on them – another level of legal stance – turned out they did something wrong – had a prior conviction. You cannot push snow into the right-of-way or into vacant lots – free for all. East side especially it is a problem. Main concern – push across – our trucks go down – clear one side

and the other. We have registration and asking for properties they are plowing – everything will be registered. In practicality – in middle of foot of snow – doing all of these jobs – they are not going to be come back – as long as they are registered for some property. Complaint driven. Other places just have a fine – put jail time into this – better clean this road up. Will a contractor not want to work here - \$5.00 for each vehicle. We are doing this for the accountability. Only for money – as long as no money is involved. Could put an enaction clause into it. **Will review again at next Rules meeting** – possible enaction this year, but taking effect next year. State just added a Sales tax onto the service – forget Willoughby Hills – hassle – get a snowplow contractor – postage stamp size – one acre, two acre – snow in the street, who is liable

Public Portion

Frank Cihula – agree with Councilman Germano – deal with snowplowers – still spilling it going across the street – going through that spill put you into a skid – other communities ordinances – larger lot size – Lyndhurst has not developable land. **John Klements** – starting talking with Chris – Council ready to entertain a hunting ordinance. Invited Chris to walk on property – get a visual – typical parcels in the city look like – one acre residential lots. Much of the city is not – on the back of my property – walk around for a long time and not see another structure – 100s of acres of open wooded land. Concerns about space – not really here. Offer to come out and get a visual look of walking on the property. Thirdly – any interested in sharing – background. State of Ohio – very thorough – laws that you have to follow – can say we are not going to allow hunting – bound to follow State of Ohio hunting laws. Very structured, rigid, and safe. Can we also consider if there is a concern going to pass – vegetational impacts that the herd is impacting – have changed because of the amount of deer – we do not have regeneration – completely wiped out the underbrush. **Linda Fulton** – where is the property? To square off City Hall property in the back.

Meeting adjourned at 8:54pm

SAFETY – David A. Reichelt, Chair

Committee Members:

Christopher L. Biro, David M. Fiebig

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

SERVICE – Christopher L. Biro, Chair

Committee Members:

Nancy E. Fellows, Frank A. Germano

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

UTILITIES – Frank A. Germano, Chair

Committee Members:

Nancy E. Fellows, Raymond C. Somich

COMMITTEE MEETING OCTOBER 24, 2011

Members Present: Councilman Frank A. Germano, Chair, Councilwoman Nancy E. Fellows, Councilman Raymond C. Somich

Also Present: President Kevin D. Malecek, City Engineer Richard Iafelice and Erich Haibach

Purpose of the Meeting was to discuss Agenda and Issues as listed: (1) ECTW Sanitary Sewer Assessment Area “C” Project, (2) Sewer Detection Program Update, (3) ECI Relief Sewer, (4) Summer Sprinkling Program, (5) Euclid Sewer Rate Analysis, (6) Lake County Utilities Department, (7) Ordinance No. 2010-32 – Review Willoughby Sewer System Rules and Regulations and any other business.

Meeting convened at 6:05pm

Order of Business

Discussed Sewer Rates, numbers need to be reviewed by the Finance Director also to wait for the rates from Euclid. County Notice to connect is going out for Area C.
Federal grant money for connections is available for qualifying households
Reviewed the history of the sewer project with the Engineer.

Public Portion

The meeting was opened to the public for commentary at 6:40pm; with no one coming forth from the public sector, public portion was promptly closed at 6:40pm.

Meeting adjourned at 6:40pm

PERSONNEL RELATIONS – Christopher L. Biro, Chair

Committee Members: Raymond C. Somich, Mayor Robert M. Weger

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

WORKING COMMITTEE OF COUNCIL – Kevin D. Malecek, President of Council

- The Working Committee of Council has not met; therefore no formal report was given.

OTHER COUNCIL REPRESENTATIVE REPORTS

- There were no other Council Representative Reports presented.

PUBLIC PORTION

Section 107.08 – Public Meetings of Municipal Bodies of the Codified Ordinances of the City of Willoughby Hills:

(a) All meetings of any municipal body are declared to be public meetings open to the public at all times. All meetings shall provide a reasonable opportunity to hear public opinion.

Public Portion was opened at 7:23pm

1. Frank Cihula
Dixon Road
Re: Garfield Road Memorabilia; new item-wood cutouts with a picture of Garfield School being sold for \$10.00 – all proceeds go into Fund #298 for the improvement of the Garfield School Site currently leased from the Willoughby-Eastlake School System

2. Christian Haffey
2871 Camelot Court
Re: Proposal for Charity Gambling

Public Portion closed at 7:27pm

UNFINISHED BUSINESS

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

LEGISLATION

ORDINANCE NO. 2011-56 – SECOND READING

AN ORDINANCE AMENDING PART THIRTEEN – BUILDING CODE, TITLE THREE – LOCAL BUILDING PROVISIONS, CHAPTER 1373 – REGISTRATION OF CONTRACTORS, SECTION 1373.08 – REVOCATION AND SUSPENSION OF REGISTRATION OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS.

President Malecek declared that Ordinance No. 2011-56 would remain on Second Reading.

ORDINANCE NO. 2011-57

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2011-10 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2011-57.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-57 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to adopt Ordinance No. 2011-57.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-57 has been adopted.

ORDINANCE NO. 2011-58

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT OF PURCHASE AND SALE FOR PROPERTY LOCATED AT 35245 CHARDON ROAD, WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to suspend the Three Reading Rule for Ordinance No. 2011-58.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Ordinance No. 2011-58 has been suspended.

MOTION WAS MADE BY COUNCILMAN REICHELT, seconded by Councilman Germano to adopt Ordinance No. 2011-58.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that Ordinance No. 2011-58 has been adopted.

ORDINANCE NO. 2011-59

AN ORDINANCE APPROVING AND ADOPTING THE 2010 MASTER PLAN FOR COMPREHENSIVE LAND USE FOR THE CITY OF WILLOUGHBY HILLS OHIO.

President Malecek declared that Ordinance No. 2011-59 would remain on First Reading.

RESOLUTION NO. 2011-4

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

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Reichelt to suspend the Three Reading Rule for Resolution No. 2011-4.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that the Three Reading Rule for Resolution No. 2011-4 has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to adopt Resolution No. 2011-4.

Roll Call: 6 AYES

MOTION PASSES

President Malecek stated that Resolution No. 2011-4 has been adopted.

NEW BUSINESS

- **There was no new business brought forth to Council.**

FOR THE GOOD OF THE ORDER

- **Councilman Somich announced the following events:**
 - Safety Day hosted by Pat O'Brien Chevrolet; will be offering to take kids finger prints & pictures this Saturday, October 29th from 11:00am to 2:00pm – free food, games and candy
 - Juvenile Diabetes No Sugar Halloween Party to be held at Atlas Cinema in Mentor from 2:00pm to 6:00pm – free to the public
 - Monday, October 31st – American Red Cross – Largest Lake County Blood Drive to take place at Holiday Inn/La Malfa Party Center from 8:00am to 8:00pm in Mentor

- Councilman Reichelt acknowledged the new "Residential Handbook" prepared by the Mayor's Assistant; looks forward to further developing the handbook; encouraged Members to review the handbook and to provide any commentary as the handbook is refined
- Councilman Fiebig announced the following "*save the date*": Friday, December 9th, City Music Cleveland Concert at 7:30 p.m. at St. Noel Church

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to adjourn the Meeting.

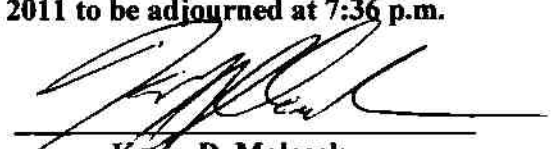
Roll Call: 6 AYES – unanimous

MOTION PASSES


President Malecek declared the Regular Council Meeting of October 27, 2011 to be adjourned at 7:36 p.m.

APPROVED:

December 9, 2011
Date


Kevin D. Malecek
President of Council

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council