

City of Willoughby Hills

Regular Council Meeting

Minutes of March 28, 2013

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 7:00 p.m. by President David A. Reichelt

Pledge of Allegiance

Roll Call of Council

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

Absent: Councilman Raymond C. Somich
Law Director Thomas G. Lobe

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

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to excuse Councilman Raymond C. Somich from the Regular Council Meeting of March 28, 2013.

Roll Call: 6 AYES **MOTION PASSES**

President Reichelt declared that Councilman Raymond C. Somich has been excused from the Regular Council Meeting of March 28, 2013.

PRESENTATION

President Reichelt presented a Resolution commending Wilhelmina "Billie" Kamis" for serving as the Willoughby Hills' Trustee to the Chagrin River Watershed Partners.

The Mayor presented Frank Cihula Chairman of the Willoughby Hills Historical Society with a Proclamation acknowledging the volunteer efforts of Frank and Mary Cihula and the Society's upcoming 25th Anniversary.

Disposition of the Journal Regular Council Meeting of March 14, 2013

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Malecek to approve the Regular Council Meeting Minutes of March 14, 2013 as submitted.

Roll Call: Fellows-yes, Fiebig-yes, Germano-yes, Malecek-yes, Reichelt-abstain, Somich-yes, Biro-yes

MOTION PASSES: 5 AYES/1-Abstention from President Reichelt

President Reichelt declared that the Regular Council Meeting Minutes of February 14, 2013 have been approved as submitted.

CORRESPONDENCE

City Engineer’s Report, dated March 21, 2013 (Emailed: March 21, 2013)

FINANCIAL REPORTS FOR THE MONTH ENDING FEBRUARY 2013 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: March 22, 2013)

NOTIFICATIONS

Finance Committee Meeting of March 28, 2013 (Emailed: March 26, 2013)

Planning & Zoning Commission and Architectural Board of Review Meeting of March 21, 2013 (Emailed: March 19, 2013)

Rules and Legislation Committee Meeting of March 28, 2013 (Emailed: March 26, 2013)

Service Committee Meeting of March 28, 2013 (Emailed: March 26, 2013)

MINUTES

Planning & Zoning Commission Meeting Minutes of February 21, 2013 – Posted on City Website as of March 21, 2013

Planning & Zoning Commission Meeting Minutes of March 7, 2013 – Posted on City Website as of March 22, 2013

FINANCE COMMITTEE MEETING MINUTES OF MARCH 14, 2013 (Emailed: March 27, 2013)

MAYOR’S REPORT – Robert M. Weger

Services

Thanks to all who attended and volunteered for the Pancake Breakfasts and Easter Party
Dollar Tree opening at the Shops of Willoughby Hills on April 1st

Acknowledgements

Congratulations to “I Love Pies” with a WH Location on Western Lake County chamber of Commerce’s
“2013 Showcase Award”

Congratulations to WH Historical Society on 25 years

Events

Good Friday – City Hall Offices will be closed

LAW DIRECTOR’S REPORT – Thomas G. Lobe

Law Director was absent; therefore no formal report was given

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

No formal report was given

CITY ENGINEER’S REPORT – Pietro A. DiFranco, P.E.

No formal report was given

COMMITTEE REPORTS

President Reichelt asked if there were any Committee Chairs who would like to provide a report. Committees Reports have been listed alphabetically.

FINANCE – Kevin D. Malecek

Committee Members: Christopher L. Biro, Nancy E. Fellows

COMMITTEE MEETING OF MARCH 28, 2013

Members Present: Councilman Kevin D. Malecek, Chair, Councilwoman Nancy E. Fellows, Vice Chair, Councilman Christopher L. Biro

Also Present: Councilman David M. Fiebig, Councilman Frank A. Germano, President David A. Reichelt, Finance Director Frank Brichacek, Fire Chief Richard Harmon

Purpose of the Meeting was to discuss (1) 2013 Budget (2) Declaring a Piece of Equipment as Surplus any other business.

Meeting convened at 6:09pm
<i>Order of Business</i>
Ordinance 2013-13: 2013 Permanent Budget and Appropriations Summary Sheet of Budget Notes – this is a doable Budget – it works because we have a carry-over balance. We have lost over \$612,000 in Revenue between Income Tax losses, LGF Support, Property Tax Reimbursements, Estate Tax elimination, and risk of losing Internet Cafes. Next year’s Budget will be challenging because of a lack of larger carry-over. Will have to monitor the 2013 Budget carefully – if the State does ban Internet Cafes immediately, we will lose additional revenue there immediately. Only change - \$30,000 allocated for a group of projects, we cannot do all of those things – decided to go forward with siding on the Grange building. Siding of the building. Estate Tax eliminated - \$20,000 yet to come - \$228,000 year normally – that is all going away this year with the Estate Tax going away.
Grange Question – is there some in a Recreation Fund to use for siding? Recreation Commission would have to recommend it. Signage for the park - \$27,000 in the Capital Fund. Only expense projected in that Fund. Appropriation for \$135,000 to purchase another piece of property? Not sure that is not the best thing to do this year. Especially with losing Internet Cafes – in the big picture. More than a fifth of what we don’t need to spend. Recommendation to waive Three Reading Rule and Adopt at Council.
Ordinance 2013-11: Declaring City Vehicles as Surplus (Recommended by Rules) Question as to whether Council should be involved in every surplus vehicle disposal. Should Council adopt a policy – case by case basis or another type of policy? Have Administration find the best possible source? Chief Harmon – best to likely handle via the Administration. Fellows – no issue at all with surplus vehicles being handled by Administration. Front end loader was part of a package with a trade in – other than that – no other comment about it. Reichelt – as a result of that question, more talk from Administration about the policy – personal level type of question – would you rather do this? Ask Administration to draft a policy for surplus items and we will review and consideration.
<i>Public Portion - No participants.</i>
Meeting adjourned at 6:32pm

RULES & LEGISLATION – David A. Reichelt, Chair

Committee Members: Nancy E. Fellows, Kevin D. Malecek

COMMITTEE MEETING OF MARCH 28, 2013
Members Present: President David A. Reichelt, Chair, Nancy E. Fellows, Vice Chair, Councilman Kevin D. Malecek Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig Purpose of the Meeting was to discuss Pending Legislation and any other business.
Meeting convened at 5:50pm
<i>Order of Business</i>
Resolution 2013-11 – Declaration of a Front End Loader to be surplus and is to be used as a trade-in on a new purchase. Resolution 2013-5 – Formally state the City’s opposition to HB 5 which is being advanced through the State Legislator in regards to the changes to the collection of Income Tax. It was the consensus of the Committee to recommend waiving the Three Reading Rule and Adopt both pieces of legislation at the Regular Council Meeting to be held this evening.
<i>Public Portion</i>
Opened: 6:06pm Closed: 6:06pm With no one coming forth from the public sector, Public Portion was promptly closed.
Meeting adjourned at 6:06pm

SERVICE – Nancy E. Fellows, Chair

Committee Members: Frank A. Germano, Kevin D. Malecek

COMMITTEE MEETING OF MARCH 28, 2013
Members Present: Vice President Nancy E. Fellows, Chair, Councilman Frank A. Germano, Councilman Kevin D. Malecek Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, President David A. Reichelt, Finance Director Frank Brichacek, City Engineer Pete DiFranco

Purpose of the Meeting was to discuss **Bid for the 2013 City of Willoughby Hills Pavement Markings Program** and any other business.

Meeting convened at 6:32pm

Order of Business

Pavement Marking Program of City Streets, a.k.a. paint stripping

Received 3 bids on March 14, 2013, Pat Flowers was awarded the stripping project with the lowest bid to use water based paint, this paint is standard with ODOT. In this area it is best to use water based paint, because of our climate, plowing and use of salt and to refresh or repaint it annually. Thermoplastic paints are significantly more expensive than water based paint.

Councilman Reichelt – commented on thermoplastic paints being used when new asphalt is laid. Examples with the Bishop and Chardon Road projects. Since approximately 2008 City has been doing the road stripping.

Engineer does not feel that using thermoplastic paint adds value to the City, but is open to suggestions.

Important to note Councilman Somich’s recommendations for consideration next year.

And finally stripping is essential for the safety of our residents and visitors traveling through our City.

Public Portion

Public Portion began at 6:46pm. Frank Cihula commented on the type of road (in reference to traffic, plowing, etc.) may dictate the best type of paint that should be used.

Meeting adjourned at 6:47pm

OTHER COUNCIL REPRESENTATIVE REPORTS

There were no other Council Representative Reports brought by the Members of Council.

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 7:20pm

Frank Cihula

Chair of Willoughby Hills Historical Society

RE: Thanked Administration for the Proclamation and provided a brief history on the formation of the Society.

Public Portion was closed at 7:22pm

UNFINISHED BUSINESS

There was no unfinished business brought forth for the consideration of Council.

LEGISLATION

ORDINANCE NO. 2013-11

AN ORDINANCE TO DECLARE CITY VEHICLE(S) AND/OR EQUIPMENT AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE(S) AND EQUIPMENT ON THE OPEN MARKET, UPON SUCH TERMS AND AT SUCH PRICES AS ARE DEEMED MOST ADVANTAGEOUS TO THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2013-11.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2013-11 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to adopt Ordinance No. 2013-11.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2013-11 has been adopted.

ORDINANCE NO. 2013-12

AN ORDINANCE ACCEPTING THE BID OF PAT FLOWERS, INC. OF HIGHLAND HEIGHTS, OHIO FOR THE 2013 CITY OF WILLOUGHBY HILLS PAVEMENT MARKINGS PROGRAM.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2013-12.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2013-12 has been suspended.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Fiebig to adopt Ordinance No. 2013-12.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2013-12 has been adopted

ORDINANCE NO. 2013-13

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2013; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2013-13.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Ordinance No. 2013-13 has been suspended.

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Fiebig to adopt Ordinance No. 2013-13.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Reichelt declared that Ordinance No. 2013-13 has been adopted

ORDINANCE NO. 2013-14

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 157 – GENERAL EMPLOYMENT PROVISIONS BY THE ESTABLISHMENT OF SECTION 157.24 – COMPULSORY RETIREMENT AGE POLICE AND FIRE DEPARTMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

President Reichelt stated that Ordinance No. 2013-14 would remain on First Reading and placed the Ordinance in the Safety Committee for further review.

ORDINANCE NO. 2013-15

AN ORDINANCE ACCEPTING THE BID OF PARAGRIG OF INDEPENDENCE, OHIO FOR THE UPGRADE OF COMPUTER HARDWARE TO ACCOMMODATE UPGRADES TO THE CMI SOFTWARE AND THE ADDITION OF SOME NEWER TECHNOLOGY.

President Reichelt stated that Ordinance No. 2013-15 would remain on First Reading.

RESOLUTION NO. 2013-5

A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF HB 5 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE, AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Malecek to suspend the Three Reading Rule for Resolution No. 2013-5.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Three Reading Rule for Resolution No. 2013-5 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to adopt Resolution No. 2013-5.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared that Resolution No. 2013-5 has been adopted

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Fiebig to declare a 1994 ODB Leaf Machine Engine, Serial #668400-6 with an estimated value of \$150 as surplus property. Councilman Germano further noted that his vehicle will be taken for scrap value, not auction. The Engine and entire machine is inoperable.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt stated that a 1994 ODB Leaf Machine Engine, Serial #668400-6 with an estimated value of \$150 has been declared as surplus property.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to declare the 2013 Willoughby Hills Corn Fest held on August 17th and August 18th to be a public purpose

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt stated that the 2013 Willoughby Hills Corn Fest to be held on August 17th and August 18th has been declared a public purpose.

FOR THE GOOD OF THE ORDER

Members of Council:

Wished everyone a Happy Easter!

ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN MALECEK seconded by Councilwoman Fellows to adjourn the meeting.

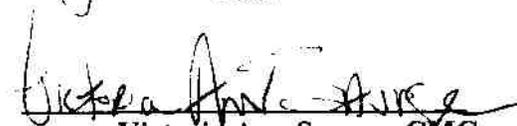
Roll Call: 6 AYES - unanimous

MOTION PASSES

President Reichelt declared the Regular Council Meeting of March 28, 2013 to be adjourned at 7:32pm

APPROVED: April 11, 2013
Date


David A. Reichelt
President of Council

ATTEST: 
Victoria Ann Savage, CMC
Clerk of Council