

City of Willoughby Hills

Regular Council Meeting

Minutes of September 27, 2012

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

Absent: Internal Auditor Frank J. Brichacek, Jr.
City Engineer Richard J. Iafelice

Also Present: Mayor Robert M. Weger, Law Director Thomas G. Lobe,
Clerk of Council Victoria Ann Savage

Disposition of the Journal Regular Council Meeting of September 13, 2012

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Biro to approve the Regular Council Meeting Minutes of September 13, 2012 as submitted.

Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Regular Council Meeting Minutes of September 13, 2012 have been approved as submitted.

Correspondence

- **FINANCIAL REPORTS FOR THE MONTH ENDING AUGUST 2012 CONSISTING OF: GENERAL FUND INCOME STATEMENT, CASH RECONCILIATION, PURCHASE ORDER REPORTS, FUND ANALYSIS REPORTS, AND EXPENSE REPORTS (Emailed: August 6, 2012)**

Notifications

- Board of Building and Zoning Appeals will not meet on October 9, 2012 (Emailed: September 24, 2012)
- Planning & Zoning Commission and Architectural Board of Review Meeting of September 20, 2012 had been cancelled for there were no pending projects (Emailed: September 17, 2012)
- Planning & Zoning Committee Meeting of September 24, 2012 (Emailed: September 21, 2012)
- Rules & Legislation Committee Meeting of September 24, 2012 (Emailed: September 21, 2012)
- Safety Committee Meeting of September 27, 2012 (Emailed: September 24, 2012)
- The 24th Annual Planning & Zoning Workshop scheduled for Friday, November 16th (Emailed: September 25, 2012)

Minutes

- **RULES & LEGISLATION COMMITTEE MEETING OF SEPTEMBER 24, 2012 (Emailed: September 27, 2012)**

MAYOR'S REPORT – Robert M. Weger

- **Maple Grove Bridge Update**
- **91 Road Bridge –work began on the bridge**
- **Riviera Ridge – work is completed**
- **Rogers Road Slippage**
- **Leaf Pick-Up – City crews will automatically be picking up the leafs**
- **Requested a Motion of Council to confirm the appointment of Frank J. Brichacek to serve as Part-Time Finance Director, effective September 28, 2012**

President Reichelt questioned if there any retain age being withheld from the Contractor. Mayor responded yes, the bonding company has been notified for the contractor. Questioning whether it was a design issue, a structural issue, an inspection issue or a construction issue. All bonding companies will be notified. Everyone seems to be cooperative as of right now.

Law Director stated that everyone is cooperative; however, no one has taken responsibility as yet. City is pressing to find out how the issue occurred and what the remedy would be, not at the point of addressing who is at fault.

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

- No formal report given.

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

- No formal report given for Frank J. Brichacek, serving in the capacity of Internal Auditor, was not present.

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

- No formal report was given for the City Engineer was not present.

COMMITTEE REPORTS

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

PLANNING & ZONING – David M. Fiebig, Chair

Committee Members: Nancy E. Fellows, Frank A. Germano

COMMITTEE MEETING OF SEPTEMBER 24, 2012

Members Present: David M. Fiebig, Chair, Vice President Nancy E. Fellows, Councilman Frank A. Germano

Also Present: Councilman Kevin D. Malecek (6:40pm), President David A. Reichelt, Law Director Thomas G. Lobe, Mayor Robert M. Weger, Board of Building and Zoning Chair Frank Cihula

Purpose of the Meeting was to discuss Fence Regulations and any other business.

Meeting convened at 6:22pm

Order of Business

Opened to discussion re: meeting requested by Councilman Germano to review fence ordinance. Concerns for resident maintaining a fence with the said fence on the property line if neighboring property owner does not give permission onto their land. Suggested that a professional survey be done for those applying for a fence permit. Proposed and considered adding a setback up to 18 inches to allow for a path to walk/cut/paint.

Dialog ensued about the ideas proposed by Mr. Germano. No clear consensus was obtained.

Public Portion (6:50pm): Residents Cihula, Fulton, Ota made some comments.

Meeting adjourned at 7:03pm

RULES & LEGISLATION – David A. Reichelt, Chair

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

COMMITTEE MEETING OF SEPTEMBER 24, 2012

Members Present: President David A. Reichelt, Chair, Vice President Nancy E. Fellows, Councilman Kevin D. Malecek

Also Present: Councilman David M. Fiebig, Councilman Frank A. Germano, Law Director Thomas G. Lobe, Mayor Robert M. Weger

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

Meeting convened at 7:03pm

Order of Business

The Committee discussed a potential Resolution regarding a Then & Now Certificate, but additional research is required on the issue. (NOTE: Chair found that there was an open PO; therefore a Then & Now Certificate would not be required)

With no legislation on the Agenda for this week's meeting, the Chairman provided the following Goals:

1. Transfer responsibility for the Economic Development Task force from Council to the Economic Development Department.
2. Get the Employee Compensation Schedule and Ordinance for 2013 completed prior to year-end in order to minimize the adverse impact on the employees and any unnecessary backlog for the Finance Department.
3. Work to get the 2013 Budget completed and passed prior to the end of the year.

Public Portion

Opened: 7:26pm Closed: 7:26pm

Citizens asked questions about the current activities of the Economic Development Director, condition of Bishop Road and the Status of Admission Tax Account Collections.

Meeting adjourned at 7:32pm

SAFETY – Raymond C. Somich, Chair

Committee Members: Christopher L. Biro, David A. Reichelt

COMMITTEE MEETING OF SEPTEMBER 27, 2012

Members Present: Councilman Raymond C. Somich, Chair, Vice President Nancy E. Fellows, Councilman Christopher L. Biro

Also Present: Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Kevin D. Malecek, President David A. Reichelt, Law Director Thomas G. Lobe, Mayor Robert M. Weger

Purpose of the Meeting was to discuss (1) Snow Plowing, (2) Deer Population and any other business.

Meeting convened at 6:05pm

Order of Business

(1) Snow Plowing

Purposed Snowplow Ordinance that would require all snowplow operators to register their vehicles. We had discussion on that at length and they is some additional data that is going to come back to the Committee for further discussion.

(2) Deer Population

Ongoing issue, that we have had for several years, about the overpopulation of deer in our City and the possible need for the culling of the deer and other alternatives to control deer population and the resulting impact on the environment overall. There was extensive discussion on the topic. The determination was made to gather more information at a Public Meeting that will be called, hopefully, at the Community Center within the next few weeks. We are going to try to have three experts there at the same time, one from the Lake Metroparks, one from Ohio Department of Natural Resources (ODNR) and a gentleman from the National Historical Museum. We believe that input received from these three representatives will give us additional input to make a determination on how to best handle deer population in our City.

Public Portion

Public Portion was opened at 6:43pm

Several speakers came forth commenting on both issues.

Meeting adjourned at 6:57pm

OTHER COUNCIL REPRESENTATIVE REPORTS

- **President Reichelt reported that he attended the Noise Abatement Council Meeting for Cuyahoga County Airport held on Wednesday, September 26th. The meeting was uneventful; the minutes will be posted on the Cuyahoga County Airport's website. The Council continues to make good headway in spreading the word concerning the voluntary noise abatement program and there is continued interest in maintaining the noise abatement program.**

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 7:17pm

1. Joan Mazie

2837 Stark Drive

Re: Continuing issues on Stark Drive; Public Records request was made for any and all correspondence between the City and Friends Church

Public Portion was closed at 7:19pm

UNFINISHED BUSINESS

- **There was no unfinished business to be brought forth to Council.**

LEGISLATION

- **There was no legislation to be brought forth to Council.**

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN MALECEK, seconded by Councilman Germano to approve the appointment of Frank J. Brichacek to serve as Part-Time Finance Director.

ROLL CALL: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared that the Members of Council approve of the appointment of Frank J. Brichacek to serve as Part-Time Finance Director.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to transfer the responsibility of the Economic Development Task Force to the Economic Development Department.

ROLL CALL: 7 AYES – unanimous

MOTION PASSES

President Reichelt declared that the responsibility of the Economic Development Task Force has been transferred to the Economic Development Department.

FOR THE GOOD OF THE ORDER

Councilman Somich:

- In recognition of World Rabies Day, Lake Humane society is hold a Rabies Clinic from 4 to 8pm on Friday, September 28th at the shelter at 7584 Tyler Boulevard in Mentor. Lake Humane Society welcomes members of the community to bring their cats and dogs to get a rabies vaccination for just \$10.00
- Saturday, September 29th – Federal Parks, such as Garfield National Historical Center will be open

Councilman Fiebig:

- Willoughby Hills VFW Post 4358 Clambake will be held from 3:00 to 6:00pm on Saturday, October 6th - Reservations required.

Mayor Weger:

- Craft Fair – Saturday, October 13th from 10am to 4pm at the Willoughby Hills Community Center.

President Reichelt:

- Doll Show – Sunday, September 30th from 10am to 3pm at the Willoughby Hills Community Center.

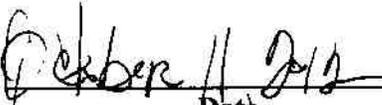
ADJOURNMENT

MOTION WAS MADE BY COUNCILMAN FIEBIG seconded by Councilman Biro to adjourn the meeting.

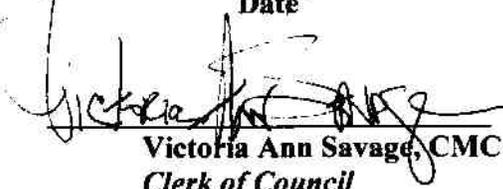
Roll Call: 7 AYES - unanimous

MOTION PASSES

President Reichelt declared the Regular Council Meeting of September 27, 2012 to be adjourned at 7:34pm

APPROVED: 
Date


David A. Reichelt
President of Council

ATTEST: 
Victoria Ann Savage, CMC
Clerk of Council