

City of Willoughby Hills

Regular Council Meeting

Minutes of March 13, 2008

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.

7:02 p.m. Meeting called to order by President of Council, Pro-tem David A. Reichelt

Pledge of Allegiance

Roll Call of Council

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

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

Absent: President of Council Kevin D. Malecek

MOTION WAS MADE BY COUNCILMAN SOMICH seconded by Councilwoman Fellows to excuse President of Council Kevin D. Malecek.

Roll Call: 6 AYES - unanimous **MOTION PASSES**

President Pro-tem Reichelt stated that President Kevin D. Malecek has been excused from this evening's meeting.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman to appoint Councilwoman Fellows to serve as Vice-President Pro-tem for this evening's meeting.

Roll Call: 5 AYES w/Councilwoman Fellows abstaining **MOTION PASSES**

President Pro-tem Reichelt stated that Councilwoman Fellows has been appointed to serve as Vice-President Pro-tem.

Disposition of the Journal **Regular Council Meeting of February 28, 2008**

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Fiebig to approve the Regular Council Meeting Minutes for February 28, 2008.

Roll Call: 5 AYES w/Councilwoman Fellows abstaining

MOTION PASSES

President Pro-tem Reichelt stated that the Regular Council Meeting Minutes of February 28, 2008 have been approved.

Correspondence

- Mayor's Monthly Statement to Council for the Month of February 2008
- Marc E. Dann, Attorney General to Fellow Ohio Elected Officials, re: Ohio Sunshine Laws for 2008 – CD format
- Marc E. Dann, Attorney General, re: Certification of Completed Training Regarding Ohio Public Records and Open Meetings Laws
- Vicki Savage, Clerk of Council to Robert M. Weger, Service/Safety Director, dated March 3, 2008 re: Ohio Division of Liquor Control – C NEW 0791146-0005
- Richard Iafelice, P.E., P.S. to Honorable Robert Weger and Members of Council, re: March Status Report
- Email: Received from Gil Martello to Victoria Savage, date March 10, 2008 re: CGF Technical Information.pdf format
- **RICHARD IAFELICE, P.E., P.S., TO MRS. LAURA KRAMER KUNS, R.S./SUPERVISOR OF LIQUID/SOLID WASTE & WATER SUPPLY/LAKE COUNTY GENERAL HEALTH DISTRICT, DATED MARCH 11, 2008 RE: SANITARY SEWER IMPROVEMENTS/NOTIFICATION OF SERVICE**
- **EMAIL: RECEIVED FROM ROBERT KOWALSKY TO WILLOUGHBY HILLS COUNCIL, DATED MARCH 11, 2008 RE: 2008-3-4**
- **EMAIL: RECEIVED FROM GIL MARTELLO TO VICTORIA SAVAGE, DATED MARCH 12, 2008 RE: LARGE AIRCRAFT HAVE OPERATED OUT OF CGF!**

Notifications

- Lake County Law Library: You're Invited to a Live Broadcast at the Lake County Law Library, Wednesday, March 19, 2008 – Government Secrecy: Censoring our Right to Know
- Planning and Zoning Commission & Architectural Board of Review Meeting of March 6, 2008
- Planning & Zoning Committee Meeting of March 10, 2008
- Rules and Legislation Committee Meeting of March 10, 2008
- Utilities Committee Meeting of March 8, 2008
- Working Committee of Council Meeting of March 1, 2008
- Working Committee of Council Meeting of March 11, 2008

Minutes

- **Finance Committee Meeting of March 3, 2008**
- **Planning & Zoning Committee Meeting of March 10, 2008**
- **Rules & Legislation Committee Meeting Minutes of March 10, 2008**
- **Working Committee of Council Meeting of March 1, 2008**
- **Working Committee of Council Meeting of March 11, 2008**

File

- Email: Received from Councilman David A. Reichelt, dated March 6, 2008 re: Meeting Minutes Reply – Attachments: Letter from Kevin M. Delaney, Airport Manager to David Reichelt, Councilman, dated February 28, 2008 and Letter from David A. Reichelt to Ms. Kathleen Kane, Senior Planner/C&S Companies, dated April 13, 2007 re: Meeting Minutes of February 27, 2007
- Cash Reconciliation Statement for January 31, 2008; the MTD Fund Report for the Month of January 2008 and Purchase Orders for February 2008
- Cities & Villages for the Month of January/February 2008

MAYOR'S REPORT – Robert M. Weger

- **Working Committee of Council Meeting of March 11, 2008** – Presentation from the CCA Airport to Council and the Administration as far as Alternative 38 -- Comment Cards displayed for residents to read Council's comments pertaining to the Cuyahoga County Airport. Urged everyone to submit a comment to the Cuyahoga County Airport, in opposition of any expansion of the airport

- **Easter Egg Hunt** – to be held this Saturday at 11:00 a.m. at the Community Center, sponsored by the Recreation Commission and the Recreation Department
- **Legislation** – Urges passage of Ordinance No. 2008-10, Ordinance No. 2008-11, Ordinance No. 2008-12 and Ordinance No. 2008-13, Resolution No. 2008-3 and Resolution No. 2008-4
- **Charter Review Appointments** – Requested a Motion of Council to appoint members to the Charter Review Commission

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

- No formal Report was given Report; open to any comments or questions.

FINANCE DIRECTOR – Joseph G. Mirtel

- No formal report; however did state that the Appropriation Budget is lean, but should make it through 2008 without any severe cutbacks or service breakdowns
- Consider increase revenue streams for there will be no carryover from any funds

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

- **Referenced Status Report for March**
- Utilities Committee – (3) Outstanding Issues:
 - Maple Valley Subdivision – further discussion on the proposal from the Developer is needed and appropriate
 - Additional Discount or Resolution of what Additional Discount for the Tap-In for those not yet connected to the Sewer – there has been some dialogue, but no formal notification as to the desire of Council
 - Recommended Rate Increase – effective as to the first of the year, Lake County has to be notified by April 1st of any Resolution towards of an adjustment in sewer rates
- Protected Areas Legislation – Preparing for final form; legislation will require Three Readings of Council – Map will need to be reviewed by the Planning Commission – Public Hearings will be required by both the Planning & Zoning Commission and Council
- Memorandum of Understanding has been prepared for the Cleveland Clinic
- TIF Work – Council to discuss improvements before proceeding or should City Engineer work with the Mayor

COMMITTEE REPORTS

FINANCE – Raymond C. Somich

COMMITTEE MEETING OF MARCH 3, 2008

Members Present: Chairman Raymond C. Somich, Councilwoman Nancy E. Fellows, Councilman David A. Reichelt

Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, Councilman Frank A. Germano, President of Council Kevin D. Malecek, Mayor Robert M. Weger, Finance Director Joseph G. Mirtel

Purpose of the Meeting was to review City Finances/2008 Budget and any other business.

Meeting convened at 6:36 p.m.

Received a general overview of financial condition from Finance Director Joseph Mirtel. He gave us a review of what he has learned and what he has found and what he has done and where he is at with everything. On an opinion basis, and speaking on behalf of the Members of the Committee, we were very pleased with the information that we received and the accuracy of said information. The Budget is underway and in fact, subsequent since the meeting, we have received a preliminary budget for internal review and then there will be a meeting of the Finance Committee, next Tuesday, March 18th and at that point all of Council is invited and certainly all Members of the Finance Committee is asked to be in attendance so that we can have that past by the end of the month.

We had Public Portion, Linda Fulton and Bob Kowalsky spoke.

Meeting adjourned at 7:03 p.m.

PLANNING & ZONING – David A. Reichelt

- **Planning & Zoning Committee met on March 3, 2008 for the purpose of discussing: Proposed Development of Vacant Property Adjacent to the Maplegrove Alliance Church and any other business.**

NOTE: Report provided at the Regular Council Meeting of March 27, 2008

COMMITTEE MEETING OF MARCH 10, 2008

Members Present: Chairman David A. Reichelt, Councilman David M. Fiebig, Councilman Frank A. Germano

Also Present: President Kevin D. Malecek, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Raymond C. Somich, Mayor Robert M. Weger, Law Director Thomas G. Lobe

Purpose of the Meeting was to review Hillside/Riparian Ordinance and any other business.

Meeting convened at 6:40 p.m.

Only a 15 minute Meeting. We discussed Hillside/Riparian Protected Areas Legislation that the City Engineer referred to earlier this evening. The City Engineer was not invited to attend, the purpose of the meeting was to bring the Members of the Committee up to date and how the issue has involved since the last meeting because there was a change in membership. Chair Reichelt stated that he was trying to avoid having Kyle Dreyfuss-Wells Director of the Chagrin River Watershed Partners to address the Committee again; she has already addressed this topic three times. It is an issue that most everyone has a grasp of now and we are getting comfortable with moving on. The Chair of the Planning & Zoning Commission (Charlotte Schryer) was in attendance and spoke in Public Portion as well as Linda Fulton. The Ordinance was forwarded by email to those who had requested a copy. Chair Reichelt stated that he will await the final draft as prepared by the City Engineer.

Meeting adjourned at 6:55 p.m.

- **Chair Reichelt stated that there are no meetings planned or scheduled at this point for the Planning & Zoning Committee**

RECREATION – David M. Fiebig

- Recreation Committee has not met; therefore no formal report was given.
- Reported that the Recreation Commission Meeting met on Monday, March 10th and he attended that meeting while it was in progress, the Commission voted to make a recommendation to the Mayor for Policy and Recognition of an Association here in the City. There was a Community Days Meeting that Councilman Fiebig was not able to attend, but perhaps the Chair Linda Fulton could speak on that during this evening's Public Portion.

President Pro-tem Reichelt requested Chair Fiebig to elaborate on the March 20th Meeting – the Sub-Committee for Field Facilities. Chair Fiebig stated that the Recreation Commission would like to work on adopting some formal policies for field usage first and then work on an overall/over-arching policy and procedure for Recreation in general for the City. So the March 20th Meeting, to be held at 7:00 p.m. at the Community Center in the Historical Society Room, will be for input.

RULES & LEGISLATION – Presented by President Pro-tem Reichelt

COMMITTEE MEETING OF MARCH 10, 2008

Members Present: Chairman Kevin D. Malecek, Councilman Frank A. Germano, Councilman David A. Reichelt

Also Present: Councilman Christopher L. Biro, Councilman David M. Fiebig, Mayor Robert M. Weger, Finance Director Joseph G. Mirtel

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

Meeting convened at 7:04 p.m.

Reichelt Chairs the meeting in the absence of Councilman Malecek on Thursday. **Ordinance 2008 -9:** Formalizing the start times of City Council meetings at 7:00pm instead of 8:00pm, Making that change in the code. Originally on a trial basis and it worked well for most everybody.

It was the consensus of the Committee to recommend passage of this Ordinance to Council at the Regular Council Meeting of March 13, 2008.

Ordinance 2008-10: Surplus firearms/property. Turned into federal license agent. We get money back for range

time – done this type of thing in the past. Weapon that is legally available. Re-circulate these.

It was the consensus of the Committee to recommend passage of this Ordinance to Council at the Regular Council Meeting of March 13, 2008.

Ordinance 2008-11: Lease/purchase of Chevrolet Tahoe – compensated by the government for the purchase of this. Subsidized – too good to pass up. Can buy the vehicle for \$1 in the lease/purchase program. Good deal for the City – practical vehicle to use – applications and tactical procedures. 4WD.

It was the consensus of the Committee to recommend passage of this Ordinance to Council at the Regular Council Meeting of March 13, 2008.

Ordinance 2008-12: Limestone purchase – accepting the purchase – bids were reviewed, recommendation for Ontario Stone. Not much debate on this subject. Sales Manager lives in Willoughby Hills.

It was the consensus of the Committee to recommend passage of this Ordinance to Council at the Regular Council Meeting of March 13, 2008.

Ordinance 2008-13: Asphalt purchase – accepting the bid of Osborne Concrete and Stone – bids reviewed by the Administration – selected and preferred bidder – same exhibits attached to the other.

It was the consensus of the Committee to recommend passage of this Ordinance to Council at the Regular Council Meeting of March 13, 2008.

Ordinance 2008-14: Renaming rooms at the Willoughby Hills Community Center – after Mayor O’Ryan and Mayor Schaefer. One – Senior Center to the O’Ryan Senior Center. Orchard Room will be changed to the Schaefer Room. Can do for three readings. Slight change from O’Ryan Room to O’Ryan Senior Center. Just an addendum to the section.

It was the consensus of the Committee to recommend that this Ordinance be left on Three-Readings and then adopt.

Resolution 2008-3: Airport Runway Expansion Opposition to the Cuyahoga County Commissioners
Reiterating position as before, updated with Alternative 38 addressed.

It was the consensus of the Committee to recommend passage of this Resolution to Council at the Regular Council Meeting of March 13, 2008.

Resolution 2008-4: Airport Runway Expansion Opposition to the Lake County Commissioners – similar to 2008-3, except for Lake County Commissioners.

It was the consensus of the Committee to recommend passage of this Resolution to Council at the Regular Council Meeting of March 13, 2008.

Public Portion:

Frank Cihula – Senior Room originally titled the Chagrin Room – probably changed to the Chagrin Room after the establishment of the Senior Center.

Linda Fulton – why does the City want a Tahoe? Do they tip over a lot? No – Explorer had those issues, many cities and governments use the Tahoes now – Police department needs a utility vehicle – need to carry stuff, deploy people, 4x4 vehicle, drug issues. Movement of people and equipment for covert enforcement activities. Practical vehicle to have.

Robert Kowalsky - How much will it cost to equip the Tahoe? Similar to police car cost – lights, radio, much the same as a police car, about \$5,000 to equip – new cars and new equipment. Can we find out how much this would cost before you know that? Designation – paid out of trust fund account. Before you get it – grant off of another organization to equip it.

Meeting adjourned at 7:27 p.m.

SAFETY – David A. Reichelt

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

SERVICE – Nancy E. Fellows

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

UTILITIES – Frank A. Germano

- The Utilities Committee Meeting scheduled for March 8th was cancelled due to inclement weather; therefore no formal report was given.

PERSONNEL RELATIONS – Christopher L. Biro

- The Committee has not met; therefore no formal report was given.
- **Requested an Executive Session to discuss a Personnel Relations Matter. The Mayor and the Law Director are to be invited.**

WORKING COMMITTEE OF COUNCIL – Presented by President Pro-tem Reichelt

COMMITTEE MEETING OF MARCH 1, 2008

Members Present: President Kevin Malecek (arrived at 10:45 a.m.), Vice-President David A. Reichelt, Councilman Christopher Biro, Councilwoman Nancy E. Fellows, Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Raymond C. Somich

Also Present: Mayor Robert Weger, Mayor’s Assistant Gloria Majeski, Law Director, Thomas Lobe (arrived at Noon), Finance director Joseph Mirtel (arrived at Noon), City Engineer Richard Iafelice (arrived at Noon), Council Clerk Victoria Savage

Purpose of the Meeting was to hold a Work Session of Council to address City Issues and any other business.

Because of the extent of the Workshop, the minutes will be forth coming and will be made available through Council Office. Note: The minutes were received in Council Office on March 25, 2008 and have been provided.

Meeting Date: **March 1, 2008**
Scheduled Meeting Time: **9:00 a.m.**
Meeting Location: **Lakeland Community College – Room A1044F**

Members in Attendance: President Kevin Malecek (arrived at 10:45), Vice-President David Reichelt, Councilman Christopher Biro, Councilwoman Nancy Fellows, Councilman David Fiebig, Councilman Frank Germano, Councilman Raymond Somich

Others Present: Mayor Robert Weger, Executive Assistant to the Mayor Gloria Majeski, Law Director Thomas Lobe (arrived at Noon), Finance Director Joseph Mirtel (arrived at Noon), City Engineer Richard Iafelice (arrived at Noon), Council Clerk Victoria Savage

Vice-President Reichelt opened the meeting at 9:05am by stating the importance of conducting this workshop for the purpose of identifying current issues that the City is facing as well as identifying future issues with the ultimate goal of developing action plans; thereby sharing the workload. This Workshop would be dealing with both Executive and Legislative issues with the intent of a creating a standard of professionalism for functional efficiently.

Public Portion was opened at 9:10 a.m. With no one coming forth from the public, Vice President Reichelt closed Public Portion at 9:11 a.m.

Vice-President Reichelt thanked Lakeland Community College for the use of their facility and the Mayor for authorizing the City to cater the event.

Before proceeding, Vice-President Reichelt requested a moment of silence in honor of Patrolman Derrick Owens, a Cleveland Police Officer that was killed in the line of duty last evening in Cleveland.

Vice-President Reichelt commenced the discussion of the first session:

“RAPID-FIRE ROUND TABLE DISCUSSION”

In no particular order, the following are general items of discussion:

- **City Letterhead**
- **Public Records and Retention Schedules**
- **Current IT –Technology Project**

- Email Addresses/Website
- Channel 12
- Financing for City Projects
- Renovation of City Hall
- Portable Defibrillator (AED)
- Basic Life Support Class
- Security and Renovation of Council Chambers
- Building & Grounds
- Campbell and Roemisch Fields
- Recycling Bins
- Image of the City
- Nuisance Ordinance
- Gas Wells
- Community Center
- Marketing of the Community Center
- The Reorganization of the Finance Department
- Renaming of Rooms at the Community Center

BRAINSTORMING EXERCISE

President Malecek led a brainstorming discussion of what participants might want to see happen in Willoughby Hills in the future and urged participants to compare, contrast, and “piggy-back” on the ideas of their colleagues to present a more protracted, brainstorming-oriented discussion.

WORKING LUNCH

Law Director Thomas Lobe, Finance Director Joseph Mirtel and City Engineer Richard Iafelice joined the group for afternoon session and Vice-President Reichelt reviewed the results of the Rapid-Fire Round Table Discussion held during the AM Session.

“SHORT-TERM” ISSUES

Vice-President Reichelt asked everyone to share their “short term” concerns, on which discussion ensued:

- Road Maintenance – Repairs on Bishop and White Road
- Cuyahoga County Airport
- Residential Maintenance Property Code and Enforceability of Code
- Home Occupation
- Sign Regulations
- Abandon Structures
- Deed Restrictions Limiting Logical Growth
- Proactive Approach to Redevelopment
- Electronic Communications
- Council Chambers Microphone Usage
- Town Hall Meetings
- Budget for Council for Communications and Seminars
- Community Event (e.g. Community Days)
- Media Communications Ad-Hoc Committee - Strengthen Communications with the public
- Confirm Charter Review Members

“LONG TERM” ISSUES

Vice-President Reichelt asked everyone to share their “long term” concerns, on which discussion ensued:

- Finances & Budget & Future Audit Goals - Capital Planning
- “Residents First” program

- Zoning & Variance Issues
- Cuyahoga County Airport
- Nuisance Ordinances
- Boys League/Control of Fields - Recreation Master Plan
- Bike Paths, Family Oriented Activities
- Sewers
- Willoughby Hills “Downtown Center”
- Monthly Administrative/staff meetings
- City Master Plan
- Lake County Port Authority
- Coordinate Efforts of the Service and Building Departments
- Maximize Collection of Income Tax
- Road Levy
- Ways to Reduce Criminal Activity

Vice-President Reichelt and Council President Malecek thanked everyone for their participation and input. The information gained through this workshop will help us pave the way for future development and needs to continue on a yearly basis to measure and ensure the City’s growth.

Meeting was adjourned at 4:35 p.m.

COMMITTEE MEETING OF MARCH 11, 2008

Members Present: Vice-President David A. Reichelt, Councilman Christopher L. Biro (arrived 8:45 p.m.), Councilman David M. Fiebig, Councilman Frank A. Germano, Councilman Raymond C. Somich

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

Airport Representatives: Kevin M. Delaney, Airport Manager, Charles McDermott, C&S Engineers, Susan J.H. Zellers, P.E., Principal of Aerofinity, Matt Winhelm

Purpose of the Meeting was to review Cuyahoga County Airport Master Plan Update and any other business.

Vice President Reichelt called the meeting to order at 7:07 p.m.

The Meeting was a “Town Hall” meeting style, but it was still a Working Committee of Council Meeting at which the Airport Manager Kevin Delaney along with his engineering consultants and other identities representing the Airport were in attendance and made presentations. The meeting was quite lengthy, 2 hours and 57 minutes. A lot of excellent comments were shared and Vice President Reichelt thanked everyone for coming and taking the time to state their comments. There was public portion and due to the extent of the minutes, they have not been completed as yet but will be made available in the near future through the Council Office.

OTHER COUNCIL REPRESENTATIVE REPORTS

- There were no other Council Representative Reports brought forth to 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.**

President Malecek opened public portion at 7:30 p.m.

1. Bob Murphy

Re: “Murphy’s War” - Solution to the Airport Issue; Attack the issue on noise and air pollution level, that is the only way to do it

2. Linda Fulton
2990 Marcum Boulevard
Re: Reported that on the corner of Parkview & 91 there is a snow pile blocking view of the main road; City's Community Day will be held on Saturday, June 28th beginning at Noon until 12 Midnight, a parade is planned and the Committee is looking to combine Community Day with Touch-a-Truck
3. Robert Kowalsky
2585 Timberline Drive
Re: City Elect has no plan to stop the sponsors of the Airport Master Plan, the Cuyahoga County Commissioners and their control of Willoughby Hills property; not a word to the Cuyahoga County Commissioners about the easements imposed on property owners; Three Minute Rule did not allow the public sufficient time to express their concern; get issue solved now, don't wait another two to three years – stop this now

With no further commentary coming forth from the public, President Malecek closed public portion at 7:39 p.m.

UNFINISHED BUSINESS

- Councilman Somich stated that anyone who would like to read the News-Herald Article (dated March 12, 2008, titled: *Plan hits turbulence...WH officials, residents voice more opposition to runway expansion*) for it is an unbiased version of the meeting. It certainly stimulated the efforts of City Council and the stance of City Council and this Administration and it did quote many of the comments made by Members of the Council and the Mayor. The article stressed the City's total opposition to all expansion.
- President Pro-tem Reichelt responded to Mr. Kowalsky's commentary by stating that it was very clear that Council's comment cards were done well in advance of the March 11th meeting, they were printed in enlarged versions and mounted on backboard and displayed at the meeting, each of the comments, all seven of them, from Council, were very unambiguous, very clear in opposition to any runway expansion, please take time to read them and education yourself.

President Pro-tem Reichelt announced that due to a "technical glitch" in the email system, delivery of the legislation to Council was received later than the two day required notice period; therefore, the Two Day Notification Rule will need to be suspended on each and every piece of legislation.

Law Director Lobe stated that this is one of the problems with using email for transmitting notifications and legislation and this is something that Council should consider in the future. In this particular instance, the hard copies that were distributed were timelier and were the better means and methodology of delivery.

LEGISLATION

ORDINANCE NO. 2008 – 9

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE THREE – LEGISLATIVE, CHAPTER 121 – COUNCIL, SECTION 121.01 – RULES OF COUNCIL OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to suspend the Two Day Notification for Ordinance No. 2008-9.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Ordinance No. 2008-9 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to suspend the Three Reading Rule for Ordinance No. 2008-9.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Ordinance No. 2008-9 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to adopt Ordinance No. 2008-9.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that Ordinance No. 2008-9 has been adopted.

ORDINANCE NO. 2008-10

AN ORDINANCE TO DECLARE FIREARMS AS SURPLUS PROPERTY PURSUANT TO SECTION 721.27 OF THE OHIO REVISED CODE.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Two Day Notification Rule for Ordinance No. 2008-10.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Ordinance No. 2008-10 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilwoman Fellows to suspend the Three Reading Rule for Ordinance No. 2008-10.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Ordinance No. 2008-10 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilwoman Fellows to adopt Ordinance No. 2008-10.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that Ordinance No. 2008-10 has been adopted.

ORDINANCE NO. 2008-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF WILLOUGHBY HILLS TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR THE PROCUREMENT OF A 2008 CHEVROLET TAHOE FROM TAYLOR CHEVROLET AT OHIO STATE CONTRACTOR PRICING PURSUANT TO THE TERMS OF THE OHIO HIGH INTENSITY DRUG TRAFFICKING AREA MEMORANDUM OF UNDERSTANDING.

The Law Director requested that an Emergency Clause be added to the Ordinance, stating that it will not change the substantive matter of it, and further stating that it probably should have had an Emergency Clause on it, we try to do less and less of Emergency Clauses, but due to the timing of this one, it is one that we really do need to have an Emergency Clause added to it. The Caption and Section 4 of the Ordinance have been amended as follows:

“AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF WILLOUGHBY HILLS TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR THE PROCUREMENT OF A 2008 CHEVROLET TAHOE FROM TAYLOR CHEVROLET AT OHIO STATE CONTRACTOR PRICING PURSUANT TO THE TERMS OF THE OHIO HIGH INTENSITY DRUG TRAFFICKING AREA MEMORANDUM OF UNDERSTANDING **AND DECLARING AN EMERGENCY.”**

“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 operation of the Police Department and it is of the utmost urgency to proceed with said lease/purchase agreement through the Ford Municipal Finance Program whereby the quotation for Willoughby Hills, Ohio – Bid #55053 is good until 04/30/2008; vehicle delivery must take place and all required documentation and payments must be received by Ford Credit by the good thru date. After 04/30/2008, rates and payments are subject to change; wherefore, this Ordinance shall be in full force and effect from and after its approval by the Mayor.”

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Somich to suspend the Two Day Notification Rule for Ordinance No. 2008-11 – As Amended.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Ordinance No. 2008-11 – As Amended has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Fiebig to suspend the Three Reading Rule for Ordinance No. 2008-11 – As Amended.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Ordinance No. 2008-11 – As Amended has been suspended.

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Germano to adopt Ordinance No. 2008-11 – As Amended.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that Ordinance No. 2008-11 – As Amended has been adopted.

ORDINANCE NO. 2008-12

AN ORDINANCE ACCEPTING THE BID OF ONTARIO STONE CORPORATION FOR THE PURCHASE OF LIMESTONE FOR THE YEAR 2008 AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Two Day Notification Rule for Ordinance No. 2008-12.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Ordinance No. 2008-12 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Somich to suspend the Three Reading Rule for Ordinance No. 2008-12.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Ordinance No. 2008-12 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Fiebig to adopt Ordinance No. 2008-12.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that Ordinance No. 2008-12 has been adopted.

ORDINANCE NO. 2008-13

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE & STONE CO. FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2008 AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Biro to suspend the Two Day Notification Rule for Ordinance No. 2008-13.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Ordinance No. 2008-13 has been suspended.

MOTION WAS MADE BY COUNCILWOMAN FELLOWS, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2008-13.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Ordinance No. 2008-13 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to adopt Ordinance No. 2008-13.

Roll Call: 6 AYES - unanimous

MOTION PASSES

Pro-tem Reichelt stated that Ordinance No. 2008-13 has been adopted.

ORDINANCE NO. 2008-14

AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE, TITLE FIVE – OTHER PUBLIC SERVICES, CHAPTER 941 USE OF PUBLIC PROPERTY, SECTION 941.07 – WILLOUGHBY HILLS COMMUNITY CENTER BY NAMING ROOMS IN HONOR OF MAYOR MORTON E. O’RYAN AND MAYOR MELVIN G. SCHAEFER.

MOTION WAS MADE BY COUNCILWOMAN FIEBIG, seconded by Councilwoman Fellows to suspend the Two Day Notification Rule for Ordinance No. 2008-14.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Ordinance No. 2008-14 has been suspended.

President Pro-tem Reichelt declared that Ordinance No. 2008-14 will be further reviewed by the Rules & Legislation Committee and will remain on First Reading.

RESOLUTION NO. 2008-3

A RESOLUTION NOTIFYING THE CUYAHOGA COUNTY COMMISSIONERS THAT THE CITY OF WILLOUGHBY HILLS WILL CONTINUE TO FIGHT ANY AND ALL RUNWAY EXPANSION OF THE CUYAHOGA COUNTY AIRPORT AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Fiebig to suspend the Two Day Notification Rule for Resolution No. 2008-3.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Resolution No. 2008-3 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Biro to suspend the Three Reading Rule for Resolution No. 2008-3.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Resolution No. 2008-3 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Fiebig to adopt Resolution No. 2008-3.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that Resolution No. 2008-3 has been adopted.

RESOLUTION NO. 2008-4

A RESOLUTION NOTIFYING THE LAKE COUNTY COMMISSIONERS THAT THE CITY OF WILLOUGHBY HILLS WILL CONTINUE TO FIGHT ANY AND ALL RUNWAY EXPANSION OF THE CUYAHOGA COUNTY AIRPORT AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to suspend the Two Day Notification Rule for Resolution No. 2008-4.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Two Day Notification Rule for Resolution No. 2008-4 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Germano to suspend the Three Reading Rule for Resolution No. 2008-4.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that the Three Reading Rule for Resolution No. 2008-4 has been suspended.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Germano to adopt Resolution No. 2008-4.

Roll Call: 6 AYES - unanimous

MOTION PASSES

President Pro-tem Reichelt stated that Resolution No. 2008-4 has been adopted

NEW BUSINESS

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Somich to adjourn into Executive Session for Personnel Relations Matter inviting the Mayor and Law Director, excusing the Finance Director and the City Engineer preferably after the conclusion of “For the Good of the Order”

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Pro-tem Reichelt declared that the motion has been adopted and Council will adjourn into Executive Session at the conclusion of “For the Good of the Order”.

NOTE: In accordance with the Open Meetings Law which plainly requires a public body to specify the particular reason or reasons listed in the “personnel exception” (i.e. the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or to (consider) the investigation of charges or complaints against a public employee...) for which the Executive Session is being called; therefore let the record show that the “Personnel Relations Matter” was to address an “Employee Conflict”.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilwoman Fellows to confirm the appointment of nine members of the Charter Review Commission: Chris Biro, Linda Fulton, Andrew Gardner, Wilhelmina Kamis, Peter Corbissero, Dale Fellows, Joyce Grady, Tony Manfredi and James Shannon.

Councilwoman Fellows questioned the Law Director if she should abstain, since her husband is one of the appointees. The Law Director ruled that Councilwoman Fellows need not abstain.

Roll Call: 5 AYES - w/Councilman Biro abstaining

MOTION PASSES

President Pro-tem Reichelt stated that the motion carried and the new members have been approved by Council and are ready to be confirmed by the Mayor.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to authorize the City Engineer to proceed with the detailed plans for Assessment Area C, excluding the area on Chardon Road from City Hall to Route 91.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Pro-tem Reichelt stated that City Engineer is authorized to proceed with the detailed plans for Assessment Area C, excluding the area on Chardon Road from City Hall to Route 91.

Councilwoman Fellows questioned the issue of gas wells, since the City does not issue the permits for gas wells, for residents on their property, once a resident has a gas well, is it now considered a business, are they running a business on their property? Councilwoman Fellows would like this issue to be placed in a Committee. President Pro-tem stated that this issue could be placed in the Rules & Legislation Committee and reviewed under the direction of the Law Director.

Law Director Lobe replied that he would start with the Building Inspector to see how many gas wells are currently in the City.

FOR THE GOOD OF THE ORDER

- Councilman Fiebig wanted to recognize that Senator Howard Metzenbaum who had passed away. Councilman Fiebig stated that he has it on good authority that Senator Metzenbaum was instrumental in making sure that Manakiki Golf Course became a public golf course.
- Mayor Weger wanted to make a couple of comments regarding last weekend, stating that we could call it the "Blizzard of 2008". He commended the Police Department for all that they did, there were a lot of traffic problems; the Fire Department had to respond to many, many calls and they also helped with plowing of the snow, as the Service Department was overworked. The Mayor wanted to personally thank Councilman Germano for his help, (since he does have a CDL license), for he actually drove one of the City's big snow plows during the snow storm. The Mayor also wanted to thank the City Prosecutor, Mike Germano who kept the City Hall lots and the Community Center parking lot open with his own personal truck so that the City could hold the pancake breakfast and keep the City's cruisers ongoing. The City did have to rent a couple vehicles from King Excavating, road graders and also a front-end loader to be able to stack the snow.
- The Mayor wanted to thank everyone involved, all the Departments pulled together to get it done for the City, it's team work that makes it happen, from the Administration to Council, to the Service, Fire and Police. The Mayor also mentioned that he had other volunteers from Council to say that they were willing to assist, but we ran out of trucks!
- Councilman Somich commended the Mayor for his leadership through the first unexpected crisis that the City encumbered and stated that this was typical of how his actions have been for the last three months, being right there on the job first and foremost, leading the City. Councilman Somich also wanted to commend him for the appointment of the members of the Charter Review Commission. Councilman Somich feels that he has appointed some excellent people.
- Councilman Somich reported that the Lake County Council on Aging Annual "March for Meals" that was to be held last Saturday at the Great Lakes Mall from 7:00 a.m. to 10:00 a.m. was snowed-out. The Event has been scheduled for this Saturday, March 29th at the Great Lakes Mall from 8:00 a.m. to 10:00 a.m. anyone interested may call the Lake County Council on Aging for more information.
- Councilman Somich wished everyone a Happy Easter.
- President Pro-tem Reichelt announced the Easter Egg Hunt to be held this Saturday, March 15th at 11:00 a.m. The event will be held indoors and the Easter Bunny will be on hand for pictures.

President Malecek dismissed the Finance Director Joseph Mirtel and the City Engineer Richard Iafelice before adjourning into Executive at 8:15 p.m.

All of Council reconvened from Executive Session at 8:45 p.m.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to adjourn.

Roll Call: 6 AYES – unanimous

MOTION PASSES

Meeting adjourned at 8:46 p.m.

APPROVED: Victoria Ann Savage
Date

ATTEST: Victoria Ann Savage
Victoria Ann Savage
Clerk of Council

Kevin D. Malecek
Kevin D. Malecek
President of Council