

City of Willoughby Hills

Regular Council Meeting Minutes of September 9, 2010

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.

7:00 p.m. Meeting of Council Called to Order by President Kevin D. Malecek

Pledge of Allegiance

Roll Call of Council

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

Absent: Councilwoman Nancy E. Fellows

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

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Fiebig to excuse Councilwoman Nancy E. Fellows from the Regular Council Meeting of September 9, 2010.

Roll Call: 6 AYES – unanimous MOTION PASSES

President Malecek stated that Councilwoman Nancy E. Fellows has been excused from the Regular Council Meeting of September 9, 2010.

Disposition of the Journal Regular Council Meeting of July 22, 2010

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to approve the Minutes of the Regular Council Meeting of July 22, 2010.

Roll Call: 6 AYES – unanimous MOTION PASSES

President Malecek stated that the Regular Council Meeting Minutes of July 22, 2010 have been approved.

Special Council Meeting of August 4, 2010

MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to approve the Minutes of the Special Council Meeting of August 4, 2010.

Roll Call: 6 AYES – unanimous MOTION PASSES

President Malecek stated that the Special Council Meeting Minutes of August 4, 2010 have been approved.

Correspondence

- Mayor Robert Weger to Council Members and Council Clerk, dated July 27, 2010, re: Airport Plans (Emailed: July 27, 2010)
- Diana McCann, Building Clerk to Administration and Members of Council, dated July 21, 2010, re: Sheriffs Sales in the City of Willoughby Hills (Emailed: August 9, 2010)

- Richard Iafelice, City Engineer to Mrs. Laura Kramer Kuns, R.S./Supervisor of Liquid/Solid Waste & Water Supply, dated August 3, 2010 re: Sanitary Sewer Improvements/Notification of Service/Willow Lane, Area C and Willow Lane Sewer District (Emailed: August 9, 2010)
- Mayor's Monthly Report to Council for the Month of July, 2010 (Emailed: August 9, 2010)
- Mayor's Monthly Report to Council for the Month of August, 2010 (Emailed: September 7, 2010)
- City Engineer's Status Report for the Month of September 2010
- FINANCIAL REPORTS: CASH RECONCILIATION, PURCHASE ORDERS AND FUND BALANCE CHANGE ANALYSIS FOR THE MONTH ENDING JULY 2010 (Emailed: August 4, 2010)
- FINANCIAL REPORTS: CASH RECONCILIATION, PURCHASE ORDERS AND FUND BALANCE CHANGE ANALYSIS FOR THE MONTH ENDING AUGUST 2010 (Emailed: September 3, 2010)

Notifications

- Board of Building and Zoning Appeals **cancellation** of the August 10, 2010 Meeting (Emailed: August 4, 2010)
- Civil Service Commission Meeting of August 12, 2010 (Emailed: July 29, 2010)
- Planning & Zoning Commission & Architectural Board of Review **cancellation** of the August 19, 2010 Meeting (Emailed: July 15, 2010)
- Rules & Legislation Committee Meeting of July 27, 2010 (Emailed: July 26, 2010)
- Rules & Legislation Committee Meeting of September 9, 2010 (Emailed: September 3, 2010)
- Special Council Meeting of August 4, 2010 (Emailed: August 2, 2010)
- Town Hall Meeting of September 1, 2010

Minutes

- Planning & Zoning Commission and Architectural Board of Review Meeting of July 1, 2010 (Emailed: July 22, 2010)
- Planning & Zoning Commission and Architectural Board of Review Meeting of July 15, 2010 (Emailed: August 13, 2010)
- Recreation Commission Meeting of May 4, 2010 (Emailed: August 9, 2010)
- Rules and Legislation Committee Meeting of July 27, 2010 (Emailed: July 29, 2010)
- **Rules and Legislation Committee Meeting of September 9, 2010**

On File

- Ohio Municipal League: E-Bulletin and OML Link: Good for you and the League
- Email from Christopher J. Collins, Chief of Police, dated August 31, 2010, re: Automatic License Plate Reader (ALPR) Program WHPD Car 776
- Willoughby Hills Senior Center – Activity Pages for September 2010, Issue Number 9

MAYOR'S REPORT – Robert M. Weger

- Maple Grove Slope Failure Project – anticipate road to open 15th of September
- Route 91 Widening Project
- Corp 90/Stark Drive Pump Stations – final stages
- Farmer's Market
- The Wright Place
- Mario Fazio – final stage
- Town Hall Meeting held September 1st ; additional meetings to be held October 4th and October 25th
- Business of the Month – Animal Hospital (located at the corner of Route 6 and 91)
- Touch-A-Truck Event was successful; thanked the Members of the Fire Department who donated their time
- Requested a moment of silence to acknowledge resident Stanley Oshaben who passed away over the weekend
- Art Gallery – WH Quilt Guild featured for the month of September
- **Save the Dates:**

October 4th

Town Hall Meeting: Issue 3 – Income Tax Increase to be held at the WH Community Center 7:00 p.m.

October 9th

Craft Fair – WH Community Center from 10:00 a.m. to 4:00 p.m.

October 25th

Town Hall Meeting: Issue 3 – Income Tax Increase to be held at the WH Community Center 7:00 p.m.

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

- No Formal Report was given.

FINANCE DIRECTOR’S REPORT – Joseph G. Mirtel

- Financial Reports consisting of Cash Reconciliation, Purchase Orders and Fund Balance Change Analysis for the months of July and August were distributed to Council
- State Auditors finishing up with the 2008/2009 Audit

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

- Referenced Status Report for September 2010
- Status of the Sewer Project – construction activity to continue through December
- Ordinance No. 2010-32
- Ordinance No. 2010-33
- Suggests Utilities and Service Committee Meetings be held on a regular basis alternating every other month
- Planning for Projects

FINANCE – Raymond C. Somich, Chair

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

- The Finance Committee has not met; therefore no formal report was given.
- Finance Committee Meeting to be scheduled to review the Financial Reports for July and August 2010

PLANNING & ZONING – David M. Fiebig, Chair

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

- The Planning & Zoning Committee has not met; therefore no formal report was given.

RECREATION – Nancy E. Fellows, Chair

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

- Councilwoman Fellows was absent; therefore no formal report was given.

RULES & LEGISLATION – Kevin D. Malecek, Chair

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

COMMITTEE MEETING SEPTEMBER 9, 2010

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

Also Present: Councilman Christopher L. Biro, Councilman Raymond C. Somich, Mayor Robert M. Weger, Law Director Thomas G. Lobe

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

Meeting convened at 6:31 p.m.

Order of Business

Ordinance 2010-33: Amending Sewer Easement

Susan Payne property resolution – has been through Engineer’s office – still in communication about her auxiliary building. Deed restriction on property.

Consensus to waive the Three Reading Rule and Adopt at Council this evening.

Resolution 2010-5: Accepting Amounts and Rates

Memorializing and accepting amounts and rates from the County.

Consensus to waive the Three Reading Rule and Adopt at Council this evening.

Executive Session to Discuss Personnel Matters – Motion by Mr. Reichelt to move to Executive Session to discuss **Personnel Matters** inviting all at the table (including Mayor and Law Director) and any other Members of Council that may arrive. Motion adopted.

Meeting adjourned at 6:47 p.m.

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

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

UTILITIES – Frank A. Germano, Chair

Committee Members: Nancy E. Fellows, Raymond C. Somich

- The Utilities Committee has not met; therefore no formal report was given.
- Announced that a Utilities Committee Meeting will be called to discuss various planning issues for the Sanitary Sewer System including current legislation

PERSONNEL RELATIONS – Christopher L. Biro, Chair

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

- The Personnel Relations Committee has not met; 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 reports given.

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 7:18 p.m.

1. Murray Sheldon
28846 Eddy Road
Re: Unsightly rusted fencing along Route 6-Chardon Road Bridge
2. Robert Kowalsky
2585 Timberline Drive
Re: New Revenue Streams

Public Portion was closed at 7:20 p.m.

UNFINISHED BUSINESS

- There was no unfinished business to address.

LEGISLATION

ORDINANCE NO. 2010-32

AN ORDINANCE AMENDING PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 925 – SEWERAGE SYSTEM REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO AND REPEALING ANY AND ALL CONFLICTING LEGISLATION.

President Malecek declared that Ordinance No. 2010-32 would remain on First Reading and referred it to the Utilities Committee for further review.

ORDINANCE NO. 2010-33

AN ORDINANCE TO AMEND ORDINANCE NO. 2009-61, AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS AND MUNICIPAL EASEMENTS BY CONSTRUCTING AN 8-INCH SEWER, PUMP STATIONS AND FORCE MAINS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO (AREA “C”), BY THE AMENDMENT OF SECTION 2 AND SECTION 4 THEREOF, IN ACCORDANCE WITH RESOLUTION NO. 2009-7 ADOPTED ON MAY 11, 2009.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Biro to suspend the Three Reading Rule for Ordinance No. 2010-33

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Ordinance No. 2010-33 has been suspended.

MOTION WAS MADE BY COUNCILMAN GERMANO, seconded by Councilman Reichelt to adopt Ordinance No. 2010-33.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek declared that Ordinance No. 2010-33 has been adopted.

RESOLUTION NO. 2010-5

A RESOLUTION AUTHORIZING THE CITY OF WILLOUGHBY HILLS TO ACCEPT THE AMOUNTS AND RATES FOR THE YEAR 2011 AS DETERMINED BY THE BUDGET COMMISSION OF LAKE COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND THE CERTIFICATION THEREOF TO THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY.

MOTION WAS MADE BY COUNCILMAN BIRO, seconded by Councilman Somich to suspend the Three Reading Rule for Resolution No. 2010-5

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek declared that the Three Reading Rule for Resolution No. 2010-5 has been suspended.

MOTION WAS MADE BY COUNCILMAN SOMICH, seconded by Councilman Fiebig to adopt Resolution No. 2010-5.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek declared that Resolution No. 2010-5 has been adopted.

NEW BUSINESS

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

FOR THE GOOD OF THE ORDER

- Councilman Somich announced the Lake County Perch Fest – Free event being held at Fairport Harbor Lakefront Park – A Metroparks Facility on September 10, 11, 12, Friday 4-11pm, sat Noon-11pm, Sun Noon-8pm

- Councilman Somich announced Annual Senior Day to be held at Lake Farmpark on Thursday, September 16th; free admission for anyone 55 and older
- Councilman Reichelt announced the WH Quilt Guild Exhibit opening tomorrow night at the WH Community Center
- President Malecek announced that CityMusic Cleveland will be performing at St. Noel Church on Thursday, September 30th at 7:30 p.m.

ADJOURNMENT

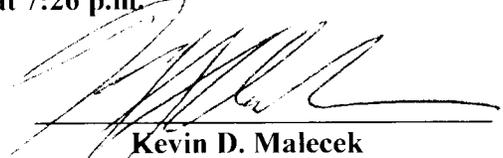
MOTION WAS MADE BY COUNCILMAN FIEBIG, seconded by Councilman Reichelt to adjourn the Meeting.

Roll Call: 6 AYES – unanimous

MOTION PASSES

President Malecek declared that this Meeting of Council is adjourned at 7:26 p.m.

APPROVED: September 23, 2010
Date



Kevin D. Malecek
President of Council

ATTEST: 

Victoria Ann Savage, CMC
Clerk of Council