

MINUTES

REGULAR COUNCIL MEETING

8:00 p.m.

April 17, 2007

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on April 13, 2007:

ROLL CALL

Councilmen Present: Mr. Cox, Mr. Black, Mr. Fiala, Mr. Harrold, Mr. Ranally, Mr. Woodin, Mrs. Manning

Others Present: Mayor Anderson, Law Director Wiles, Service Director Tomaselli, Fire Chief Zwegat, Police Chief Straube, Finance Director Rogowski, Parks and Recreation Director Katz, Clerk Radebaugh

The meeting was led in prayer and the Pledge of Allegiance by Council President Cox.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of April 3, 2007.

Roll Call: 7 yes
 0 no

Motion carried 7 to 0

P.A.L. Donation

Bob Oravitz of the Western Reserve Harley Owners Association presented Police Chief Straube with a check for \$1000 for the P.A.L. Organization.

STANDING COMMITTEES OF COUNCIL

Committee of Full, Mr. Cox – We had a meeting this evening.

Economic Development Committee, Mr. Black – No report.

Environmental Planning Committee, Mr. Ranally – No report.

Finance and Audit Committee, Mr. Ranally – No report

Parks & Recreation Committee, Mr. Woodin – No report.

Personnel Committee, Mr. Harrold – No report.

Safety Committee, Mr. Black – No report.

Service Committee, Mrs. Manning – We met this evening to discuss the road program.

WPCC Committee, Mr. Harrold – No report.

Clean City Commission, Mr. Cox – No report.

Planning Commission, Mr. Fiala – Planning Commission will have a joint meeting with Council on May 3rd to discuss the Master Plan with our consultant.

Shade Tree Commission, Mrs. Manning – Arbor Day Celebration will be Friday, April 27th, at 6:30 p.m. at Pointe Park.

CORRESPONDENCE

No correspondence

PUBLIC PORTION

No one spoke

OLD BUSINESS

None

NEW BUSINESS

Motion made and seconded that all ordinances and resolutions be read by caption only and that as to legislation not containing an emergency clause, the rules requiring that ordinances and resolutions be read on three separate days be waived.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2007-45

A Resolution authorizing a tap-in to the Willoughby-Eastlake Sewer System for property located at 6323 Iroquois Trail, Mentor, Ohio, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-45 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-45

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2007-46

A Resolution authorizing the purchase of 2007 Road Maintenance Materials for use by the Service Department.

Motion made and seconded to adopt Resolution No. 2007-46.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2007-47

A Resolution authorizing the Mayor to enter into a contract with Monte Construction Co., Inc. in the amount of \$129,465 for implementation of the Erie Street Sanitary and Storm Sewer Improvement Project, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-47 be declared an emergency measure.

Roll Call: 7 yes
0 no Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-47.

Roll Call: 7 yes
0 no Motion carried 7 to 0

RESOLUTION NO. 2007-48

A Resolution approving Change Order No. 1 in the contract with Game Time, a Division of Playcore, Wisconsin, Inc., c/o David Williams & Associates, Inc. for the purchase and installation of playground equipment necessary to the Osborne Park Playground Project, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-48 be declared an emergency measure.

Roll Call: 7 yes
0 no Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-48.

Roll Call: 7 yes
0 no Motion carried 7 to 0

ADDENDUM

RESOLUTION NO. 2007-49

A Resolution authorizing an expenditure in an amount not to exceed \$25,000 for replacement of the incinerator by-pass stack at the WPCC.

Motion made and seconded to adopt Resolution No. 2007-49.

Roll Call: 7 yes
0 no Motion carried 7 to 0

RESOLUTION NO. 2007-50

A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the replacement of the haul road culvert at the WPCC.

Motion made and seconded to adopt Resolution No. 2007-50.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

MAYOR'S REPORT – Reported that April 27th is the 50th anniversary of the Fine Arts Association. The City of Willoughby will be one of two groups presented with an award for their support of the Fine Arts Association. May 3rd, at noon, is the National Day of Prayer service at Pointe Park.

Councilman Woodin asked Mayor Anderson to elaborate on divesting local government of their cable video franchise authority. Mayor Anderson said that Time Warner and A T and T are asking for a State franchise. The problem with this proposal is that Channel 12 would be changed so that it could be put on any package that is seen by 50% or more of the population. This means if half of the population is on digital, channel 12 could be switched to a higher numbered channel. People who are on the basic plan could not get that channel. These channels could also be reclaimed if they are underutilized.

Mayor Anderson will be attending a meeting on Monday regarding eminent domain. He commented that eminent domain has never been used in Ohio, but feels there should be a tool to use if there is a legitimate government purpose.

OTHER REPORTS

Law Director Wiles – No report.

Service Director Tomaselli – Related an incident that happened in Ward 6 where the drivers of the BFI truck helped an elderly lady who had fallen into a ditch and had been there for a half hour. They helped her into her home and rescue was called. The drivers also made arrangements to pick up her trash bags by the side of her house since she has a hard time walking. Mr. Tomaselli said the city sent a letter to BFI commending these two gentlemen.

Curbs will be poured on Mentor Avenue on Thursday. The job will be done by the middle of June. The Clean City flea market will be Saturday, April 28th.

Councilman Woodin asked if Mr. Sayles had mentioned a time frame for the Two Town Creek Study. Mr. Tomaselli said they are still working on the study. Mr. Woodin also asked about what would be done on Lost Nation Road in the road program. Mr. Tomaselli explained the procedure with the concrete. Mr. Woodin also asked if a developer could be made to repair the road after they have put in a big development. He cited the condition of Hodgson Road. Mr. Tomaselli said our policy has been that the city will continue to patch the road.

City Engineer Sayles – Absent.

Fire Chief Zwegat – No report.

Police Chief Straube- No report.

Chief Building and Zoning Inspector Smith– Absent

Parks & Recreation Director Katz – No report.

Finance Director Rogowski– Thanked Council for listening to the Regional Income Tax Agency tonight. Mr. Ranally commented that the Revenues and Expenditures Report Ray sends out is very helpful.

COUNCILMEN

Mr. Woodin – No report.

Mr. Fiala – No report.

Mr. Ranally – No report.

Mrs. Manning – A ward meeting is scheduled for June 6th at Browning.

Mr. Harrold – Referred to the invitations that Council received for the groundbreaking at Brownstone on May 1st. There will be a luncheon before the groundbreaking.

Mr. Black – No report.

Mr. Cox – No report.

Regular Council Meeting adjourned at 8:40 p.m.

Date approved_____

Clerk of Council

Charles W. Cox, President

David E. Anderson, Mayor