

MINUTES REGULAR COUNCIL MEETING

8:15p.m.

July 8, 2008

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on July 3, 2008:

ROLL CALL

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

Others Present: Mayor Anderson, Law Director Wiles, Service Director Tomaselli, City Engineer Sayles, Fire Chief Zwegat, Police Chief Straube, Chief Building and Zoning Inspector Smith, Finance Director Rogowski, Clerk Radebaugh

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

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of June 10, 2008.

Roll Call	6 yes	
	0 no	Motion carried 6 to 0
	1 abstain (Manning)	

PUBLIC HEARING

The Clerk read the following legal notice:

Notice is hereby given that the proposed Tax Budget of the City of Willoughby, Ohio for the year 2009 is on file in the office of the City Finance Director and available for public inspection from 8:00 a.m. to 4:30 p.m. The Council of the City of Willoughby will hold a Public Hearing on the proposed 2009 Tax Budget on Tuesday, July 8, 2008, at 8:15 p.m. in the Council Chambers of the City of Willoughby, One Public Square, Willoughby, Ohio.

Any person interested in being heard on the proposed 2009 Tax Budget of the City of Willoughby will have an opportunity to be heard at the date and time slated above.

THOSE SPEAKING IN FAVOR: No one

THOSE SPEAKING IN OPPOSITION: No one

STANDING COMMITTEES OF COUNCIL

Committee of Full, Mr. Ranally – At our meeting tonight we discussed city hall renovations. It was the recommendation of the administration, with council's approval, to go out for RFP's for architects.

Economic Development Committee, Mr. Black – No report.

Environmental Planning Committee, Mr. Fiala – The Environmental Planning Committee recommended that EAS#6-4-08 be tabled and EAS#8-5-08 be approved.

Finance and Audit Committee, Mrs. Manning – No report.

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

Personnel Committee, Mr. Carr – No report.

Safety Committee, Mr. Black – No report.

Service Committee, Mr. Woodin – No report.

WPCC Committee, Mr. Harrold – No report.

Clean City Commission, Mr. Ranally – July 21st will be our annual pot luck dinner.

Planning Commission, Mr. Fiala – No report.

Shade Tree Commission, Mr. Carr – At our last meeting we had the annual tour of the city.

CORRESPONDENCE

The clerk read two requests for the transfer of a liquor license for the following:

1. COS Inc, 35101 Euclid Ave. to Chipotle Mexican Grill of Colorado LLC, 36200 Euclid Ave.
2. Hon Mun Jung, DBA Yukiho Japanese Restaurant, 35101 Euclid Ave. to Yukiho Inc. DBA Yukiho Japanese Restaurant 35101 Euclid Ave.

There were no objections from council.

PUBLIC PORTION

No one spoke at Public Portion

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

OLD BUSINESS

RESOLUTION NO. 2008-65

A Resolution approving EAS #6-4-08 for construction of an addition to the existing building located at 38015 Euclid Avenue (Plant Magic).

Resolution No. 2008-65 will remain on the table.

NEW BUSINESS

RESOLUTION NO. 2008-82

A Resolution approving EAS #8-5-08 for construction of a building to be located at 37231 Euclid Avenue (Dollar General).

Motion made and seconded to adopt Resolution No. 2008-82.

Roll Call: 7 yes
0 no

Motion carried 75 to 0

RESOLUTION NO. 2008-83

A Resolution approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of the City of Willoughby, Ohio, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-83 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-83.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-84

A Resolution authorizing the Mayor to enter into a contract with J.D. Striping & Services in the amount of \$55,923 for the 2008 Highway Pavement Lane Marking Project.

Motion made and seconded to adopt Resolution No. 2008-84.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-85

A Resolution authorizing an expenditure of \$19,188 for the purchase of one (1) Chevrolet Impala from Taylor Dealerships, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-85 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-85.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-86

A Resolution approving Change Order No. 1-Final in the Lakeshore Boulevard Force

Main Project with Fabrizi Trucking and Paving Co., Inc., and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-86 be declared an emergency measure.

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

Motion made and seconded to adopt Resolution No. 2008-86

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

RESOLUTION NO. 2008-87

A Resolution adopting the Budget of the City of Willoughby, Ohio, for the fiscal year beginning January 1, 2009; submitting same to the Lake County Auditor; and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-87 be declared an emergency measure.

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

Motion made and seconded to adopt Resolution No. 2008-87

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

RESOLUTION NO. 2008-88

A Resolution authorizing the Mayor to enter into an agreement with the Willoughby-Eastlake Board of Education to provide public parking at the Technical Center parking lot on the east side of Euclid Avenue.

Motion made and seconded to adopt Resolution No. 2008-88.

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

RESOLUTION NO. 2008-89

A Resolution authorizing an expenditure in the amount of \$38,466.25 for the purchase of one (1) 2009 Chevrolet Suburban for use by the Willoughby Fire Department; said purchase to be made from Classic Auto Group, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-89 be declared an emergency measure.

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

Motion made and seconded to adopt Resolution No. 2008-89

Roll Call: 7 yes

0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-90**A Resolution approving Change Order No. 1 in the Willoughby Police Department Roof Replacement Project with Industrial Energy Systems, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-90 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-90.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-91**A Resolution amending Resolution No. 2008-34 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2008, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-91 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-91.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-92**A Resolution authorizing the Mayor to enter into an amendment to the Agreement with Vitalone's Services, Inc., for twenty-four (24) hour removal, towing, and storage services.**

Motion made and seconded to adopt Resolution No. 2008-92.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

MAYOR'S REPORT – Thanked Council for the legislation for the parking lot next to the Tech Center. He said this has the potential of having an impact on the parking perception downtown. Reported that this Monday morning, 7:00 a.m., Fox 8 will be filming “kickin’ it with Kenny” at Point Park. They will feature the city, the school system and a business. The first concert of the year will take place on Thursday night in the gazebo at Point Park. The Fine Arts has six concerts scheduled for Tuesday nights. Mayor Anderson and Councilwoman Manning will be attending a meeting with the Dean of Lakeland’s Art Program, the Dean of Lake Erie College’s Art Program and representatives from the City of Painesville to find a way to introduce the Arts in the downtown areas and the two colleges.

Mrs. Manning asked the status of the Riverwalk. Mayor Anderson said he and Mr. Katz have met with the architect, but there is nothing further.

Mayor's Appointments

Council President Ranally asked for confirmation of the Mayor's appointment of Jeff Mitchell to the Civil Service Commission and Dave Kuhar to the Board of Zoning Appeals effective August 1st.

Motion made and seconded to confirm the Mayor's appointment of Jeff Mitchell to the Civil Service Commission and Dave Kuhar to the Board of Zoning Appeals.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

OTHER REPORTS

Law Director Wiles— Reported that an ad was published in the paper and ten requests for proposals were sent out to drill an oil/gas well on the WPCO property. Proposals are to be in by July 28th. A recommendation will be on the August meeting.

Service Director Tomaselli – A pre-con meeting with Karvo Paving was held on Monday. They will begin paving in three weeks, starting with Hodgson Road. The response for curbside recycling has not been as good as expected. On August 1st, a full page ad will be put in the Willoughby Times and an article will run on the front page. Mrs. Manning suggested putting flyers in the businesses in Downtown Willoughby. A sign will be put at Lowe's stating that the dumpsters will be moved to the Service Garage. Mr. Tomaselli will contact Breckenridge to ask to put dumpsters there. Another dumpster will be put at the Fire Station at the north end. Mr. Harrold said the flyer for curbside recycling will be in the Ridge Acres paper. Mrs. Manning suggested putting a sandwich board at Lowe's. Mr. Ranally suggested putting sandwich boards at all the recycling sites.

City Engineer Sayles – Reported that we have secured \$809,000 for the replacement of the signals at SOM Center and Euclid Ave., the widening on the north side of SOM Center and the resurfacing of the section of SOM Center up to Eastlake. The bid opening for the SR 2 widening will be this November. Construction will start in the spring. The SOM Center projects will be going on while people are using SOM Center to get off of Rt. 2. Mr. Sayles will coordinate this with ODOT. A public meeting should be planned for the River Street Sanitary Sewer Project around the time of our next council meeting in early August. At Mr. Ranally's request, Mr. Sayles reviewed the sections of the River Street Sanitary Sewers that will be replaced. Mr. Ranally asked the status of the E. 364th Street waterline. Mr. Sayles has not heard anything and will have to get a schedule.

Fire Chief Zwegat – Thanked Council for the passage of the legislation for the Suburban.

Police Chief Straube - No report. Council President Ranally asked what was going on with Suede Nightclub. Chief Straube said that on July 4th there were over 400 people outside. There were a number of fights, some injuries and mutual aid was called from other cities. Chief Straube, Assistant Chief Cooper, Mayor Anderson and Law Director Wiles are exploring the idea of zoning for the future dealing with entertainment clubs, similar to the massage parlor ordinance.

Chief Building and Zoning Inspector Smith– No report.

Parks & Recreation Director Katz – Absent.

Finance Director Rogowski – Thanked Council for the passage of legislation tonight. Mayor Anderson reported that a representative from the State Auditor’s office will be here tomorrow at 10:00 a.m. to present Mr. Rogowski and his staff the “Make you Tax Dollars Count” award. Less than 5% of all governmental units in the state qualify for this award.

COUNCILMEN

Mr. Woodin – No report.

Mr. Fiala – No report.

Mr. Carr – Reported that the speed limit was lowered on SOM Center this past month. Thanked Mr. Wiles, Mayor Anderson and Mr. Sayles for their support. The Service Department personnel has put a lot of signage in the area. He said the feedback has been extremely positive and the traffic is noticeably slower.

Mrs. Manning – No report. Asked Chief Straube if there was a cell phone law in Ohio. Chief Straube said there wasn’t.

Mr. Harrold – Commented that the ice cream truck going through the city is passing out religious literature with the ice cream. He checked with the Law Department and it is legal.

Black – No report.

Mr. Ranally– No report.

Regular Council Meeting adjourned at 9:00 p.m.

Date approved _____

Clerk of Council

Jerome P. Ranally, Council President

David E. Anderson, Mayor