

MINUTES REGULAR COUNCIL MEETING

8:15p.m.

September 2, 2008

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on August 29, 2008:

ROLL CALL

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

Others Present: Mayor Anderson, Assistant Law Director Lucas, Service Director Tomaselli, City Engineer Sayles, Fire Chief Zwegat, Police Chief Straube, Chief Building and Zoning Inspector Smith, Parks and Recreation Program Coordinator Maver, Finance Director Rogowski, Clerk Radebaugh

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

FIRE DEPARTMENT SWEARING IN CEREMONY

Fire Chief Zwegat swore in Lieutenant Mark Leisure and Firefighter Mike Gilbride.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of August 5, 2008.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

STANDING COMMITTEES OF COUNCIL

Committee of Full Council, Mr. Ranally – We met this evening to discuss the golf course improvements update.

Economic Development Committee, Mr. Black – No report.

Environmental Planning Committee, Mr. Fiala – There is one item for approval this evening – the Circle K Convenient Store.

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 – We met this evening and are recommending passage of various amendments to the codified ordinances regarding the “Fire Prevention Code”.

Service Committee, Mr. Woodin – There are three items on the agenda that were discussed at the last meeting.

WPCC Committee, Mr. Harrold – Council President Ranally confirmed with Mayor Anderson that the discussion of gas wells on WPCC property will be discussed at a Committee of Full Council meeting in two weeks.

Clean City Commission, Mr. Ranally – The next meeting is September 8th at 6:30 p.m. People are still meeting on Sunday morning for the street sweep.

Planning Commission, Mr. Fiala – No report.

Shade Tree Commission, Mr. Carr – Shade Tree is meeting on Friday to build a float.

CORRESPONDENCE

No correspondence

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

NEW BUSINESS

ORDINANCE NO. 2008-105

An Ordinance levying assessments for the improvement of all streets within the City of Willoughby, Ohio, by providing said streets with electric street lighting, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2008-105 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to pass Ordinance No. 2008-105

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-106

A Resolution authorizing the Mayor to enter into a contract with John W. Wiles in the amount of \$126,948 to serve as legal counsel in the capacity of Director of Law for the City of Willoughby.

Motion made and seconded to adopt Resolution No. 2008-106

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-107

A Resolution authorizing the Mayor to enter into an amendment to extend the contract with IntelliNet Corporation in the amount of \$3,000 per month for a seventh additional term of twelve (12) months to provide computer consulting and related network support services necessary to the operation of the Willoughby Municipal Court's FileNet Document Imaging System; and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-107 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-107.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

ORDINANCE NO. 2008-108

An Ordinance accepting Amendment No. 4 to Ordinance No. 2008-31, the Manning & Payroll Ordinance, relative to the position of Safety Director, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2008-108 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to pass Ordinance No. 2008-108.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

ORDINANCE NO. 2008-109

An Ordinance accepting Amendment No. 5 to Ordinance No. 2008-31, the Manning & Payroll Ordinance, relative to the position of Mayor.

Motion made and seconded to pass Ordinance No. 2008-109.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

ORDINANCE NO. 2008-110

An Ordinance accepting Amendment No. 6 to Ordinance No. 2008-31, the Manning & Payroll Ordinance, relative to the positions of Council.

Motion made and seconded to pass Ordinance No. 2008-110.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-111

A Resolution authorizing an expenditure in the amount of \$78,250.50 for the purchase of the OZ II Camera System by Cues including installation and training for use at the Sewer Department; said camera system to be purchased from Great Lakes Service & Supplies through the State of Ohio Cooperative Purchasing Program.

Motion made and seconded to adopt Resolution No. 2008-111.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-112

A Resolution authorizing an expenditure in an amount not to exceed \$35,000 for the purchase of tasers, taser related equipment, and training for use by the Willoughby Police Department; said purchase to be made from Vance's Outdoors, Inc. DBA Vance's Shooters Supplies DBA Vance's Law Enforcement through the State of Ohio Cooperative Purchasing Program, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-112 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-112.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

ORDINANCE NO. 2008-113

An Ordinance certifying to the Auditor of Lake County certain unpaid bills owing to 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 Ordinance No. 2008-113 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to pass Ordinance No. 2008-113.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-114

A Resolution declaring an intent to proceed with renovations and upgrading the communication system in the Willoughby Police Station without public bidding, implement the home rule provision of the Charter of the City of Willoughby and supersede Chapter 153 and any related statues of the Ohio Revised Code, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-114 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-114.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

ORDINANCE NO. 2008-115

An Ordinance amending Chapter 1501 of the Codified Ordinances of the City of Willoughby, Ohio, titled “ Fire Prevention Code”; specifically, Section 1501.06 titled “Inspections; Right of Entry”, Section 1501.15 titled “Unfriendly Fires in Building; Alarm Duties”, and Section 1501.30 titled “Fire Damaged Structure; Removal, Repair and Securing Funds”, and declaring an emergency.

Councilman Black stated that Mr. Smith has requested a modification in Section 1501.30. The paragraph now reads “A Class I, Manual Wet Standpipe System shall be installed in the following occupancies:” and should be modified to read “....shall be installed in sprinklered occupancies”.

Motion made and seconded to amend Ordinance No. 2008-115 as stated by Councilman Black.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2008-115 be declared an emergency measure, as amended.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to pass Ordinance No. 2008-115, as amended.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-116

A Resolution authorizing an expenditure in the amount of \$161,916 for the purchase of one (1) 2008 Tymco Model #600 Sweeper (base price of \$189,416 minus a trade in amount of \$27,500 for one (1) 1996 Ford Vac-All) from the Best Equipment Company through the State of Ohio Cooperative Purchasing Program; said vehicle for use by the Street Department; and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-116 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-116.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-117

A Resolution authorizing the Mayor to make application to the Ohio Public Works Commission for funds necessary to the Figgie Drive Storm Outfall Project.

Motion made and seconded to adopt Resolution No. 2008-117.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-118

A Resolution authorizing the Mayor to make application to the Ohio Public Works Commission for funds necessary to the Kirtland Road Sanitary Replacement Sewer Project.

Motion made and seconded to adopt Resolution No. 2008-118.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-119

A Resolution authorizing the Mayor to make application to the Ohio Public Works Commission for funds necessary to the Vine Street Sanitary Sewer Lining Project.

Motion made and seconded to adopt Resolution No. 2008-119.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-120

A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the Figgie Drive Storm Outfall Project.

Motion made and seconded to adopt Resolution No. 2008-120.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-121

A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the Kirtland Road Sanitary Replacement Sewer Project.

Motion made and seconded to adopt Resolution No. 2008-121.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-122

A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the Vine Street Sanitary Sewer lining Project.

Motion made and seconded to adopt Resolution No. 2008-122.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-123

A Resolution authorizing the City Engineer to prepare plans and specifications for the SOM Center Road/Euclid Avenue Intersection and Signal Improvement Project.

Motion made and seconded to adopt Resolution No. 2008-123.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-124

A Resolution authorizing the Mayor to enter into a contract with Astro Pool Company, Inc. in the amount of \$106,027 for a new stainless steel pool liner relative to the Willoughby Municipal Pool, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-124 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-124.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-125

A Resolution authorizing the Mayor to enter into a contract with Trax Construction Company in the amount of \$364,155.28 for implementation of the SOM Center Road 2008 Sanitary Relief Sewer Project.

Motion made and seconded to adopt Resolution No. 2008-125.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-126

A Resolution authorizing the Mayor to enter into a contract with Perk Company, Inc. in the amount of \$407,347 for implementation of the Ridge Road and Breckenridge Retaining Wall Improvements Project.

Motion made and seconded to table Resolution No. 2008-126.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-127

A Resolution approving EAS#10-8-08 for construction of an addition to the existing building located at 37032 Vine Street (Circle K Convenience Store).

Motion made and seconded to adopt Resolution No. 2008-127.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

MAYOR'S REPORT – Reported on the shooting incident at South High School today. Commented that the training the police department has espoused for so many years paid off in a tremendous way. School officials locked down the school immediately, the police department was on the scene in a couple minutes and reacted quickly. Mayor Anderson commented that we have some tremendously talented and dedicated people in the school system. He commended Fire Chief Zwegat and his department for assisting in any way that they could.

Councilman Carr asked if there was any update on the Speed-e-Metals project or on the River Walk Project. Mayor Anderson said that he has a meeting with the principals next

week for an update on River Walk. There is nothing to report on Speed-e-Metals.

Councilman Woodin asked, in regards to the incident today, if there was currently any safety measures set up at the school to detect weapons or any talk of implementing this. Mayor Anderson said that most schools that put in metal detectors do so because they are in an area where kids are bringing in guns and knives every day. He stated that metal detectors at South High School would be ineffective because the building itself is not secure. Mayor Anderson will be having some discussions with the school board.

OTHER REPORTS

Assistant Law Director Lucas— No Report.

Service Director Tomaselli – Thanked council for the legislation. Commented that he attended the meeting for the Issue 2 funding. Not only did we get three projects, but we also are going in with Kirtland on a project for repairs in front of Lakeland Community College to I-90. He attributed obtaining this funding to Jim Sayles' preparation of the applications.

Mr. Tomaselli said that the curbside recycling program has been discontinued by the company effective immediately. The company will inform the residents by letter and will return their money plus the money paid for the totes. Mr. Tomaselli said that recycling will be included in the bid next year for garbage pickup.

Councilwoman Manning asked if there was a schedule for the River Street project. Mr. Tomaselli said a schedule has not been submitted.

City Engineer Sayles – Reported that he is ready to discuss funding of various projects at a committee meeting. Mr. Ranally said this will be discussed at a meeting on September 16th.

Mr. Ranally asked how the road program was progressing. Mr. Sayles said it is down to the punch list items.

Mr. Sayles asked to discuss, in October, updating the SSES so the city can qualify for low interest loans through the Ohio EPA.

Fire Chief Zwegat – Thanked council for the passage of legislation amending the Fire Prevention Code and for the swearing in ceremonies.

Council President Ranally commended Chief Zwegat and his department on the great job they did in supporting the Police Department today.

Police Chief Straube - Commented that the Kalina family asked him to pass on their appreciation for all the hard work and money spent by the city in finding the killer of their dad.

Chief Straube relayed more details of the school shooting. He agreed with the Mayor that metal detectors are not the answer. He said that a lot of the guns today are not made of metal. He commented that we did not want to have an airport scenario coming in and out of school. Chief Straube said that the school officials were the heroes today, going beyond what they needed to do.

Councilman Black commented that the entire news staff on 1100AM radio was complimenting the fast action of the police department and the school administrators and commenting on what a great job the City of Willoughby did in handling this situation.

Chief Building and Zoning Inspector Smith– Thanked Chief Zwegat and Council for the amendment regarding the standpipe in the fire code.

Parks & Recreation Director Katz – Absent.

Finance Director Rogowski – No report.

COUNCILMEN

Mr. Woodin – Thanked both Chiefs for everything they did today.

Mr. Fiala –Thanked the Chiefs for keeping our city safe.

Mr. Carr – Commented that the June Cleveland Magazine had a “Best Suburbs” issue and Willoughby was ranked as the 5th best safety force in the Cleveland area.

Mrs. Manning – Commented that her husband was at the scene of the incident. Thanked Chief Straube and said that everyone is very appreciative of how things were handled.

Mr. Harrold – Commented that the safety forces did a good job handling the crowd.

Mr. Black – Thanked the Chiefs.

Mr. Ranally– Reported that council is invited to open house tomorrow at the Kennedy House on West Spaulding from 5:00 to 7:00.

Asked if anyone had an objection to passing a resolution in support of the “Citizens for the Children” renewal levy. He will have a resolution at the next meeting.

Regular Council Meeting adjourned at 9:20 p.m.

Date approved _____

Clerk of Council

Jerome P. Ranally, Council President

David E. Anderson, Mayor