

# MINUTES

## REGULAR COUNCIL MEETING

8:00 p.m.

October 21, 2008

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on October 17, 2008:

### ROLL CALL

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

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

The meeting was led in prayer and the Pledge of Allegiance by Councilwoman Manning.

### Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of October 7, 2008.

Roll Call	6 yes	
	1 Abstain (Carr)	
	0 no	Motion carried 6 to 0

### STANDING COMMITTEES OF COUNCIL

**Committee of Full Council, Mr. Ranally** – No report.

**Economic Development Committee, Mr. Black** – No report.

**Environmental Planning Committee, Mr. Fiala**–The Environmental Planning Committee has two items on the meeting tonight.

**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**– Reported that a meeting was held last week to discuss Sidewalks, Storm Water Sewer Assessments, Sanitary Sewer Master Plan Study and Resurfacing E. 364<sup>th</sup> Street. We will look at incorporating sidewalks in the road program in the general vicinity of the schools. We will hold off on Storm Water Assessments until 2010 or 2011 and we will hold off on the Sanitary Sewer Master Plan. Resurfacing E. 364th St. will be finished, weather permitting, the end of October or beginning of November.

**WPCC Committee, Mr. Harrold** – No report.

**Clean City Commission, Mr. Ranally** – We did not have a meeting last week.

**Planning Commission, Mr. Fiala** – We will have a joint meeting with Planning Commission and Council this Thursday at 5:00 p.m. The meeting will begin with the Chagrin River Watershed Partners.

**Shade Tree Commission, Mr. Carr** – No report.

### **CORRESPONDENCE**

The Clerk read a notice for the transfer of a liquor license from Hirol Corporation, dba as Clark Avenue Grocery, 4074 Clark Avenue to Jay Dasha Ma, dba Clark Avenue Grocery, 4074 Clark Avenue. There were no objections to the transfer.

### **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

### **RESOLUTION NO. 2008-144**

**A Resolution approving EAS#11-9-08 for construction of an addition to the existing building located at 4428 Hamann Parkway (Paulo Products).**

Motion made and seconded to adopt Resolution No. 2008-144.

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

### **RESOLUTION NO. 2008-145**

**A Resolution approving EAS#13-9-08 for construction of an addition to the existing building located at 38356 Willoughby Parkway (Spee-D-Metals)**

Motion made and seconded to adopt Resolution No. 2008-145

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

### **RESOLUTION NO. 2008-146**

**A Resolution approving Change Order No. 1-final in the Lost Nation Golf Course Bridge and Parking Lot Improvement Project with Ohio Paving & Construction Company, Inc., and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be

suspended and that Resolution No. 2008-146 be declared an emergency measure.

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-146.

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2008-147**

**A Resolution authorizing the Mayor to enter into a contract with United Healthcare for health care and prescription coverage for the employees of the City of Willoughby and the Willoughby Municipal Court, effective December 1, 2008, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-147 be declared an emergency measure.

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-147.

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

#### **ORDINANCE NO. 2008-148**

**An Ordinance granting a permanent twenty (20) foot easement for the Ridge Road Waterline Improvement at Daniels Park (Permanent Parcel No. 27A-019-0-00-001) to the Lake County Department of Utilities, Lake County, Ohio.**

Motion made and seconded to pass Ordinance No. 2008-148.

Roll Call: 7 yes  
0 no

Motion carried 7 to 0

**MAYOR'S REPORT** – Commented that he will be one of the judges for the scarecrow contest downtown. There are approximately 40 scarecrows. This Saturday is the last Saturday for the outdoor market. He commented that the market doubled in size this year. Councilman Woodin asked if the Mayor had an update on the airport. Mayor Anderson said the consultant has not yet been selected for the Economic Study.

#### **OTHER REPORTS**

**Law Director Wiles**– Reported that the Oil/Gas Well Drilling Lease is still in the hands of the drilling company's lawyers. It will be on the meeting in November. Drilling can begin as soon as they go through the permitting process.

**Service Director Tomaselli** – Absent.

**City Engineer Sayles** – Reported that a member of his office will be attending a NOACA Bike Path Task Force on November 5<sup>th</sup>. He commented that in conversations with NOACA it

sounds favorable that the city will be getting 100% funding for the bike path. He expects to have the final report for the SOM/Big Turtle II Traffic Study before the end of October. It will come to the city for review. Mayor Anderson suggested that Councilman Carr review the study first. Mr. Carr will have a ward meeting to explain the results of the study to the Big Turtle II residents.

Councilman Carr referred to Big Turtle I storm water problems stating that the City Engineer would like to discuss this with Council. Mr. Sayles commented that he would not recommend spending money on a study if there is no desire to implement the improvement recommendations. Mr. Carr said that there is a problem at Big Turtle I with standing water on the south side of the property. School property and a part of the woods are draining onto their property. Mr. Carr questioned who would pay for a study. Mr. Sayles explained that our written policy is that if more than 50% of the water flowing into the basin is from offsite, then that is considered a regional facility and should be owned and maintained by the City. That is how Big Turtle II and Franklyn Commons came under the city's control. He commented that no one has asked us to look at Big Turtle I. Mr. Sayles estimated that it would cost \$8,500 for an analysis. Mr. Rogowski said that before he would issue a purchase order, there would have to be a determination that the problem is ours. Council suggested that Big Turtle I should do a study to determine the water flow.

Councilman Ranally asked the status of E. 364<sup>th</sup> Street. Mr. Sayles said he is negotiating a price with Karvo Paving because they have to remobilize. If the water and gas lines are installed, there may be enough time to have Karvo come back in.

**Fire Chief Zwegat** – No report.

**Police Chief Straube** – No report. Councilman Harrold asked about the car break-ins in Ridge Acres. Chief Straube said there have been a number of break-ins in other areas also. No one has been caught yet.

Councilman Woodin confirmed with Chief Straube an answer he gave a resident regarding the reason we do not install more traffic lights on Lost Nation.

**Chief Building and Zoning Inspector Smith**– No report. Councilman Ranally asked the status of property owned by David Cendol. Mr. Smith said he should be submitting plans and demolishing the structure. He has received a Prosecutor's Notice.

Councilman Fiala asked what was happening with the Texas Cattle Co. property. Mr. Smith said that he is requesting bids to demolish the building and will share those bids with the owner at the lawyer's request. The City will demand that the insurance company put up the funds. He said that Mr. Wiles is suggesting that we ask for funds for the cost to the Fire Department.

**Parks & Recreation Director Katz** – No report. Councilman Ranally asked about the status of the golf course. Mr. Katz said that there was one set back. The pond at No. 7 is fed from Two Town Creek under Hodgson Road. The pump which is 17 years old has failed. To repair it they have to go over a culvert that is in the City of Mentor. The culvert is rotted out on the bottom. Mentor will have it repaired by Thanksgiving. Mr. Katz said they are keeping a watch on Ryan Park in Ridge Acres. It is the worst vandalized park in the city with graffiti.

**Finance Director Rogowski** – Reported that the Fine Arts Association is requesting their annual donation. Council agreed to the donation. Mr. Rogowski will not disburse the money until next year.

**COUNCILMEN**

**Mr. Woodin** – No report.

**Mr. Fiala** – No report.

**Mr. Carr** – No report.

**Mrs. Manning** – Will have a Ward meeting next Thursday, 7:00 p.m., at Browning. Lorraine Fende will be stopping by. There will be a fund raiser for Josh Harmon on November 14<sup>th</sup>. For more information, please call Mrs. Manning.

**Mr. Harrold** – Thanked everyone for their donations to MDA.

**Mr. Black** – No report.

**Mr. Ranally**– Reported that he met with Joe Myers regarding City Hall Renovation.

**Regular Council Meeting adjourned at 8:50 p.m.**

Date approved\_\_\_\_\_

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Jerome P. Ranally, Council President

\_\_\_\_\_  
David E. Anderson, Mayor