

**MINUTES  
LEGISLATIVE CAUCUS**

**7:30 p.m.**

**November 18, 2008**

Pursuant to Codified Ordinance Section 111.01 (17) and ORC Section 121.22, notice of the following meeting was given on November 14, 2008.

**Council Members Present:** Ranally, Harrold, Manning, Fiala, Woodin, Carr and Black

**Others:** Mayor Anderson, Law Director Wiles, City Engineer Sayles, Service Director Tomaselli, Fire Chief Zwega, Police Chief Straube, Chief Building and Zoning Inspector Smith, Finance Director Rogowski, Parks and Recreation Director Katz, WPCC Supt. Gorka, Representatives from Petro Evaluation Services, Clerk Radebaugh,

**NEW BUSINESS**

**ORDINANCE NO. 2008-149**

**An Ordinance providing for the issuance and sale of \$1,000,000 Notes, in anticipation of the issuance of Bonds, to pay costs of improving the City's sanitary sewer system by constructing trunk sewers and relief sewers, installing sewer lining, and reconstructing and replacing existing sewer lines, together with all necessary appurtenances thereto, and declaring an emergency.**

Mr. Rogowski explained that this note will fund the SOM Center Sanitary Sewer Relief Sewer, the Erie Road Trunk Sewer, the engineering on Kirtland Road and the Vine Street Sanitary Sewer Lining. He said that this note will be purchased internally. It can be called at any time in anticipation of future projects. We would issue larger notes sometime in 2009.

**ORDINANCE NO. 2008-150**

**An Ordinance accepting the improvements for Rionero Estates Subdivision.**

Mr. Sayles said that all improvements are complete and he recommends that council approve legislation accepting the improvements for public use.

**ORDINANCE NO. 2008-151**

**An Ordinance accepting a storm sewer easement from Busy Squirrel Properties, LLC. for a portion of Permanent Parcel No. 27B-050-G-00-033-0.**

Law Director Wiles said the city retained this easement when they sold property to Spee-D-Metals. This gives the city the right to enter the retention basin.

**RESOLUTION NO. 2008-152**

**A Resolution authorizing an expenditure in the amount of \$14,956.80 for the purchase of one (1) 2009 Dodge Avenger from Charlie's Dodge Inc. through the State of Ohio Cooperative Purchasing Program; said vehicle for use by the Parks & Recreation Department; and declaring an emergency.**

Mr. Katz explained that this vehicle is in the capital budget and is less expensive than budgeted. The old vehicle will be sold at auction.

**RESOLUTION NO. 2008-153**

**A Resolution authorizing the Mayor to enter into a contract with Great Lakes Crushing, Ltd. in the amount of \$218,510.00 for implementation of the SR 91 Slope Stabilization Project.**

Mr. Sayles commented that Great Lakes Crushing was the low bidder out of ten bidders. The company is getting up to \$225,000 from ODOT to assist with construction costs. Mr. Ranally asked when the project would start. Mr. Sayles said that he wants them to limit the closure to no more than 25 continuous days. They could get started in the winter as long as they are finishing when the asphalt plants start up. He said that it is more likely that they will wait to start in April.

**RESOLUTION NO. 2008-154**

**A Resolution approving the fee schedule for the Willoughby Municipal Pool and Osborne Park Pool.**

Mr. Katz explained the proposed changes in the rates. He said that the city's rates are in the mid range compared to other communities.

Mr. Ranally commented on the current economy and the fact that people may not be going on vacation this year, but staying in the local area. He asked if there was any consideration given to not raising the rates. Mr. Katz said that he is under no mandate to earn a certain amount of money, but he likes to earn at least 65% to 75% of the expenses. Raising rates a little every couple of years keeps the increases from going up by \$15 or \$18 all at once.

Mayor Anderson said that we generally increase rates every two years, but we are currently in some tough times. He said he would not be disappointed if we decided to hold the increases for a year. After some discussion, council recommended holding up the rate increases for one year. Mr. Katz said that he would still like to add a fee for the Saturday morning pool party which is not currently included in the fees. Mr. Carr suggested putting a limit on the number of non-resident family members.

This legislation will be tabled. Mr. Katz will come back with an amended fee schedule.

**ORDINANCE NO. 2008-155**

**An Ordinance accepting Amendment No. 7 to Ordinance No. 2008-31, the Manning & Payroll Ordinance, relative to the Department of Parks and Recreation and the Department of Public Service.**

Mr. Katz explained that this ordinance is due to the minimum wage increases. The State raises the minimum wage every September 15<sup>th</sup>. This year the increase was 30 cents.

**RESOLUTION NO. 2008-156**

**A Resolution authorizing the Mayor to enter into a Memorandum of Agreement with the Auditor of the State of Ohio and James G. Zupka, C.P.A., Inc. for the audit of the City of Willoughby for fiscal years January 1, 2008 through December 31, 2011, and declaring an emergency.**

Mr. Rogowski explained Zupka was first in the scoring process at the State Auditors Office and in cost.

Mr. Carr asked if the four year term was standard. Mr. Rogowski said this is the term the State Auditor set up. There is also an option that can be exercised by the State Auditor for a fifth year if necessary. He commented that the experience the city has had with this firm over the years has been very positive.

**RESOLUTION NO. 2008-157**

**A Resolution declaring the official intent and reasonable expectation of the City of Willoughby, Ohio, on behalf of the State of Ohio, to reimburse its Sewer Fund for the Kirtland Road Sanitary Sewer Replacement Project with the proceeds of tax exempt debt of the State of Ohio, and declaring an emergency.**

Mr. Rogowski said this is for the \$150,000 the city will receive in loans from the Ohio Public Works Commission at a 0% interest rate.

**RESOLUTION NO. 2008-158**

**A Resolution declaring the official intent and reasonable expectation of the City of Willoughby, Ohio, on behalf of the State of Ohio, to reimburse its Sewer Fund for the Vine Street Sanitary Sewer Replacement Project with the proceeds of tax exempt debt of the State of Ohio, and declaring an emergency.**

This is similar to the above legislation, but for \$50,000. Mr. Sayles asked that this legislation be corrected to read "Vine Street Sanitary Sewer Lining Project". The caption and Section 1 will be amended.

**ORDINANCE NO. 2008-159**

**An Ordinance authorizing the Mayor of the City of Willoughby to enter into an Oil and Gas Lease with Petro Evaluation Services, Inc., and declaring an emergency.**

A representative from Petro Evaluation Services, Inc. gave an overview of the company. They have drilled wells at Lake Erie College in Painesville which has been producing since 1979. They also have done drilling in Cuyahoga Falls, Lake County Fair Grounds, Mentor Heights Nursery on Chillicothe and for DiMilta.

Law Director Wiles said he believes the agreement is fair to Petro and to the City. He commented that Petro fits the needs of the city better than the other companies reviewed.

Mr. Ranally asked what the time frame was for beginning the project. The representative said that it takes a minimum of 30 days to get the state permit issued after the surveyors approval. It will be about 60 days minimum.

Mr. Ranally asked if this site will pose any problems being close to the water table and at the end of the Chagrin River. The representative said they have accomplished similar things without any major problems.

Mr. Ranally confirmed with Mr. Wiles that the City of Eastlake knows about the drilling. Mr. Wiles said they do and that he has been working with them because we have to comply with their ordinances regarding flood plains.

The Legislative Caucus meeting adjourned at 8:10 p.m.

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

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Jerome P. Ranally, Chairman

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Clerk of Council