

MINUTES

REGULAR COUNCIL MEETING

8:20 p.m.

November 18, 2008

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on November 14, 2008:

ROLL CALL

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

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, Parks and Recreation Director Katz, Finance Director Rogowski, Clerk Radebaugh

The meeting was led in prayer and the Pledge of Allegiance by Councilman Ranally

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of October 21, 2008.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

STANDING COMMITTEES OF COUNCIL

Committee of Full, Mr. Ranally – No report.

Economic Development Committee, Mr. Black – No report.

Environmental Planning Committee, Mr. Fiala – No report.

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

Parks & Recreation Committee, Mr. Harrold – We have several items on the agenda tonight to be voted on.

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– The last meeting was cancelled.

Planning Commission, Mr. Fiala – No report.

Shade Tree Commission, Mr. Carr – The fall tree planting has been deferred until spring due to the decrease in new homes being built.

CORRESPONDENCE

The Clerk read a letter from Bill and Debbie Bodemer, 3753 East 364th St., regarding a drainage problem in their front yard. They would like this problem solved soon.

Mr. Tomaselli was on E. 364th Street today and talked to the contractor and Lake County Water. Mr. Tomaselli said that, outside of lowering the street, there isn't much that can be done. Mayor Anderson said that there are storm sewers on that street and one option would be for the resident to install a drain. Mr. Tomaselli will talk to the resident tomorrow.

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

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2008-149 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to pass Ordinance No. 2008-149.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

ORDINANCE NO. 2008-150

An Ordinance accepting the improvements for Rionero Estates Subdivision.

Motion made and seconded to pass Ordinance No. 2008-150.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded to pass Ordinance No. 2008-151.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-152 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-152.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded to adopt Resolution No. 2008-153.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2008-154

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

Motion made and seconded to table Resolution No. 2008-154.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded to pass Ordinance No. 2008-155.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-156 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-156.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2008-157 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-157.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded to amend Resolution No. 2008-158 by changing Vine Street Sanitary Sewer Replacement Project to read Vine Street Sanitary Sewer Lining Project in the caption and in Section 1.

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 Resolution No. 2008-158 be declared an emergency measure as amended.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2008-158 as amended.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2008-159 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to pass Ordinance No. 2008-159.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

MAYOR'S REPORT – No report.

OTHER REPORTS

Law Director Wiles – No report. Councilman Woodin asked if he could get definitive clarification that a section of Beachview was vacated in 1963/64. The residents say they have documentation to the contrary. Mr. Wiles said that records show the vacation. He will get this information for Mr. Woodin.

Service Director Tomaselli – Reported that these are the last two weeks for picking up yard waste until April 1st. Leaves will continue to be picked up until the beginning of next week. After that, one truck will be out to pick up leaves. The city has 3500 tons of salt and another 1000 tons has been ordered. The men have been told not over-salt and to turn down spreaders. The beet juice has not been delivered yet.

Sidewalks and aprons are done on E. 364th Street. The city will do the curbs with the road program. Paving should be done the first of next week. Lake County Water Dept. will do their punch list tomorrow.

The last manhole was put down on River Street today. They will start on Roselawn tomorrow.

City Engineer Sayles – Reported that the SOM Center sanitary relief sewer will start on December 8th. Legislation authorizing the Mayor to make application to NOACA for the bike path on SOM Center will be on the next council meeting agenda. Councilman Carr said he attended that pre-con meeting. One lane will be reduced in both directions for 45/60 days. The slope stabilization project will also be going on at that time.

Councilman Ranally asked the status of Erie Road. Mr. Sayles said he is working with the Law Department to secure the easements on the sanitary sewers on Erie Road. Also, a mound has to be built because the pump station is in the flood plain. He said that the earliest he would advertise would be in December and would take bids in January.

Fire Chief Zwegat – No report.

Police Chief Straube - No report.

Chief Building and Zoning Inspector Smith– No report. Councilman Black thanked Mr. Smith for responding to a problem on Second Street.

Parks & Recreation Director Katz – Thanked Council for the passage of legislation. He will have the amended legislation for the next meeting. He reported that the fence is up on the sledding hill.

Finance Director Rogowski – Thanked Council for the legislation.

COUNCILMEN

Mr. Woodin – Thanked everyone who attended his ward meeting. Approximately 80 people attended.

Mr. Fiala – No report.

Mr. Carr – No report.

Mrs. Manning – Thanked everyone who attended her ward meeting.

Mr. Harrold – No report.

Mr. Black – No report.

Mr. Ranally – Wished everyone a Happy Thanksgiving.

Regular Council Meeting adjourned at 8:55 p.m.

Date approved _____

Clerk of Council

Jerome P. Ranally, Council President

David E. Anderson, Mayor