

MINUTES LEGISLATIVE CAUCUS

7:35 p.m.

December 2, 2008

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on November 26, 2008.

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

Absent: Mr. Fiala

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

OLD BUSINESS

RESOLUTION NO. 2008-154

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

Mr. Katz submitted an amended fee schedule for the municipal pools. The Value Card and Junior Value Card will be increased because the Daily Admission is increased by 50 cents. Non-residents rates, pool parties and swim lessons will also be increased.

Councilman Carr commented that he felt the senior rate is too low compared to other communities and it should be increased. He suggested raising them the same as the youth rates. Mr. Katz said that he only sells between 125 and 150 senior passes a year. Mr. Rogowski stated that this is only 1% of the total revenue. After some discussion, council decided to leave the senior rate as it is and to look at an increase next year.

NEW BUSINESS

RESOLUTION NO. 2008-160

A Resolution declaring certain equipment no longer necessary to the operation of the Willoughby Fire and Police Departments as surplus, and authorizing said equipment to be sold without public auction.

Mr. Tomaselli explained that this equipment is from old vehicles that were kept after being replaced. Rather than destroy the equipment, it is being sold to other communities who can use it.

ORDINANCE NO. 2008-161

An Ordinance amending Chapter 521 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Health, Safety and Sanitation"; specifically, Subsection 521.06 titled, "Duty to Keep Sidewalks in Repair and Clean."

Mayor Anderson explained that Service Director Tomaselli is experiencing problems in commercial areas and in some residential areas where a snowplow driver will push snow onto someone else's property. Some commercial lots located near schools are plowing snow onto the sidewalks. This ordinance will allow the city to send a bill to the snowplow driver if the city has to clean up the snow on the sidewalk. Mayor Anderson said this ordinance does not change the city's philosophy of enforcement.

ORDINANCE NO. 2008-162

An Ordinance amending Chapter 1341 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Unsafe or Unsanitary Buildings"; specifically, Section 1341.03 titled, "Notice of Violation", and Section 1341.06 titled, "Noncompliance with Notice of Violation".

Law Director Wiles commented that this ordinance was brought about because of the Texas Road House fire. The land is owned by one person and the building is owned by another. Our present ordinance did not address that situation.

RESOLUTION NO. 2008-163

A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the Daniels Park Streambank Stabilization Project.

Mayor Anderson said that, historically, council has given authorization to spec and bid all projects, but legally we have no obligation to do this. This project was not authorized by council to spec and bid. It will cost \$1000 to spec and bid again. He asked council to accept the present bids. The engineer's estimated cost was \$40,000 and King Excavating bid \$25,130. Law Director Wiles said he was opposed to accepting the bids without authorization by council to spec and bid. He said that once we violate our own rules it might happen again. Mayor Anderson commented that this is a one time exception and that the city would not do this again.

After considerable discussion by council, it was agreed to permanently table the legislation for authorization to spec and bid and to have legislation on the next council meeting to accept the low bid of King Excavating.

Councilman Black stated that this was a unique situation tonight and that this will not be the practice of council in the future.

RESOLUTION NO. 2008-164

A Resolution authorizing the Mayor to make application to the Northeast Ohio Areawide Coordination Agency for the purpose of acquiring federal-aid funds necessary to the shared-use path along SOM Center Road (S.R. 91), and declaring an emergency.

Mr. Sayles said this legislation is necessary to get NOACA started. He commented that we will probably not get funding very soon. He commented that the worse that could happen is that we would get funding in 2012/2013. The goal is to get 100% funding

ORDINANCE NO. 2008-165

An Ordinance authorizing Amendment No. 8 to Ordinance No. 2008-31, the Manning & Payroll Ordinance, relative to the Department of Parks & Recreation, and declaring an emergency.

Mr. Katz explained that the current Manning kTable has a Senior Center Aide part time position which has never been used. When the Transportation Coordinator is on vacation there is no one who can drive the Senior Center bus. This amendment deletes the Aide part time and adds a Senior Center Bus Driver part time position. This will give the center the ability to have two bus drivers available. This amendment also eliminates the word "pool" in some of the part time positions and now shows a number for that position.

OTHER BUSINESS

Councilman Ranally asked Mr. Wiles about his memo regarding a draft resolution for the Chagrin River Watershed Partners. Mr. Wiles said this was presented to us by Chagrin River Watershed Partners and he wanted to make sure Council agreed with the language. Mr. Ranally recommended that this resolution be on the December 16th meeting agenda. He suggested that council contact Mr. Wiles with any input regarding the language.

The Legislative Caucus adjourned at 8:25 p.m.

Date approved _____

Jerome P. Ranally, Chairman

Clerk of Council