

**MINUTES  
LEGISLATIVE CAUCUS**

7:45 p.m.

May 5, 2009

Pursuant to Codified Ordinance Section 111.01 (17) and ORC Section 121.22, notice of the following meeting was given on May 1, 2009.

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

**Others:** Law Director Wiles, City Engineer Sayles, Service Director Tomaselli, Fire Chief Zwegat, Police Chief Straube, Chief Building and Zoning Inspector Smith, Parks and Recreation Director Katz, Finance Director Rogowski, WPCC Supt. Gorka, Lake County Gazette Reporter McMahon, Clerk Radebaugh,

**The Legislative Caucus Meeting was held in Court Room "A".**

**NEW BUSINESS**

**ORDINANCE NO. 2009-35**

**An Ordinance authorizing Amendment No. 2 to Ordinance No. 2009-15, the Manning & Payroll Ordinance, and declaring an emergency.**

Mr. Katz explained that the pay rate for summer employees is a five step process, but the language in the front of the ordinance only has three steps. The ordinance will be amended to say five steps.

**ORDINANCE NO. 2009-36**

**An Ordinance authorizing Amendment No. 3 to Ordinance No. 2009-15, the Manning & Payroll Ordinance, relative to the Department of Parks & Recreation, and declaring an emergency.**

Mr. Katz explained that this amendment decreases the B rate by a nickel for the Cashier and the Life Guard. The word Aquatics was removed from the paragraph regarding increases after five years.

**RESOLUTION NO. 2009-37**

**A Resolution authorizing the purchase of 2009 Road Maintenance Materials for use by the Service Department.**

Mr. Tomaselli said the low bid was Osborne for blacktop and Ontario Stone for stone material.

**RESOLUTION NO. 2009-38**

**A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the Final Clarifier Rehabilitation Project at the Willoughby-Eastlake Water Pollution Control Center, and declaring an emergency.**

Mr. Gorka explained that the Final Clarifiers driving mechanisms are in need of repair and overhaul maintenance. This work was last done in 1986. After comparing prices on new versus

rehab, Mr. Gorka said that rehab is the better way to go. Mr. Ranally commented that the cost of the project is \$320,000 which includes \$34,300 for engineering. Funding for this project was applied for under the Stimulus Program, but it did not make the list. Mr. Rogowski commented that before the bid can be awarded, he will have to amend the Appropriation Ordinance. The original cost in the budget was \$250,000. This will also need approval from Eastlake. It is a 50/50% cost for each city out of the Replacement Fund.

**RESOLUTION NO. 2009-39**

**A Resolution authorizing an expenditure in the amount of \$15,285 for the purchase of one (1) 2009 Ford E-150 Cargo Van for use by the Willoughby-Eastlake Water Pollution Control Center; said vehicle to be purchased from 32 Ford through the State of Ohio Cooperative Purchasing Program, and declaring an emergency.**

Mr. Tomaselli explained that this is a replacement van for Jack Gorka. At the present time he has a 1998 Ford-150 which needs a lot of work. The prices on the new van are good until the end of this month. The old van will go to auction.

**RESOLUTION NO. 2009-40**

**A Resolution authorizing an expenditure in the amount of \$42,696 for the purchase of one (1) 2009 Ford F-350 Dump Truck from Valley Ford through the State of Ohio Cooperative Purchasing Program; said vehicle for use by the Sewer Department; and declaring an emergency.**

Mr. Tomaselli said he budgeted \$40,000 for this truck. This truck will replace 1997 Ford.

Councilman Carr commented that it was his understanding that all capital projects were on hold. He asked about these two purchases. Mr. Rogowski said these are both capital purchases but come from the sewer budget as opposed to the straight capital budget and is supported by user fees. These items were approved in the budget process.

**RESOLUTION NO. 2009-41**

**A Resolution authorizing the Mayor to enter into a contract with Karvo Paving Company in the amount of \$897,668.65 for implementation of the 2009 Pavement Repair Program.**

Mr. Sayles commented that the low bid was only \$6,000 under the second bidder. He said that Karvo Paving has done the city's road program for several years and they do a good job.

Councilman Ranally asked if the curbs that were destroyed on the east side of E. 364<sup>th</sup> during the sewer project would be repaired in asphalt. Mr. Sayles said that in the bid they are asphalt

curbs, but he does have a price for concrete if council would care to look at that. Mr. Sayles said that he is attempting to get repairs for the streets in Ward 5 that were destroyed during the sewer project included in the loan from OEPA. The cost would then come out of the sewer fund. Mr. Tomaselli commented that the estimated cost for River Street from the school to the other side of South Street is \$168,000 for asphalt with curbs. Roselawn, without curbs, is \$35,000 and with curbs is \$56,000.

Councilman Woodin mentioned the condition of Eaglewood Drive. Because of water breaks, the road is in poor condition but it is not on the road program. Mr. Sayles said this street had been evaluated and was not rated that poorly.

**ORDINANCE NO. 2009-42**

**An Ordinance establishing a procedure for the construction, alteration and repair of Willoughby City Hall (a public building) by the City of Willoughby under the Home Rule Provisions of the Charter of the City of Willoughby and superseding Sections 153.50, 153.51 and 153.52 of the Ohio Revised Code.**

Law Director Wiles explained that under the city charter we can renovate this building under a single contract. It would be to the best interest of the city to have a single contractor rather than having a general contractor, an electrical contractor, a plumbing contractor, and an HVAC contractor – all lowest and best bids. He said it has been the city’s experience that when you mix a general contractor with three separate contractors whose priorities might not be the same, it is not advantageous to the owner of the building. It is his opinion that the prices might be lower if we have a general contractor who is negotiating with the various trades. This ordinance follows what the courts say must be done if the city is going to exercise home rule.

Councilman Fiala commented that the city should make sure that all the sub-contractors are qualified. Mr. Wiles said he anticipates that the city will approve the sub-contractors.

Council President Ranally asked if there was a time frame for this project. Mr. Rogowski said the project will go out for bid sometime in September. There will be about a 6 month construction period.

Councilman Fiala suggested that the Architect write language in the general conditions stating that a contractor’s attempt to talk to administration or a councilman directly will be the basis for eliminating the bid. Mr. Wiles said he will incorporate this language.

The Legislative Caucus meeting adjourned at 8:20 p.m.

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

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Jerome P. Ranally, Chairman

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Clerk of Council