

MINUTES LEGISLATIVE CAUCUS

7:30 p.m.

July 7, 2009

Pursuant to Codified Ordinance Section 111.01 (17) and ORC Section 121.22, notice of the following meeting was given on July 2, 2009.

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

Others: Mayor Anderson, 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, Lake County Gazette reporters McMahan and Borstnik, Clerk Radebaugh.

OLD BUSINESS

RESOLUTION NO. 2009-67

A Resolution authorizing the Mayor to enter into a five- (5-) year contract with Coca-Cola Enterprises, Inc. for exclusive advertising and beverage availability rights at the concession stands at Willoughby Municipal Pool, Osborne Park Pool and Lost Nation Municipal Golf Course, and authorizing the transfer of money generated by rebates from the contract with Coca-Cola Enterprises, Inc., excluding golf course sales, to the Underprivileged Children's Account.

Law Director Wiles had made changes to the original contract. Coca-Cola Enterprises has agreed with the changes. Resolution No. 2009-67 will be voted on tonight. Councilman Fiala asked whose choice it was to transfer money to the Underprivileged Children's Account. Mr. Kartz said it was the city's choice.

NEW BUSINESS

RESOLUTION NO. 2009-69

A Resolution approving EAS#5-6-09 for a development plan to install an asphalt driveway and storm sewer system at 38408 Apollo Parkway.

There were no questions or comments regarding Resolution No. 2009-69.

RESOLUTION NO. 2009-70

A Resolution authorizing an expenditure in the amount of fifty-three thousand twenty-five dollars (\$53,025.00) to the Great Lakes Construction Co. for repair of the Nason Park Inlet Channel, without competitive bidding, and declaring an emergency.

City Engineer Sayles explained that while work was being done on the SR-2 right-of-way, ODOT determined that repairs were needed to the inlet channel to the Nason Park retention basin. Since the contractor, Great Lakes Construction, was on site, their job will be extended 50 ft. onto the city's property to take care of a slope failure problem.

Councilman Carr suggested that all retention basins in the city should be checked periodically. Service Director Tomaselli explained that the retention basins are on routine maintenance. He reviewed the maintenance work done by city crews at various retention basins. Mr. Sayles commented that the Service Department does the inspections and clean up, but this problem at Nason Park would have been difficult to recognize. He said that he and Mr. Tomaselli could advise the city crews about what type of things to look for in their normal inspections. Mr. Sayles suggested an update to the Master Drainage Plan when funds are available. Mr. Rogowski commented that ultimately the city is going to have to look at some sort of storm water utility. Council President Ranally suggested discussing the storm water issue at Nason Park at a Service Committee Meeting.

RESOLUTION NO. 2009-71

A Resolution approving Change Order No. 1 in the Willoughby Municipal Pool – New Stainless Steel Pool Liner Project with Astro Pool Company, Inc., and declaring an emergency.

Mr. Katz brought this item to Council about two months ago. Since the bids came in low for the stainless steel pool liner, Mr. Katz went out for bid to replace the legs under the filter elements. The low bid was \$2,500.

RESOLUTION NO. 2009-72

A Resolution adopting the budget of the City of Willoughby, Ohio, for the fiscal year beginning January 1, 2010; submitting same to the Lake County Auditor; and declaring an emergency.

Mr. Rogowski asked that the caption be changed to read “tax budget”. He said that he feels the city will finish with higher balances than what is projected at this time. Mr. Rogowski provided Council with a new financial report tonight which summarizes the operations and shows where we are as compared to where we expected to be through the month of June. He commented that there will be more challenges because of the State budget income and the Local Government Fund which is estimated to drop by at least 10% which is over \$200,000.

The caption and Section 1 will be amended to read “tax budget”.

RESOLUTION NO. 2009-73

A Resolution accepting the gift of a 1995 Ford Explorer from Bradley J. Hill.

Police Chief Straube explained that this Ford Explorer was obtained as a forfeiture from a drug arrest. It will be used as an undercover vehicle.

RESOLUTION NO. 2009-74

A Resolution authorizing the Mayor to file a loan application and enter into a loan agreement with the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, and the Ohio Water Development Authority through the Water Pollution Control Loan Fund for the purpose of acquiring funding necessary to the construction of the Vine/Orchard Sanitary Sewer Lining Project, and declaring an emergency.

RESOLUTION NO. 2009-75

A Resolution authorizing the Mayor to file a loan application and enter into a loan agreement with the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance, and the Ohio Water Development Authority through the Water Pollution Control Loan Fund for the purpose of acquiring funding necessary to the construction of the Sanitary Trunk Sewer Lining Project, and declaring an emergency.

Mr. Sayles explained that Resolution No. 2009-74 and 75 are for two different projects that the city will be receiving stimulus money for. This money will be in the form of a 50% grant and a 50% no interest loan. Two weeks ago the OEPA asked for more detailed information about the proposed projects. Mr. Sayles said he has not heard back from them regarding the information he submitted. Applications are due by August 1st. Mr. Sayles said these two projects have been in long term planning for quite a few years.

RESOLUTION NO. 2009-76

A Resolution authorizing the Mayor to file a Environmental Protection Agency, Division of Environmental and Financial Assistance, and the Ohio Water Development Authority through the Water Pollution Control Loan Fund, an amount not to exceed \$150,000, necessary to the construction of full width pavement replacement in connection with the River Street Sanitary Sewer Project, and declaring an emergency.

Mr. Sayles explained that after a review, OEPA has asked that we justify the \$150,000 figure. He has submitted the bid items from the Road Program contractor. He said that the repairs to the pavement will be from just past South Street to Union Street.

RESOLUTION NO. 2009-77

A Resolution approving Change Order No. 2 in the River Street Sanitary Sewer Replacement Project with Fabrizi Trucking and Paving Co., and declaring an emergency.

Mr. Sayles said this change order includes a dozen or more items which were encountered, but were not within the scope of the work being done.

The Legislative Caucus meeting adjourned at 8:05 p.m.

Date approved _____

Jerome P. Ranally, Chairman

Clerk of Council