

MINUTES

REGULAR COUNCIL MEETING

8:15 p.m.

July 7, 2009

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on July 2, 2009.

ROLL CALL

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

Others Present: Mayor Anderson, City Engineer Sayles, Service Director Tomaselli, Law Director Wiles, Fire Chief Zwega, Police Chief Straube, Parks and Recreation Director Katz, Chief Building and Zoning Inspector Smith, Finance Director Rogowski, Lake County Gazette Reporters McMahan and Borstnik, Clerk Radebaugh

The meeting was led in Prayer and the Pledge of Allegiance by Council President Ranally.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of June 9, 2009.

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 – The Committee is recommending approval of EAS#5-6-09.

Finance Committee, Mrs. Manning – No report.

Parks & Recreation Committee, Mr. Harrold - No report.

Personnel Committee, Mr. Carr – No report.

Safety Committee, Mr. Black – No report.

Service Committee, Mr. Woodin – The Service Committee will meet at a yet to be determined date to discuss retention basins – conditions and inspections.

WPCC Committee, Mr. Harrold – No report.

Clean City Commission, Mr. Ranally – The Commission will have their pot luck dinner next week. They continue to clean up downtown Willoughby on Sunday mornings.

Planning Commission, Mr. Fiala –No report.

Shade Tree Commission, Mr. Carr – Reported that he missed the annual drive through of the city. Mr. Tomaselli said the tour covered a lot of the streets where trees were planted three years ago. They also drove through the new subdivisions where trees are being planted.

CORRESPONDENCE

The clerk read a request for the transfer of a liquor license permit from Five Star Bar dba Five Star Dive Bar, 4857 Robinhood Dr. to Raking Leaves Corp., dba Croagh Patrick Pub, 4857 Robinhood Drive.

There were no objections to the transfer.

PUBLIC HEARING

The Clerk read the notice for a public hearing to be held on the proposed tax budget for the year 2010.

No one spoke for or against the proposed tax budget.

PUBLIC PORTION

Harry Siskind, 3032 Nantucket – Disappointed with the lack of traffic control on Lost Nation Road after the fireworks. Traffic control is needed in this location on certain occasions. Very little traffic goes south in the evening, but most traffic would be going north.

He asked that the pot hole at the corner of Gale and Cheltenham be fixed.

Stated that residents on Wellsfleet Circle were upset that there was no communication from the city regarding paving their street. Residents also were not told the concrete street would be paved over with asphalt. He asked that City Council, Mr. Tomaselli and Mr. Sayles reconsider fixing concrete streets rather than putting down asphalt. He commented that the construction company has made a mess of the area.

Councilman Fiala asked that the Ward Councilman be notified by the Service Dept. when work is to be done in cul-de-sac areas so that the councilman could notify the residents.

Mr. Sayles explained that using asphalt is the most cost effective way based on the amount of money available in the Road Program and the number of streets to be maintained in the city.

Lisa Martins, 2999 Nantucket - The pot hole on the corner of Gale Road and Cheltenham needs to be addressed. She complained that the contractor is not cleaning up the area. Mr. Sayles said he will look at the site tomorrow.

Councilman Fiala suggested that next year the bid documents should include some definitive interval time between grinding the base coat and the finishing coat.

Motion made and seconded to adopt Resolution No. 2009-70.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2009-71 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2009-71.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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.

Motion made and seconded to amend Resolution No. 2009-72 to state in the caption and in Section 1 - “adopting the tax budget.

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. 2009-72 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. 2009-72 as amended.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2009-73

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

Motion made and seconded to adopt Resolution No. 2009-73.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2009-74 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2009-74.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2009-75 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2009-75.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2009-76 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2009-76.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2009-77 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2009-77.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT - Reported that he had a visit from a councilwoman from Parma today. She was very impressed with our downtown area and will be taking back some ideas to her city.

Mayor Anderson said that he has received many comments on his Willoughby Times article explaining why we water flowers in the rain. His next article will be on questions being asked about SR 2 and Lost Nation Road. Most questions deal with traffic problems.

Councilwoman Manning said she has had comments regarding the Dollar Store sign and proposed that the city look at other city's sign ordinances. She said her issue with the signs is that there are three signs and they have a variance for the one on the side of the building. Mayor Anderson said no one objected to the variance at the time it was proposed. He has had at least a dozen emails and other comments regarding the sign.

OTHER REPORTS

Law Director Wiles – No report.

Service Director Tomaselli – Reported that a pre-bid meeting was held regarding garbage pick-up so that all bidders would be "on the same page". There are three bidders.

Councilman Woodin said he had a resident from Leeward Lane requesting help with their stabilization project. They saw the city draining and cleaning the retention basin which they feel is for Cross Creek. Mr. Tomaselli explained that the city is in control at the road where the lock is. The city had to clean up the debris by the lock.

City Engineer Sayles – Reported that he will be meeting with Mr. Gallagher on Thursday at 4:00 p.m. to look at the Leeward Lane erosion problem.

Mr. Sayles explained that at the final few feet of the downtown sewer project Monte Construction encountered an AT & T duct bank when connecting to the existing manhole. Mr. Sayles said they had to do a re-design and hopefully the project will be done in the next two days.

Councilman Harrold asked when the sewer project will start on Kilarney and Robinhood. Mr. Sayles said that the county opened bids and Snavely Construction will be doing the project.

Council President Ranally asked if Mr. Sayles would check with Karvo Paving regarding the comments made by Mr. Siskind and Mrs. Martins about the project. He also asked Mr. Tomaselli to check on the pot hole at Cheltenham and Gale Dr.

Councilman Woodin explained a problem with the water metering at Cross Creek and Cross Creek Village. Cross Creek is under the impression that each parcel should have its own meter. There is only one meter which is in the Ryan Homes section. Mr. Sayles said it is not a law but it is the requirement of Lake County Utilities to have separate meters. The bill goes to the Cross Creek Home Owners Association, but the meter is on Ryan Homes property. Mr. Sayles suggested calling Al Saari or Rick Martin at the Lake County Water Dept. Discussion followed regarding the problems caused when one big parcel is eventually split.

Fire Chief Zwegat – Reported that there will be a city emergency drill on July 22nd at 9:00 a.m. It will be an aircraft crash at Lost Nation Airport. The City Emergency Management Plan will be activated in order to evaluate it. Other communities contiguous to our city will be participating. Notice of the drill will be in the newspaper and on channel 12, a scrolling sign will be put on Lost Nation Road and reverse 911 calls will be made to area residents. The Parks and Recreation Dept. will put up sandwich boards in the area.

Police Chief Straube - No report. Councilman Fiala thanked the Chief and his department for the motorcycle patrolmen's help with the children's parade on July 4th.

Council President Ranally asked how the downtown patrol was doing. Chief Straube said they are busy making arrests in the Second Street and Third Street bar area. The 4th Platoon is very active and aggressive with the drug issue.

Chief Building and Zoning Inspector Smith - No report. Council President Ranally thanked Mr. Smith and Karen Brooks for their help with a couple of problems in his ward. Mr. Ranally reminded Mr. Smith to contact the owner of River Isle for a meeting. Councilman Harrold commented that he saw that Don Pablo's restaurant will now be Steak on a Stone restaurant. Councilman Woodin asked about the house on Beachview that was to be demolished. It has now changed ownership. Mr. Smith said the new owner is asking the city to proceed with the demolition.

Parks & Recreation Director Katz – Season passes at the pool have stayed steady. Euclid Ave. attendance through the end of June is down 200 people, Osborne is down 500 people. There is an increase in daily admissions of 450. There were times in June where people were stopped from coming into the pool because it was too busy.

Councilman Harrold asked if they were having programs at Ryan Park. Mr. Katz said they are in their fourth week of summer camp.

Councilman Ranally complimented the 4th of July Fireworks.

Finance Director Rogowski – No report. Councilman Ranally said he received the Audit Report and complimented Mr. Rogowski on a good job. Mayor Anderson commented that we sometimes take clean audits for granted. He congratulated Mr. Rogowski on doing an outstanding job. Councilman Carr thanked Mr. Rogowski for putting together the financial summary that he requested.

COUNCILMEN

Mr. Woodin – No report.

Mr. Fiala – No report

Mr. Carr – No report.

Mrs. Manning– No report

Mr. Harrold – No report.

Mr. Black – No report.

Mr. Ranally – Reported that the Willoughby South High School Boosters are asking Council to purchase an ad in the fall and/or winter program. Council agreed to purchase a ¼ page ad in the fall and the winter program for a total of \$110.

The Regular Council Meeting adjourned at 9:35 p.m.

Date approved _____

Clerk of Council

Jerome P. Ranally, President

David E. Anderson, Mayor