

MINUTES

REGULAR COUNCIL MEETING

8:00 p.m.

October 6, 2009

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

ROLL CALL

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

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

The meeting was led in Prayer and the Pledge of Allegiance by Councilwoman Manning.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of September 15 and the Special Council minutes of September 29, 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 – No report.

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 – We will have a Service Committee meeting on October 20th before the Council meeting.

WPCC Committee, Mr. Harrold – We had a WPCC meeting with Eastlake last week to discuss the SSES.

Clean City Commission, Mr. Ranally – Reported that the Clean City Commission is involved with the Scarecrow contest. The \$5 application fee goes to the food pantry.

Planning Commission, Mr. Fiala – Reported that Planning Commission will have a special meeting this Thursday at 6:00 p.m. The Commission will review the inventory of the downtown structures to identify potential re-development sites.

Shade Tree Commission, Mr. Carr – No report.

CORRESPONDENCE

The clerk read the following application requests for liquor permits:

1. Transfer from Lidias Market LLC, dba Lidias Market, 38810 Mentor Ave., to Lidias Market LLC, 1881617, dba Lidias Market, 38810 Mentor Ave.
2. New Permit for Walgreen Co., dba Walgreens #04294, 5881 SOM Center Rd.
3. Transfer from Barb & Pattys Beverage Inc., Db a Barb & Pattys Beverage Wine & State Liquor, 36245 Euclid Ave., Unit 2 to Mid America Liquor Inc. Db a Willo Beverage, 36245 Euclid Ave. Unit 2.
4. Liquor Agency Contract for Mid America Liquor Inc., dba Willo Beverage, 36245 Euclid Ave. Unit 2.

There were no objections to the requested liquor license permits.

PUBLIC PORTION

Ray Henricksen, Willoughby – Advised Council that Miozzi Enterprises Inc., dba Domino's Pizza, 38033 Euclid Ave., has had their Articles of Incorporation suspended as of Jan. 4, 2007. This prohibits them from exercising any powers, privileges or franchises under the Articles of Incorporation. He said that Dominos should not be a valid functioning company. He asked if the city would look into whether this company was operating illegally. Law Director Wiles stated that a franchise corporation is strictly a contract between the State of Ohio and the person that has the contract. The City of Willoughby has no authority over the franchising or the organizing of corporations. Mr. Wiles said that if the business conforms to zoning and there are no health violations or violations against our ordinances, the city cannot do anything.

Mark Marion, Glenbury Lane – Concerned about a safety problem with the Lost Nation construction project. On the south side of the new bridge, northbound on Lost Nation Road, where the new paving will go and where the old paving is, there is an abrupt 90 degree angle in the cut out. As you exit the eastbound ramp and turn right, the car's front wheels fall into that hole. He asked if this could be fixed. Council President Ranally said that this information will be given to the county engineer and to ODOT.

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

Resolution No. 2009-112

A Resolution declaring certain obsolete and/or damaged equipment; specifically, twenty-four (24) sets of turn-out gear (coats and pants), owned by the City of Willoughby and no longer serviceable for the Fire Department, as surplus, authorizing the disposal thereof, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2009-112 be declared an emergency measure.

Roll Call 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2009-112.

Roll Call 7 yes
0 no

Motion carried 7 to 0

Resolution No. 2009-113

A Resolution accepting the gift of a 1998 Lincoln Continental from Stephen F.Tirone.

Motion made and seconded to adopt Resolution No. 2009-113.

Roll Call 7 yes
0 no

Motion carried 7 to 0

MAYOR’S REPORT - Reported that administration is working on legislation dealing with foreclosed homes where items/debris have been left on the front lawns. One city has passed legislation to allow them to post a notice, go onto the property within a week to clean it up and then bill the owner or put it on a tax lien.

Councilman Woodin commented that he received a call from a resident regarding the Ohio CFL Delivery Program. He commented that the letter Council received did not mention a cost factor. Mayor Anderson said he understands that 60 cents will be added to our electric bill every month for the next three years to pay for the two light bulbs that are being delivered to the residents. FirstEnergy is under a state mandate to reduce their customer’s energy consumption. This is what FirstEnergy has adopted and gotten approved.

OTHER REPORTS

Law Director Wiles – No report. Councilman Ranally asked about the progress at the airport. Mr. Wiles said they have received estimates for the cost to paint the hangars. They are also looking into the cost of putting metal sheeting around the bottom of Hangar 3 which is rusted out. It is possible that we would come under the \$25,000 bid cap to paint Hangar 4/5 this year. The fuel farm has been purchased by the FBO. It will be installed as soon as the FAA approves the location. The fuel farm should be operational this month. The airport engineer is researching which is the best model for the FBO to buy.

Service Director Tomaselli – No report.

City Engineer Sayles – Reported that the contractor should start grinding on River Street by the end of the week and finish the paving by the end of the next week. The bid opening for the Figgie Drive Storm Sewer will be this Friday. Advertising will be done soon for the Erie Road Pump Station Sewer and the Vine Street Lining Project. All the information has been submitted to the OEPA for the stimulus projects and the application has been submitted to the Ohio Public Works for the SOM/Euclid project.

Fire Chief Zwegat – Thanked Council for the passage of the legislation tonight.

Assistant Police Chief Cooper - Thanked Council for the passage of legislation tonight. Councilman Woodin asked if the police department had received any complaint calls regarding loud music again. Assistant Chief Cooper said they have not received any calls recently.

Chief Building and Zoning Inspector Smith - No report. Councilman Harrold said that the house on Chestnut has been cleaned up. Thanked Mr. Smith for pushing to get this done. Mr. Smith said the contractor was in today for a permit.

Parks & Recreation Director Katz – No report. Council President Ranally asked if the pool has been fixed. Mr. Katz said the pump is currently being worked on by the WPCC. Mr. Ranally asked about the projects at the golf course. Mr. Katz said that they are trying to do drainage work right now, but the weather has not been favorable. They would also like to start seeding but may have to do this in the spring. Councilman Harrold said he has been told that there is no Halloween party this year at McKinley. Mr. Katz said they are taking a year off to evaluate because attendance has been decreasing every year.

Finance Director Rogowski – Reported that he sold the Note Issue ten days ago. The interest cost on that is .56%.

COUNCILMEN

Mr. Woodin – No report.

Mr. Fiala – No report

Mr. Carr – No report

Mrs. Manning– Reported that she will be getting in touch with Mayor Anderson and the directors to set a date for a Ward 5 meeting.

Mr. Harrold – No report.

Mr. Black – No report.

Mr. Ranally – No report.

The Regular Council Meeting adjourned at 8:40 p.m.

Date approved _____

Clerk of Council

Jerome P. Ranally, President

David E. Anderson, Mayor