

**MINUTES
LEGISLATIVE CAUCUS**

7:50 p.m.

December 1, 2009

Pursuant to Codified Ordinance Section 111.01 (17) and ORC Section 121.22, notice of the following meeting was given on November 25, 2009.

Council Present Mr. Harrold, Mrs. Manning, Mr. Ranally, Mr. Woodin,

Absent: Mr. Fiala

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 Reporter Borstnik, Clerk Radebaugh

NEW BUSINESS

ORDINANCE NO. 2009-132

An Ordinance authorizing the Mayor to enter into an agreement with the City of Willoughby Hills for installation and maintenance of a Closed Loop Traffic System on SOM Center Road (SR-91) in the Cities of Willoughby Hills and Willoughby, and declaring an emergency.

Mr. Sayles explained that this will be a long term operating agreement between Willoughby Hills and Willoughby for the signal system.

RESOLUTION NO. 2009-133

A Resolution authorizing the Mayor to enter into an Assignment of the Option and Lease Agreement, including an easement, with New Par dba Verizon Wireless to TowerCo for construction, maintenance and operation of a cellular communications tower at Daniels Park.

Mr. Wiles explained that Verizon has been paying the city \$1000 a month rent for 5 months but they have not started to build their tower. TowerCo is taking over all the construction of towers and assuming the leases for Verizon. Mr. Wiles said that this does not let Verizon out of any liability.

RESOLUTION NO. 2009-134

A Resolution authorizing the Mayor to enter into a contract with Horner Networks in the amount of \$162,342.27 to provide equipment and labor for the technology system required by the renovation of the Willoughby Municipal Building, and declaring an emergency.

Mr. Rogowski said this legislation is for the technology integration for the city hall renovation. It requires the contractor to pay prevailing wage as well as providing training and integration of all

the different systems. It includes the technology to be added in council chambers as well as wiring throughout the building for security, fire, computers and telephone. Mr. Ranally explained that this is not a bid item. We are exercising home rule powers and authorizing the Mayor to enter into a contract with Horner Networks. Mr. Rogowski said that this company was recommended by our architect and their references were checked. This is considered a professional service because of the integration involved and all the technology. Mr. Wiles commented that he, Mr. Rogowski and Architect Joe Myers are comfortable using the home rule powers because of the technical nature of the system and the knowledge that Horner has of the system.

RESOLUTION NO. 2009-135

A Resolution authorizing the Mayor to enter into a contract with APG Office Furnishings through the State of Ohio Cooperative Purchasing Program in an amount not to exceed \$109,870 to provide office furniture, desks, and accessories required by the renovation of the Willoughby Municipal Building, and declaring an emergency.

RESOLUTION NO. 2009-136

A Resolution authorizing the Mayor to enter into a contract with Ohio Desk through the State of Ohio Cooperative Purchasing Program in an amount not to exceed \$69,425 to provide office furniture, desks, and accessories required by the renovation of the Willoughby Municipal Building, and declaring an emergency.

Mr. Rogowski explained that both pieces of legislation should be amended to include that these items will be purchased "through the State of Ohio Cooperative Purchasing Program". Mr. Rogowski explained that we are purchasing just what is needed. There is a larger budget and there will be some incidental expenditures made over the next 6 months. The budget set is \$300,000.

RESOLUTION NO. 2009-137

A Resolution approving Change Order No. 1-Final in the Erie Street Storm Relief Sewer Project contract with Monte Construction Company, Inc., and declaring an emergency.

Mr. Sayles explained that this change order includes \$9300 in quantity adjustments for a reduction in costs. An increase of \$12,800 includes a temporary concrete cap for \$4,000 and a conflict with AT & T at the intersection of Third St. and Erie St. that required us to add a manhole for \$3,600. Mr. Sayles said that \$45,000 of the total contract cost of \$121,582 will be reimbursed to the city by Lake County Department of Utilities because pavement repairs for two major water main breaks were included in this project.

RESOLUTION NO. 2009-138

A Resolution authorizing the Mayor to enter into an agreement with GEXA Energy for the purchase of electricity for the WPCC for a period of eighteen (18) months effective December 1, 2009, and declaring an emergency.

Mr. Tomaselli said that GEXA is with NOPEC and all the city buildings are with NOPEC except the WPCC. The WPCC can save \$2400 a month by going with GEXA.

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ORDINANCE NO. 2009-139

An Ordinance authorizing the Mayor to enter into an amendment to the WPCC Joint Agreement with the City of Eastlake, as amended.

Mr. Sayles said that this was discussed at the Joint WPCC Meeting. As a requirement for the permit with OEPA, an SSES has to be performed on the system. This is modifying the existing agreement between the two cities to deal with Eastlake's payment of 50% of the cost of that study.

Mr. Sayles recommended that this legislation be tabled because Eastlake will be discussing this agreement tonight for the first time. This will allow Eastlake time to comment or ask for a modification if necessary.

RESOLUTION NO. 2009-140

A Resolution authorizing the Mayor to enter into an agreement with Orwell Natural Gas Co. for natural gas service and installation of a gas service line to Hangar 3 at Lost Nation Airport, and declaring an emergency.

Law Director Wiles explained that at the present time Dominion is servicing Hangar No. 3. The FBO is asking to change the supplier to Orwell. Mr. Wiles has a signed agreement that Orwell will do the work, maintain the line from the road into the building at their expense and will hold the city harmless for any problems they may incur in the installation.

RESOLUTION NO. 2009-141

A Resolution authorizing an expenditure in the amount of \$148,174 for the purchase of two (2) 2010 International 7400 Series Trucks from Miami Valley Int'l Trucks through the State of Ohio Cooperative Purchasing Program; said trucks for use by the Service Department.

This was discussed at the Finance Committee meeting this evening. Mr. Wiles pointed out that the agenda does not show this legislation as an emergency, but the caption on the legislation shows that it is an emergency.

The Legislative Caucus meeting adjourned at 8:10 p.m.

Date approved _____

Jerome P. Ranally, Chairman

Clerk of Council