

**MINUTES  
LEGISLATIVE CAUCUS**

**7:30 p.m.**

**March 16, 2010**

Pursuant to Codified Ordinance Section 111.01 (17) and ORC Section 121.22, notice of the following meeting was given on March 12, 2010.

**Council Members Present:** Mr. Ranally, Mr. Harrold, Mr. Carr, Mr. Woodin, Mr. Fiala,

**Absent:** Mrs. Manning 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, Finance Director Rogowski, Lake County Gazette Reporter McMahon, News Herald Reporter Shofar, Clerk Radebaugh

Council President Ranally announced that public hearings will be held tonight for Ohio Presbyterian Homes – Bonds, Rezoning of 38882 Mentor Avenue and amending C.O. Chapters 1135 and 1155.

**NEW BUSINESS**

**RESOLUTION NO. 2010-32**

**A Resolution approving EAS #11-12-09 for the rezoning of a portion of real property located at 38882 Mentor Avenue from Residential One-Family 60 (R-60) to General Business (G-B). (Bobick's Building)**

The Environmental Planning Committee recommended approval of EAS#11-12-09.

**RESOLUTION NO. 2010-33**

**A Resolution approving EAS#1-1-10 for construction of a subdivision consisting of seventy-three (73) single-family homes to be located on the northeasterly side of Tamarac Blvd. (Arbor Ridge).**

The Environmental Planning Committee recommended approval of EAS#1-1-10. Mr. Fiala said that the one stipulation is the gang mailbox issue.

**RESOLUTION NO. 2010-34**

**A Resolution approving EAS#4-1-10 for construction of an addition to the existing building located at 4772 East 355<sup>th</sup> Street (Ascendtech Management, Inc.)**

The Environmental Planning Committee recommended approval of EAS#4-1-10.

**RESOLUTION NO. 2010-35**

**A Resolution approving EAS#5-2-10 for renovation of the existing bank structure at 35361 Euclid Avenue.**

The Environmental Planning Committee recommended approval of EAS#5-2-10.

**ORDINANCE NO. 2010-36**

**An Ordinance amending the zone map of the City of Willoughby, Ohio, to reclassify .02613 acres of certain real property located at 38882 Mentor Avenue and further identified as a portion of Permanent Parcel No. 27A-032-0-00-019-0 from Residential One-Family 60 (R-60) to General Business (G-B).**

There will be a public hearing on this rezoning this evening.

**ORDINANCE NO. 2010-37**

**An Ordinance amending Chapters 1135 and 1155 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Multi-Family Residential Districts", and "Conditional Use Regulations", respectively.**

Law Director Wiles explained that these changes came about from a discussion in Planning Commission regarding Congregate Living.

**RESOLUTION NO. 2010-38**

**A Resolution granting applicable representative approval in connection with the issuance of Health Care Facilities Refunding and Improvement Revenue Bonds, Series 2010 (Ohio Presbyterian Retirement Services Project), and declaring an emergency.**

Finance Director Rogowski explained that the city has been party to the public hospital agency agreement with Franklin County since 1991. This allows the Ohio Presbyterian Homes to sell bonds as a non-profit hospital agency to be used for construction. The City of Willoughby has no liability in terms of principal and interest. Law Director Wiles explained that Finance Director Rogowski has insisted that on an indemnification agreement from Breckenridge stating that should the city ever have to spend a penny, Breckenridge will pay it for us.

**RESOLUTION NO. 2010-39**

**A Resolution to make appropriations for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2010, and declaring an emergency.**

Mr. Rogowski commented that we went through the budget hearing last week.

**RESOLUTION NO. 2010-40**

**A Resolution authorizing the Director of Finance to transfer funds from the General Fund to various other funds, and declaring an emergency.**

Mr. Rogowski advised council that he overlooked one transfer from the Special Assessment Bond Fund to the Bond Retirement Fund. He will do this at a later date.

**RESOLUTION NO. 2010-41**

**A Resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the 2010 Pavement Repair Program, and declaring an emergency.**

Mr. Sayles commented that when the bids come in for the road program, we will have a chance to add or subtract streets. Mr. Sayles explained his method of bidding the road program. He said that ODOT allows an adjustment factor and if the asphalt prices change between the time of the bid and the time it gets installed, the contractors are entitled to adjustments. This allows the contractor to bid at the current prices and then if prices change, the owner will make up that difference for the contractor. Mr. Sayles explained that he wants the city's bid to be the same throughout the contract. This makes it much easier to meet our budget. We will be advertising for bids in a month, award the contract the first of June and have the work done during the summer.

**RESOLUTION NO. 2010-42**

**A Resolution authorizing an expenditure for a DI reliant II Digital Voice Recorder for use by the Willoughby Police Department (base price of \$26,395 minus a trade-in amount of \$3,000) from Stephen Campbell & Associates, Inc. through the State of Ohio Cooperative Purchasing Program; and declaring an emergency.**

Mr. Rogowski explained that the current recorder is experiencing some problems and is near its end of life. Also, it was discovered after we purchased the new phone system that there was an interface problem between the two systems. Mr. Rogowski said he has secured an additional two year labor warranty on the phone system which will give us a full three year labor warranty. This new product will conform with the new Positron 911 system. Chief Straube said he will retain the old system as long as necessary.

The Legislative Caucus meeting adjourned at 7:45 p.m.

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

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Jerome P. Ranally, Chairman

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Clerk of Council