

# MINUTES

## REGULAR COUNCIL MEETING

8:00 p.m.

September 21, 2010

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 17, 2010.

### ROLL CALL

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

**Absent:** Mrs. Manning

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

Motion made and seconded to excuse Mrs. Manning from tonight's meeting

ROLL CALL: 6 yes  
0 no

Motion carried 6 to 0

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

### PRESENTATION

Council President Ranally introduced co-chairman of the Clean City Commission, Kathy Pinkerman, who presented the 2010 Beautification Awards to the following businesses:

1. Charlotte's Ice Cream – Lost Nation Rd. – Jim and Charlotte Colwill.
2. Lakeside Certified Auto Repair – Lakeshore Blvd. – Mike and Betsy Sinkovich.
3. JT Diner – Lost Nation Rd. – Jason and Tina Lallo were not present.
4. Willoughby Commons Shopping Plaza – Rt. 20 – A representative was not present.

### APPROVAL OF MINUTES

Motion made and seconded to approve the Regular Council minutes of September 7, 2010,

ROLL CALL: 5 yes  
0 no  
1 abstain (Fiala)

Motion carried 5 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** – Reported that there is one item on the agenda for approval tonight.

**Finance Committee, Mrs. Manning** – Absent.

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

**Personnel Committee, Mr. Carr** – No report.

**Safety Committee, Mr. Black** – No report.

**Service Committee, Mr. Woodin** – No report

**WPCC Committee, Mr. Harrold** – No report.

**Clean City Commission, Mr. Ranally** – Thanked the Clean City Commission members, specifically Kathy Pinkerman, and also Debbie Mastrangelo for helping organize the Beautification Awards.

**Planning Commission, Mr. Fiala** – No report.

**Shade Tree Commission, Mr. Carr** – Reported that the condemned tree at Osborne Park has been taken down. He said that Councilman Woodin had some concerns that this was not warranted and that Mr. Woodin suggests that in the future the city should get a second opinion. Mr. Carr said that the arborist stated that this tree was one of the worst trees he had seen. The arborist also inspected other trees at Osborne Park and said there are about 2 dozen trees that are healthy and may warrant some further designation as historic trees. He found a Tulip tree that may beat the state record. Mayor Anderson said that the decision to cut the tree down was done because of a safety concern. The decision was not made lightly.

**CORRESPONDENCE**

No correspondence.

**PUBLIC PORTION**

Don Lewis – 4620 Sherwin Road – Chairperson of the Shade Tree Commission – Commented that the tree at Osborne was one of the first trees designated at a Historical Tree. He commented on other historical trees that were in the city.

**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:           6 yes  
                          0 no

Motion carried 6 to 0

**RESOLUTION NO. 2010-112**

**A Resolution approving EAS #9-9-10 authorizing Orwell Natural Gas Company to install a natural gas line in the City of Willoughby right-of-way for the Euclid Avenue Distribution Line Project.**

Motion made and seconded to adopt Resolution No. 2010-112

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**RESOLUTION NO. 2010-113**

**A Resolution authorizing Orwell Natural Gas permission to occupy a portion of Euclid Avenue for the purpose of constructing a public utility, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2010-113 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2010-113.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**ORDINANCE NO. 2010-114**

**An Ordinance providing for the issuance and sale of \$3,542,200 Notes, in anticipation of the issuance of Bonds, to pay costs of renovating, remodeling, furnishing and equipping Municipal Hall and improving the site thereof and acquiring and installing communications systems improvements and energy conservation improvements in municipal facilities, together with all necessary appurtenances, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2010-114 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to pass Ordinance No. 2010-114.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**ORDINANCE NO. 2010-115**

**An Ordinance providing for the issuance and sale of \$1,678,294 Notes, in anticipation of the issuance of Bonds, to pay costs of improving and equipping a Municipal Golf Course together with the necessary buildings and facilities appurtenant thereto, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2010-115 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to pass Ordinance No. 2010-115.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**ORDINANCE NO. 2010-116**

**An Ordinance providing for the issuance and sale of \$151,307 Notes, in anticipation of the issuance of Bonds, to pay costs of improving Lost Nation Municipal Airport by the acquisition, construction and installation of airport improvements, including paving the airport parking lot and installing associated drainage facilities and barriers and providing safety markings for airport structures, together with all necessary appurtenances, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2010-116 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to pass Ordinance No. 2010-116.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**ORDINANCE NO. 2010-117**

**An Ordinance providing for the issuance and sale of \$1,554,216 Notes, in anticipation of the issuance of Bonds, to pay costs of improving the City’s Sanitary Sewer System by constructing trunk sewers and relief sewers, installing sewer lining, and reconstructing and replacing existing sewer lines, together with all necessary appurtenances thereto, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2010-117 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to pass Ordinance No. 2010-117.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0



**RESOLUTION NO. 2010-121**

**A Resolution authorizing the Mayor to apply for, accept and enter into a supplemental Water Pollution Control Loan Fund Agreement on behalf of the City of Willoughby 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 planning, design and/or construction of wastewater facilities; designating a dedicated repayment source for the supplemental loan; and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2010-121 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2010-121

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**MAYOR'S REPORT** - Reported that he is serving on the Senate Bill 165 Rule Committee. Senate Bill 165 made some changes in gas well drilling laws. The Rules Committee recommends rules to the director to start administering the changes. Mayor Anderson is also serving on a Cuyahoga Mayors and Managers Committee to lobby for northeast Ohio on the state budget. The Committee is going to fight to keep the reductions in the Local Government Fund reasonable. They will also be lobbying for some statutory changes to make it easier for the cities to operate.

Mayor Anderson said that the Task Force Report is being written. When he has the report he will put together a Stabilization Plan to be discussed in November or December. This plan will present some options to formulate the budget for next year.

**OTHER REPORTS**

**Law Director Wiles** – No report.

**Service Director Tomaselli** – No report. Councilman Woodin asked about the curbs on Tioga. Mr. Tomaselli said this should have been done today.

**City Engineer Sayles** – Reported that smoke testing the sewers is almost finished. The next phase is sewer televising laterals and mains. Council President Ranally asked if Mr. Sayles could provide a report to council in March. Mr. Sayles said he will be providing a written report to EPA in February so he will have something for council before that.

Mr. Ranally asked about the status of the Erie Road Project. Mr. Sayles said they are just about finished with boring across Erie Rd. He is not sure of the schedule for the rest of the project. The project is behind schedule, but should be done within the next month.

**Fire Chief Zweqat** – No report.

**Police Chief Straube** - No report. Mr. Ranally referred to a letter he received from a resident about speeding on Stevens Blvd. Chief Straube said he has scheduled the speed trailer for that area. Councilman Carr asked if there was any update on the neighborhood situation from the last meeting. Chief Straube said his department has put in over 30 hours on this situation on Melody. The house has been dark for the last two weekends. Mr. Ranally asked the chief to comment on the situation on Waldamere. Chief Straube said there have been home invasions on Shankland and on Waldamere. His department does have some suspects in mind. Councilman Harrold thanked the chief for the police presence on the path (in Ridge Acres). The bullying that was taking place has stopped.

**Chief Building and Zoning Inspector Smith** - No report. Councilman Black asked if there has been any discussion regarding an internet café. Law Director Wiles answered that he will have information at the next meeting regarding what this means to Willoughby. He and Mr. Smith have done a lot of research and he has discussed this with the Mayor.

Mr. Ranally asked where G-Wiz Bar is going to put their outdoor patio. Mr. Smith said this will go in the front of the business. Mr. Ranally commented that this business is surrounded by residential.

**Parks & Recreation Director Katz** – No report. Mr. Ranally asked the status of the Golf Course project. Mr. Katz said the only thing left to do is some work on #5.

**Finance Director Rogowski** – Thanked council for the note legislation.

**COUNCILMEN**

**Mr. Woodin** – No report.

**Mr. Fiala** – No report

**Mr. Carr** – No report

**Mrs. Manning**– Absent

**Mr. Harrold** – No report.

**Mr. Black** – No report.

**Mr. Ranally** – No report.

***The Regular Council Meeting adjourned at 9:00 p.m.***

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

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Clerk of Council

\_\_\_\_\_  
Jerome P. Ranally, President

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David E. Anderson, Mayor