

MINUTES

REGULAR COUNCIL MEETING

8:00 p.m.

December 7, 2010

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on December 3, 2010.

ROLL CALL

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

Others Present: Mayor Anderson, Law Director Wiles, Service Director Tomaselli, Fire Chief Zwegat, Assistant Police Chief Cooper, Finance Director Rogowski, Chief Zoning and Building Inspector Smith, Parks and Recreation Director Katz, Clerk Radebaugh.

The meeting was led in Prayer and the Pledge of Allegiance by Councilman Black.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of November 16, 2010.

Roll Call: 7 yes
 0 no

Motion carried 7 o 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 – No report.

WPCC Committee, Mr. Harrold – No report.

Clean City Commission, Mr. Ranally – The Commission's Christmas Dinner will be on December 13th at 6:00 p.m. along with the Shade Tree Commission.

Planning Commission, Mr. Fiala– Reported that Planning Commission is recommending the amendment on the agenda tonight.

Shade Tree Commission, Mr. Carr – No report.

CORRESPONDENCE -The Clerk read an application for the transfer of a Liquor License from Revco Discount Drug Centers Inc, DBA CVS Pharmacy, 6005 SOM Center Rd. to Ohio CVS Stores LLC, DBA CVS Pharmacy, 6005 SOM Center Rd.

There were no objections to the transfer.

PUBLIC PORTION - No one spoke.

Councilman Black noted that all of council received phone calls from a lady concerned with the flag being taken down in Point Park. He said that this concern has been addressed and will be looked into further next year when we put up the Christmas lights. Mr. Katz said that next year, when Santa is put on the flag pole, modifications will be made to be able to keep the flag on the pole also. Mr. Black noted that there are flags on ten separate properties owned by the city. Mr. Katz stated that past history shows that the flag was normally taken down during the winter months because it would get tattered by the high winds and the rope would freeze making it impossible to take it down.

OLD BUSINESS

ORDINANCE NO. 2010-125

An Ordinance authorizing the sale of .1298 acres of city-owned real property located at the Water Pollution Control Center, Eastlake, Ohio and further identified as a portion of Permanent Parcel No. 34B020000010, to Chagrin Park, Ltd., without public bidding, for the sum of one thousand dollars (\$1,000), and declaring an emergency.

Ordinance No. 2010-125 will remain on the table

At 8:15 p.m. the Legislative portion of the meeting was interrupted to hold a public hearing.

PUBLIC HEARING

The Clerk read the following notice for a public hearing:

Said hearing will be held on the following proposed text change to the Planning and Zoning Code: Amending the Codified Ordinances of the City of Willoughby, Ohio to include Multi-Family Envelope Lot Developments in the Residential Multi-Family District by amending Chapters 1103.03, 1109.04, 1135.04, 1135.09 and 1161.07.

Those speaking in favor:

Joe Zindarsic, legal counsel for Kirtland Tudor Estates on Kirtland Road. Mr. Zindarsic stated that he and the owner/developer of Kirtland Tudor Estates are the initiators of this legislation. This amendment will give them the flexibility in terms of increasing their ability to generate sales.

Those speaking in opposition:

No one

RESOLUTION NO. 2010-152

A Resolution approving an agreement between the American Federation of State, County, and Municipal Employees, AFL-CIO, Local 1657, and Ohio Council 8, and the City of Willoughby, Ohio, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2010-152 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2010-152.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2010-153

A Resolution honoring Parks Supervisor II Mike Shaffer and commending him for his 32 years of dedicated service to the residents and visitors to the community as an employee of the Willoughby Parks and Recreation Department.

Motion made and seconded to adopt Resolution No. 2010-153.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2010-154

An Ordinance authorizing the sale of real property located at Beachview Road, consisting of a 0.0543 acre residential lot, and further identified as a portion of Permanent Parcel No. 027-B-056-E-00-001-0 to Christian and Michelle Lim, without public bidding, for the sum of \$100.

Motion made and seconded to pass Ordinance No. 2010-154.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2010-155

An Ordinance authorizing the sale of real property located at Beachview Road, consisting of a 0.0467 acre residential lot, and further identified as a portion of Permanent Parcel No. 027-B-056-E-00-001-0 to Michael A. Villanueva, without public bidding, for the sum of \$100.

Motion made and seconded to Pass Ordinance No. 2010-154.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – No report

OTHER REPORTS

Law Director Wiles – No report. Councilman Harrold asked if Mr. Wiles received an ordinance written by one of his residents and delivered to the Mayor today. Mr. Wiles said he hasn't seen it yet.

Service Director Tomaselli – Reported that the Service Department started shifts on Sunday night. Residents still have bags of leaves out. The crews will be picking them up, but the buried leaves will have to wait until they thaw. Lakeland Blvd. is open. The ramp and the bridge are open on Lost Nation Road. Work is being done on the traffic lights to get them coordinated. Allega has shut down for the winter. Great Lakes is still working on the bridge. ODOT is waiting for the poles to arrive for Rt. 91 and 20 to erect the traffic signals. Karavo Paving has shut down for the year. Figgie Drive project is almost done. The punch list for the Grove Ave. project has been received. There is still lining to be done and there is a problem with settling in the yards. Most projects are dependent on the weather at this time.

Councilman Carr commended Mr. Tomaselli and his crew for the great job done with snow removal. His wife had to drive in different county areas delivering packages and said that Willoughby was the only area with clear streets.

Councilman Woodin asked Mr. Wiles if we are still in the appeals process with the property owner on Eaglewood Drive. Mr. Wiles said he thought the 30 days was almost up and he will then proceed accordingly.

Mr. Woodin asked Mr. Tomaselli to tell the crew that they are doing a great job with snow removal.

Engineer Sayles – The Erie Road Pumping Station is in and running. The only items to be done are replacing a driveway apron in the spring and relocating an electric meter above the flood plain. One more section of sewer has to be lined In the Vine Street Lining Project. This is weather dependent. Mr. Sayles said that this project is behind schedule, but there is a legitimate time extension because some custom lining had to be done. Mr. Sayles said that he has received a pay request for the main lining project that was done in the summer. He will be talking to Mr. Tomaselli about holding money back in order to motivate the contractor to come back and finish the project.

Fire Chief Zwegat – No report.

Assistant Police Chief Cooper – Reported that the Police Department has been made aware of a Justice Assistance Grant which is available to purchase equipment for use in performing investigations and/or patrol duties for up to \$30,000 with no match. Assistant Chief Cooper said a grant request was submitted to try to better utilize equipment the department already has such as the video recordings in the police vehicles. The department will be notified in the middle of February if they received the grant.

Chief Building and Zoning Inspector Smith - No report. Councilman Ranally said that sometime ago it was discussed that the Building Department would be given the authority to write citations. He asked what the status was. Mr. Smith said this was not

done, but they did adopt the five day notification for property maintenance which they work out with the Service Dept. This procedure speeds up the process that used to take 90 days. Mr. Ranally suggested that they look into the citation procedure again. Mayor Anderson said this is something he had on his list to do for next year. He said that there hasn't been an incident come up yet to use this procedure.

Mr. Ranally asked the status of the building on the corner of Mentor Avenue and Kirtland Road. Mr. Smith said that Mr. Wiles had a title search done and found that there is quite a bit of money in liens on the property. Mr. Smith with get together with Mr. Wiles to further discuss this situation.

Parks & Recreation Director Katz– Thanked Council for the passage of the resolution for Mike Shaffer. Reported that the sledding hill is open. Thanked those that attended the Christmas lighting last Thursday. Councilman Harrold and Mr. Katz determined that there were over 100 Santa calls made last night.

Finance Director Rogowski – Reported that he will have the Temporary Appropriations legislation and other clean up legislation for 2010 at the next council meeting.

COUNCILMEN

Mr. Woodin – No report

Mr. Fiala – No report.

Mr. Carr – No report

Mrs. Manning– No report.

Mr. Harrold – Reported that the pictures of the Council members that were on the wall outside of Council Chambers can be picked up from Mr. Tomaselli's office. Mayor Anderson said he thinks it is appropriate to have pictures, but something smaller. Mr. Ranally suggested a group picture.

Mr. Black – No report

Mr. Ranally – No report.

The Regular Council Meeting adjourned at 8:45 p.m.

Date approved_____

Clerk of Council

Jerome P. Ranally, President

David E. Anderson, Mayor