

MINUTES

REGULAR COUNCIL MEETING

8:00 p.m.

February 20, 2007

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on February 16, 2007:

ROLL CALL

Councilmen Present: Mr. Cox, Mr. Black, Mr. Fiala, Mr. Harrold, Mr. Ranally, Mrs. Manning, Mr. Woodin

Others Present: Mayor Anderson, Assistant Law Director Simpson, Service Director Tomaselli, City Engineer Sayles, Fire Chief Zwega, Police Chief Straube, Chief Building and Zoning Commissioner Smith, Deputy Finance Director Bosley, Parks and Recreation Director Katz, Clerk Radebaugh

The meeting was led in prayer and the Pledge of Allegiance by President Cox.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of February 6, 2007.

Roll Call: 7 yes
 0 no

Motion carried 7 to 0

STANDING COMMITTEES OF COUNCIL

Committee of Full, Mr. Cox – No report.

Economic Development Committee, Mr. Black – We had a meeting this evening concerning a Willoughby Incentive Grant. Representatives from Pacific Fuel Cell Inc. presented their proposal. This is on the agenda this evening for a vote.

Environmental Planning Committee, Mr. Ranally – We had a meeting this evening regarding Breckenridge Brownstone. The committee recommended approval this evening.

Finance and Audit Committee, Mr. Ranally – Reported that he will be meeting with Mr. Rogowski next week to come up with a plan for the budget hearings.

Parks & Recreation Committee, Mr. Woodin – No report.

Personnel Committee, Mr. Harrold – No report.

Safety Committee, Mr. Black – No report.

Service Committee, Mrs. Manning – Will have a Service Committee meeting on March 6th to discuss BFI and a couple other items.

WPCC Committee, Mr. Harrold – There will be a meeting on February 28th, at the plant, at 6:30 p.m. to review the annual report and the proposed budget for next year.

Clean City Commission, Mr. Cox – Mr. Cox was out of town for this meeting. A Clean City Commission member was in the audience and reported that the commission discussed temporary fencing for downtown.

Planning Commission, Mr. Fiala – No report.

Shade Tree Commission, Mrs. Manning – Arbor Day will be celebrated on April 27th at 6:30 p.m. at Pointe Park.

CORRESPONDENCE

No correspondence

PUBLIC PORTION

No one spoke

OLD BUSINESS

RESOLUTION NO. 2007-5

A Resolution authorizing an expenditure of \$151,143 for the purchase of six (6) 2007 Ford Crown Victoria Police Interceptors from Classic Ford of Mentor, and declaring an emergency.

Motion made and seconded to remove Resolution No. 2007-5 from the table.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-5 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-5.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2007-9

A Resolution approving EAS#16-12-06 for the rezoning of real property located at 37231 Euclid Avenue from Manufactured Home Park (MH-P) to General Business (G-B) and from Retail Business (R-B) to Manufactured Home Park (MH-P) and for construction of a building at said location (Danny's Organic Market).

ORDINANCE NO. 2007-10

An Ordinance amending the zone map of the City of Willoughby, Ohio, to reclassify 0.1894 and 0.2164 acres of real property identified as portions of Permanent Parcel

No. 027A-016-00-009-0 from Retail Business (R-B) to Manufactured Home Park (MH-P) and from Retail Business (R-B) to General Business (G-B), respectively; and 0.4890 acres of a portion of Permanent Parcel No. 027A-016-00-014-0, from Manufactured Home Park (MH-P) to General Business (G-B); said real property is located at 37231 and 37223 Euclid Avenue aka Orchard Grove Trailer Park. (Public Hearing is continued to March 20, 2007)

Resolution No. 2007-9 and Ordinance No. 2007-10 will remain on the table.

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. 2007-12

A Resolution approving EAS#2-1-07 for construction of a building at Breckenridge Village Campus on Ridge Road (Breckenridge Brownstone).

Motion made and seconded to amend Resolution No. 2007-12 to read Resolution No. 2007-16.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-16, as amended.

Roll Call: 6 yes
1 abstain (Manning)
0 no

Motion carried 6 to 0

RESOLUTION NO. 2007-13

A Resolution authorizing the Director of Public Service to prepare specifications and to advertise for bids for the 2007 Voluntary Sidewalk Program for a period of one (1) year with a one-(1-) year renewal option.

Motion made and seconded to adopt Resolution No. 2007-13.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2007-14

A Resolution authorizing the Director of Public Service to prepare specifications and to advertise for bids for the purchase of 2007 Road Maintenance Materials.

Motion made and seconded to adopt Resolution No. 2007-14.

Roll Call: 7yes
0 no

Motion carried 7to 0

RESOLUTION NO 2007-15

A Resolution authorizing the Mayor to enter into a Municipal Tax Incentive Agreement with Pacific Fuel Cell Corporation, Pursuant to R.C. Chapter 718, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-15 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-15

Roll Call: 7 yes
0 no

Motion carried 7 to 0

RESOLUTION NO. 2007-17

A Resolution authorizing the Mayor to enter into a two-(2-) year contract with Creative Microsystems Incorporated in an amount not to exceed \$221,071.74 for the purchase and technical support of computer hardware and software for use by the Willoughby Municipal Court, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-17 be declared an emergency measure.

Roll Call: 7 yes
0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2007-17

Roll Call: 7 yes
0 no

Motion carried 7 to 0

MAYOR'S REPORT – No report.

OTHER REPORTS

Assistant Law Director Simpson – No report. Councilman Black asked what the Huffman Case is (referring to a memo received from the Law Department). Mr. Simpson said it was the Daniels Park drowning case.

Service Director Tomaselli – No report.

City Engineer Sayles – The Church Street Storm Sewer and Downtown Sanitary Sewer Projects have gone out for bid. We expect to award a contract at the next Council meeting. Regarding the AT & T box at Highgate Bluff, he is following the code that requires the City Engineer to notify council of an unsafe condition. If Council chooses, they can direct the Law Department to prepare legislation to direct AT & T to relocate that box. Mayor Anderson said that he and Mr. Simpson have a meeting tomorrow with the AT & T representatives. Depending on the outcome of that meeting, there might be a resolution on the next Council

meeting.

Fire Chief Zwegat – No report. Councilman Woodin asked the status of the new truck. Chief Zwegat said that it is in the process of being put into service. It has been officially insured and titled. Mr. Woodin asked if the new Pacific Fuel Cell Company will have any hazardous materials. Chief Zwegat said that they are required by law to file if they do. When it is in operation, the Fire Department will tour the facility. Councilman Harrold commented on the outside snow plow drivers burying fire hydrants with snow. Chief Zwegat said he has his men out shoveling in between calls. The Fire Department has a map showing where the hydrants are.

Police Chief Straube- The Western Reserve Harley Owner's Group has donated \$500 for PAL. Sue Hinkle, who has been with the Police Department for 38 years, is retiring on June 15th. There is still an opening for a Victim's Advocate for a part time position.

Chief Building and Zoning Inspector Smith– No report.

Parks & Recreation Director Katz – Reported that he will have legislation at the next meeting increasing some pool fees. The Recreation Dept. had "sledding under the stars" this past Sunday. It was very successful and they will be doing this program again next year.

Deputy Finance Director Bosley– No report.

COUNCILMEN

Mr. Woodin – Mr. Woodin commented that in the future he would like to discuss an ordinance that would assure the safety of the children who walk to school by keeping the sidewalks free of snow. He cited Lakeshore Blvd. as one area. He suggested having Keith Miller from the Willoughby/Eastlake Schools at this meeting. Mr. Tomaselli explained which sidewalks the city cleans now. Mayor Anderson commented that if the city could spend \$60,000 to buy a piece of equipment that would do the job quickly. The current equipment that the city uses takes a day longer. Discussion followed regarding the difficulties of keeping the sidewalks continually clean. Mr. Tomaselli suggested waiting until after the Budget Hearings to discuss this item.

Mr. Fiala – No report.

Mr. Ranally – No report.

Mrs. Manning – No report.

Mr. Harrold – No report.

Mr. Black – No report.

Mr. Cox – No report.

Regular Council Meeting adjourned at 8:35 p.m.

Date approved _____

Clerk of Council

Charles W. Cox, President

David E. Anderson, Mayor