

MINUTES

REGULAR COUNCIL MEETING

8:15 p.m.

March 20, 2007

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

ROLL CALL

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

Absent: Mrs. Manning

Others Present: Mayor Anderson, Law Director Wiles, Service Director Tomaselli, City Engineer Sayles, Fire Chief Zwegat, Police Chief Straube, Chief Building and Zoning Commissioner Smith, Finance Director Rogowski, Parks and Recreation Director Katz, Clerk Radebaugh

Motion made and seconded to excuse Mrs. Manning .

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 Cox.

Officer of the Year Award

Police Chief Straube presented the Officer of the Year Award to Patrolman Dave Burrington And Special Patrolman Kurt Keeper.

PUBLIC HEARING

The Clerk read the legal notice on the application of Frank Daddario, FCJ Properties, to rezone property at 37223 Euclid Avenue, aka Orchard Mobile Home Trailer Park. Request is to rezone a 0.8179 acre portion of P.P. #27A-16-14 from Manufactured Home Park to General Business.

Those speaking in favor of the proposal

No one

Council President Cox informed those in attendance that the clerk had received a letter this morning from the developer/owner of this parcel asking that the rezoning be tabled. Mr. Cox said that since the residents were at the meeting he would go forward with their comments.

Those speaking in opposition to the proposal

Marcie Goldbach - #125 - Has a handicap ramp. Is concerned that she will have to move and there is no way to move the ramp.

Tonya Santini - #43B - Residents have not been informed about who will be moving or what is going on. Would like Mr. Daddario to give the residents information in writing.

Lori Frayer - #111 – Received a notice that indicates to her that this project has been approved. Concerned about sewer hook ups and grading. (Ms. Frayer submitted the letter from Mr. Daddario to Council).

Brian Conley - #34 – Concerned about flooding in the back of the park and with the sanitary system. Main concern is with heavy trucks driving on a residential driveway. This is a very congested area and he is concerned about school children walking in this area. He has received two letters from Mr. Daddario, but feels he is purposely misinforming the residents.

Tony Purdue – Formerly #7 – Trying to sell her trailer. She has been left out of everything because she no longer lives there. Makes it difficult to sell when she is not sure what will happen with the trailer.

Connie Fleming - #90 – Thanked everyone with the city that has shown concern. Complained that management in the trailer park does not respond to complaints.

Glen Benyo - #10 – Agreed with statements made by the other residents.

Law Director Wiles asked for copies of the two letters Mr. Conley referred to. Copies were given to the clerk.

Law Director Wiles made the residents aware that a residential lot or driveway cannot be used to service a Commercial District. He said that as far as the Law Department is concerned, that will not happen.

Approval of Minutes

Motion made and seconded to approve the Regular Council minutes of March 6, 2007 and the Special Council Meeting of March 13, 2007.

Roll Call: 5 yes
 1 abstain (Ranally)
 0 no

Motion carried 5 to 0

STANDING COMMITTEES OF COUNCIL

Committee of Full, Mr. Cox – We had a meeting this evening on the Ward Creek Report.

Economic Development Committee, Mr. Black – No report.

Environmental Planning Committee, Mr. Ranally – We had two items on the agenda that were tabled and were part of the public hearing. They will be tabled until further notice.

Finance and Audit Committee, Mr. Ranally – We had a meeting last week to discuss the appropriations and the operating budget for 2007.

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

Personnel Committee, Mr. Harrold – No report.

Safety Committee, Mr. Black – No report.

Service Committee, Mrs. Manning – Absent.

WPCC Committee, Mr. Harrold – No report.

Clean City Commission, Mr. Cox – The Commission met a week ago Monday. Anyone who wants to be a member of Clean City, Inc. can send \$5.00 membership dues to Diane Bosley. They now have \$8000 to be used for various activities.

Planning Commission, Mr. Fiala – No report.

Shade Tree Commission, Mrs. Manning – Absent.

CORRESPONDENCE

No correspondence

PUBLIC PORTION

No one spoke

OLD BUSINESS

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: 6 yes
0 no

Motion carried 6 to 0

RESOLUTION NO. 2007-26

A Resolution approving EAS#1-1-07 for the rezoning of real property located at 37231 Euclid Avenue from Manufactured Home Park (MH-P) to General Business (G-B) and for construction of a building at said location (Danny’s Organic Market).

Motion made and seconded to table Resolution No. 2007-26.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

ORDINANCE NO. 2007-27

An Ordinance amending the zone map of the City of Willoughby, Ohio, to reclassify 0.1879 acres of real property identified as 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 37223 Euclid Avenue (Orchard Mobile Home Trailer Park).

Motion made and seconded to table Ordinance No. 2007-27.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

RESOLUTION NO. 2007-28

A Resolution accepting the donation of a 1995 Chevrolet Camero from the City of Parma, Ohio.

Motion made and seconded to adopt Resolution No. 2007-28.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

RESOLUTION NO. 2007-29

A Resolution authorizing the Mayor to enter into a one (1) year Municipal Debt Collection Agreement with Capital Recovery Systems, Inc. for services necessary to the collection of municipal debt charged by the Willoughby Municipal Court, and declaring an emergency.

Motion made and seconded to amend Resolution No. 2007-29 to read "Clerk of the Willoughby Municipal Court" in place of "the Mayor" in the caption and in Section 1 and Section 2.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-29, as amended, be declared an emergency measure.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2007-29, as amended.

Roll Call: 6yes
0 no

Motion carried 6to 0

RESOLUTION NO. 2007-30

A Resolution to make appropriations for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2007, and declaring an emergency.

Motion made and seconded to amend Resolution No. 2007-30 by deleting \$51,511,636 in Section 1 and in the Total and replace it with \$50,791,636, and by changing \$7,774,676 in Special Revenue Funds to \$7,054,676.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2007-30, as amended, be declared an emergency measure.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2007-30, as amended.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

RESOLUTION NO. 2007-31

A Resolution authorizing the Director of Public Service to prepare plans and specifications and to advertise for bids for the 2007 Highway Pavement Lane Marking Project.

Motion made and seconded to adopt Resolution No. 2007-31.

Roll Call: 6 yes
0 no

Motion carried 6 to 0

MAYOR'S REPORT – Advised everyone to look at the new City Website. The new format is more interactive with the residents. There is a form that can be filled out to ask a question or report a problem to anyone in the city.

OTHER REPORTS

Law Director Wiles – No report.

Service Director Tomaselli – Reported that the storm laterals on Mentor Avenue should be done by the end of this week. The project should be done by June.

City Engineer Sayles – Councilman Ranally asked the status of Church St. and Erie St. Sanitary Sewer and Storm Sewer. Mr. Sayles said that the Church St. Storm Sewer Pre-construction Meeting was Monday, but he could not attend. Mr. Tomaselli answered that Bill's Excavating will be doing the project. They will start within the month and the project

will last about a week and a half to two weeks. They will start at Vine Street. Mr. Sayles said CT Consultants has worked with this company on other projects. Mr. Sayles said he will advertise for bids on the Erie Street Project this Friday. He hopes to award the bid at the second council meeting in April and have the project built by Memorial Day.

Councilman Woodin thanked Mr. Sayles for the Ward Creek Study. Mr. Sayles said he will have something regarding Two Town Ditch at the end of the month.

Fire Chief Zwegat – No report. Councilman Cox commented on the firefighters being at the two houses by Breckenridge (for training). Chief Zwegat said the firefighters were training on the house for five days.

Police Chief Straube-.Commented that about three years ago his department seized a little over \$250,000 in the forfeiture of property. Through the court, the city ended up with \$63,000.

Chief Building and Zoning Inspector Smith– No report. Councilman Fiala asked if the city has the right to do property maintenance inspections at mobile home parks. Mr. Smith said that mobile home parks are under the jurisdiction of the State of Ohio Health Department. The County is the enforcement authority.

Parks & Recreation Director Katz – The Easter Egg Hunt is March 31st. Rain day will be the following Saturday. The Spring Brochure has been mailed. Registration will begin next Wednesday. Councilman Woodin asked when the dirt pile at Osborn Park will be moved. Mr. Katz said the contractor will be back sometime this week, weather permitting, to finish installing the last of the climbing rock. Councilman Harrold asked about the Gilson Concession Stand. Mr. Katz said there is no funding to replace it. The present concession stand will be used this summer.

Finance Director Rogowski– Thanked Council for passing the budget. At the next meeting there will be legislation for all the full time contracts as well as the manning table.

COUNCILMEN

Mr. Woodin – Mr. Woodin commented that Chief Straube has some good “soldiers” in his department.

Mr. Fiala – No report.

Mr. Ranally – Commented that Dave Burrington has done a great job as an officer for the city. Commented that Officer Keeper is doing a fine job at South High School.

Mrs. Manning – Absent.

Mr. Harrold – Reported that he received several phone calls from residents commenting on how professional the firefighters were at the Breckenridge duplexes. Mr. Harrold complimented the staff.

Mr. Black – Reported that he attended a seminar on the Emerald Ash Borer. Would like to have a meeting to discuss what he learned.

Mr. Cox – No report.

Regular Council Meeting adjourned at 9:15 p.m.

Date approved _____

Clerk of Council

Charles W. Cox, President

David E. Anderson, Mayor