

# MINUTES LEGISLATIVE CAUCUS

7:45 p.m.

September 4, 2007

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on August 31, 2007.

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

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

## NEW BUSINESS

**ORDINANCE NO. 2007-106** An Ordinance amending Chapter 1105 of the Codified Ordinances of the City of Willoughby, Ohio, entitled, “Administrative Powers and Duties”; specifically, Section 1105.03 entitled, “Planning Commission” and Section 1105.04 entitled, “Board of Zoning Appeals”.

Mayor Anderson explained that the city’s ordinance states that Planning Commission members and Zoning Board members must attend the public hearing concerning an application in order to vote on it. This requirement poses a problem causing some items four or five meetings to be voted on. Mayor Anderson said that board/commission members can review tapes and minutes to know what is going on in order to vote. After discussion with commission/board members, Mayor Anderson said it was decided to eliminate the requirement for members to attend the public hearing from the ordinance.

Council President Cox asked if language could be included to state that before a member votes, he should be required to read the minutes or listen to the tape as a substitute for attending the public hearing. Mr. Simpson said he didn’t know how anyone would know if a member did or did not do this just by having it written in the minutes. Mayor Anderson commented that the requirement that a member had to be in attendance in order to vote was unique to our city, there is no state law.

Mr. Cox asked Mr. Simpson if he would check to make sure that this change does not put the city in a compromising position. Council agreed to vote on this amendment tonight.

## **ORDINANCE NO. 2007-107**

**An Ordinance amending Chapter 179 of the Codified Ordinances of the City of Willoughby, Ohio, entitled, “City Records Commission”.**

Mayor Anderson explained that this amendment brings our ordinances up to state law.

## **ORDINANCE NO. 2007-108**

**An Ordinance establishing Chapter 1352 of the Codified Ordinances of the City of Willoughby, Ohio, entitled, “Storm Water Management”.**

Mr. Sayles explained that this ordinance primarily restates many of the requirements the city already has. The ordinance also adds a couple requirements required by the Phase 2 Storm Water Regulations from Ohio EPA; most significantly, water quality improvement. Mr. Sayles explained the water quality improvement aspects required for retention basins that will be built after this ordinance goes into effect. Councilman Fiala asked if this ordinance puts the city in compliance with Phase 2. Mr. Sayles said we still have the Illicit Discharge Ordinance which will probably come to council in October.

**RESOLUTION NO. 2007-109**

**A Resolution providing for the City of Willoughby, Ohio, to collect a quarterly video service provider fee from AT&T Ohio of three percent (3%), based on a percentage of the gross revenue.**

Mayor Anderson said AT&T will be soliciting in the next couple of weeks. With this ordinance, the city is getting ready to collect their fee.

**RESOLUTION NO. 2007-110**

**A Resolution authorizing the Mayor to enter into an amendment to extend the contract with IntelliNet Corporation in the amount of \$3,000 per month for a sixth additional term of twelve (12) months to provide computer consulting and related network support services necessary to the operation of the Willoughby Municipal Court's FileNet Document Imaging System; and declaring an emergency.**

Councilman Black asked how long the court will be doing this. Mr. Rogowski said this is the court's digital archiving and it will be on going. Mr. Black asked if this went out for bid. Mr. Cox said this is a professional service and this is the company the judge and Ms. Mastrangelo were comfortable with. Professional services do not have to be bid.

**RESOLUTION NO. 2007-111**

**A Resolution authorizing the Director of Public Service to prepare plans and specifications and to advertise for bids for the Willoughby Police Department Roof Replacement Project, and declaring an emergency.**

Mr. Tomaselli said he has \$80,000 in his capital budget for the roof repairs at the Police Station. He contacted RoofTEC for an evaluation of the roof. Their estimate to repair the roof is \$45,000. They will prepare the specs to go out for bid.

**RESOLUTION NO. 2007-112**

**A Resolution authorizing the Mayor to make application to the Ohio Attorney General's Office for the purpose of acquiring financial assistance for the 2007-2008 Drug Abuse Resistance Education (D.A.R.E.) Law Enforcement Grant Program, and declaring an emergency.**

Chief Straube said the amount of money we will receive is consistent with last year. Mr. Cox indicated that Section 1 should be amended to read one hundred percent (100%) rather than fifty percent (50%) matching funds.

**ORDINANCE NO. 2007-113**

**An Ordinance certifying to the auditor of Lake County certain unpaid bills owing to the City of Willoughby, Ohio, and declaring an emergency.**

Mr. Rogowski said these charges are for demolition and grass cutting. Mr. Black asked if this is a lien on the owner's property. Mr. Rogowski explained that this becomes a part of the tax duplicate and will be in the January taxes.

**ORDINANCE NO. 2007-114**

**An Ordinance accepting the Final Plat for Rionero Estates Subdivision.**

Mr. Sayles explained that this is an eight lot subdivision north of Big Turtle II.

**The meeting adjourned at 8:10 p.m.**

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

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**Charles W. Cox, Chairman**

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**Clerk of Council**