The Solon City Council met at City Hall on the above date.

Present: Council Members Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo, Mayor Drucker, Law Director Lobe, Clerk McConoughey

NOTES OF CAUCUS DISCUSSION:

(Clerk’s note: Agenda items not mentioned under Notes of Caucus Discussion are items that were not pertinently discussed during caucus. Agenda topics may not have been discussed in order, however, they have been placed in order for the convenience of this record.)

Also present: City Services Director Bandiera, Planner II Crombie, Finance Director Kennedy, Fire Chief Shaw, Police Chief Viland, Assistant City Engineer Welch

Absent: City Engineer Busch, Planning Director Frankland

Vice Mayor Kraus presided.

CORRESPONDENCE:

2. Correspondence from Judith Wardley appealing the Planning Commission’s denial of lot splits: Mr. Lobe advised that Planning Director Frankland recommended this item be tabled.

3. Liquor permit application for Chicago Deli: Councilman Russo advised that he must recuse himself from consideration of this issue.

The caucus ended at 7:06 P.M. and the meeting began at 7:09 P.M.

Motion by Councilman Russo, seconded by Councilman Pelunis to adjourn into executive session at 7:09 P.M. for the purpose of considering property acquisition and potential disciplinary action of a public employee.

Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None

Motion Carried

The meeting reconvened at 7:40 P.M.

Also present: City Services Director Bandiera, Human Resource Director Cornhoff, Planner II Crombie, Finance Director Kennedy, Fire Chief Shaw, Police Chief Viland, Assistant City Engineer Welch
CHANGES TO THE AGENDA:

There were no changes to the agenda.

ANNOUNCEMENTS:

Vice Mayor Kraus said announcements are as listed on the agenda. He noted that the Finance Committee meeting of November was rescheduled to Tuesday, December 4th.

PRESENTATION:

Mr. Terry Killeen, Manager of External Affairs for First Energy was present to discuss the restoration efforts and procedures of First Energy following the effects of Hurricane Sandy. Mr. Killeen said Hurricane Sandy caused the worst power outage situation he has seen in his 25 years with First Energy with 7,000 reported downed wires or emergency situations and 344,000 Illuminating Company customers without power.

He explained that hazard responders are immediately dispatched to assess damage and cordon off areas. Mr. Killeen addressed the question of why most of First Energy’s crews were sent to New Jersey. He said that was not the case. Only 50 of 300 linemen were transported to New Jersey the weekend before the storm as it was forecasted that New Jersey and Pennsylvania would be most affected. After the effects of the storm were determined, crews were brought in from out of state and 800 linemen were here to restore power. Mr. Killeen advised 90% of Solon was restored by the next day.

Mr. Killeen explained the restoration process involves clearing the downed wires and other hazard calls first. The focus is then on hospitals, pump stations, lift stations, water treatment plants, 911 centers, fire departments, police departments and nursing homes. Thereafter, the repairs are prioritized to turn on the largest number of homes with one repair, therefore, a smaller group outage would be out longer. By the Friday following the storm, he said 40 scattered properties were without power.

Councilman Mooney questioned why residents calling First Energy about a power outage cannot be provided an approximate time frame in regard to when power will be restored. He also asked why lines are not buried to prevent a reoccurrence.

Mr. Killeen displayed a diagram and provided an explanation of substations and transfer of electricity. He said it is difficult to determine where power outages occur until residents call in. Although repairs are made to an obvious problem, other issues may be involved resulting in power only being restored to a portion of an area. Mr. Killeen noted security issues are also considered and it may not be in
the best interest of the residents to give specific details regarding outages over the telephone.

In response to buried electrical lines, Mr. Killeen said it is very costly to bury lines and it is difficult to identify the cause of underground outages. In addition, the repairs usually take much longer once the problem is identified.

**MINUTES:**

Motion by Councilman Pelunis, seconded by Councilwoman Meany to approve the minutes of the November 19, 2012 meeting as presented.

Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo

Nay: None

Motion Carried

**COMMENTS FROM THE AUDIENCE:**

Mr. Adam Fair, 5846 Briarhill Drive, spoke regarding the Briar Lake Dam Project. He believes there are many unresolved contractual and safety issues involving the Project. He is particularly concerned regarding the emergency spillway and the concrete box/basin which contains the water coming over the emergency spillway during a storm event. He displayed photos of the approximate 15’ x 29’ hole which is 6’ deep, filled with crushed stone, 4’ of water and surrounded by concrete walls. Although it was drained once several months ago, it filled again relatively quickly. Mr. Fair said when the basin fills, it will result in an inevitable mosquito infestation of stagnant water. In addition, it is possible a child could fall into the basin with no way to climb out because of the concrete walls.

Mr. Fair said he previously notified the city of his concerns regarding the basin in May, however, it is still unresolved although the use of a sump pump was recommended by URS. He requested the opportunity to meet with the Council to discuss this issue.

Ms. Terri Nemeth spoke regarding her issues with a fire department employee. Ms. Nemeth was advised by Vice Mayor Kraus and Mr. Lobe that the Council meeting was not the forum in which to voice her complaints, however, her issue will be investigated.

**PENDING:**

1. **ORDINANCE NO. 2012-255 AMENDING CHAPTER 1257 OF THE PLANNING AND ZONING CODE, COMPREHENSIVE STORM WATER MANAGEMENT**, was read for third reading.

A public hearing was scheduled.

Vice Mayor Kraus opened the public hearing and asked for comments.

There were no comments from the public, therefore, the public hearing was closed.
Motion by Councilwoman Richmond, seconded by Councilman Mooney to approve Ordinance No. 2012-255.
Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried

CORRESPONDENCE:

2. From Judith Wardley appealing the Planning Commission’s denial of a request for a lot split

Mr. Lobe said he and the applicant discussed tabling this issue until the next meeting when Mr. Frankland was present and Ms. Wardley had no objection.

Motion by Councilwoman Richmond, seconded by Councilman Pelunis to table the appeal of Judith Wardley.
Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried

3. Liquor permit application – Gary Butch, Inc. dba Chicago Deli, 34390 Aurora Road transfer from DDD Hams, Inc. dba Honeybaked Ham Co. 33493 Aurora Road

Councilwoman Meany said there were no objections from the departments that reviewed the application.

Motion by Councilwoman Meany, seconded by Councilman Mooney to direct the Clerk to not request a hearing.
Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond
Nay: None
Abstain: Russo
Motion Carried

NEW:

4. ORDINANCE NO. 2012-279 AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 436, WATER RECLAMATION DEPARTMENT FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2015, AND DECLARING AN EMERGENCY, was read for first reading.

Ordinance No. 2012-279 remained on first reading.

5. ORDINANCE NO. 2012-280 AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 436, BUILDING INSPECTORS, FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2015, AND DECLARING AN EMERGENCY, was read for first reading.

Ordinance No. 2012-280 remained on first reading.
CONSENT:

Motion by Councilman Bell, seconded by Councilwoman Meany to suspend the rules and place the following Consent items on third and final reading.

The appropriate Council or Administrative representative provided an explanation for each item.

6. ORDINANCE NO. 2012-281 EXTENDING THE TEMPORARY MORATORIUM PLACED ON VARIANCE APPROVAL, SITE PLAN APPROVAL AND ANY OTHER OFFICIAL ACTION HAVING THE EFFECT OF PERMITTING DEVELOPMENT OF APPROXIMATELY 2.5 ACRES OF REAL PROPERTY LOCATED IN THE CITY OF SOLON, CUYAHOGA COUNTY, OHIO AND IDENTIFIED AS PERMANENT PARCEL NUMBERS 954-29-027, 954-29-028, 954-29-029, 954-29-030, 954-29-031, and 954-29-032, was read for first reading.

Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried
Final Passage: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried

7. ORDINANCE NO. 2012-282 AUTHORIZING THE FINANCE DIRECTOR TO ADVERTISE FOR BIDS FOR VARIOUS PRODUCTS PURCHASED BY THE CITY ON AN ANNUAL BASIS FOR THE YEAR 2013, was read for first reading.

Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried
Final Passage: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried

8. ORDINANCE NO. 2012-283 AUTHORIZING THE PURCHASE OF NECESSARY EQUIPMENT FROM MOTOROLA FOR A SERVICE DEPARTMENT NARROWBANDING PROJECT THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY, was read for first reading.

Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried
Final Passage: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo
Nay: None
Motion Carried

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COUNCIL:
Councilwoman Meany commended Mr. Bandiera and the Service Department for the attractive seasonal decorations displayed in the city throughout the year.

Councilman Bell requested the Law Director ensure the matter raised by Ms. Nemeth is reviewed by the proper authorities pursuant to City policy. Mr. Lobe will meet with the Fire Chief.

Councilman Mooney said the Arts Center Patio Project will not proceed at this time and those who made donations for the patio project will be refunded.

Motion by Councilman Mooney, seconded by Councilwoman Meany to authorize the Finance Director to refund to the Corinne L. Dodero Foundation for the Arts and Sciences, a donation originally submitted to the City of Solon in the amount of $25,000 for the Solon Center for the Arts Patio Reconstruction project.

Roll Call:  Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo  
            Nay: None  

Motion Carried

COMMENTS FROM THE ADMINISTRATION:

Mayor Drucker announced there was a record attendance at the holiday lighting. She thanked the employees of the Service Department, Arts Center, and Police and Fire Departments for their contributions to a successful evening. She thanked J.R. Heckman and the Solon High School Quartessence (Jessica Port, Kristin Kapusta, Natalie Wiser and Anna Edelman) for sharing their talents. She thanked Ed Kline and the Solon High School Tree Lighting Band as well.

Mayor Drucker extended an invitation to the Menorah lighting to be hosted at the Solon Chabad on Wednesday, December 12th at 5:30 P.M. Music and refreshments will follow the lighting ceremony.

Mayor Drucker said Don Holub was awarded the Harvey Woods Lifetime Achievement Award from the Ohio Parks and Recreation Awards of Excellence which recognizes organizations throughout Ohio that embody the vision, dedication and demonstration of excellence in parks and recreation. Mr. Holub was nominated by Rich Parker and Tracy Sullivan of the Recreation Department. Mayor Drucker congratulated Mr. Holub and thanked him for his hard work and many accomplishments through the years. Mayor Drucker thanked Mr. Parker and Ms. Sullivan for submitting Mr. Holub’s name. A ceremony will be held in February when the award is officially received.

Mr. Lobe requested an executive session to discuss the threat of litigation and pending litigation.

Chief Viland advised he has had past conversations with Ms. Nemeth. He noted that anything that was of a criminal nature has either been time barred under statute, not within the geographical limitations of the City of Solon or of no factual
underpinning of a criminal charge. Chief Viland will review any new information if it is provided.

Motion by Councilman Russo, seconded by Councilwoman Richmond to adjourn into executive session at 8:25 P.M. for the purpose of considering property acquisition. Roll Call: Aye: Bell, Kraus, Meany, Mooney, Pelunis, Richmond, Russo Nay: None Motion Carried

The meeting reconvened at 8:56 P.M. and the meeting was adjourned.

__________________________________________
Vice Mayor

__________________________________________
Clerk of Council