

**CITY OF WILLOWICK  
LAKE COUNTY, OHIO  
MINUTES AND PROCEEDINGS OF A REGULAR MEETING COUNCIL**

DATE: April 20, 2010  
PLACE: City Hall  
TIME: 7:30 p.m.

The eighth meeting of Council was called to order by Council President Moran followed by the Pledge of Allegiance to the Flag and Invocation.

**PRESENT WERE:** Council Members Moran, Malta, Allan, Salesky, Wells, Patton and Vanni.

**ALSO PRESENT:** Mayor Richard Bonde, Finance Director Benedict, Law Director O'Donnell, Recreation Director Kless, Police Chief Lazor, Fire Marshall Simonian present for Fire Chief Posipanka, Building/Service Director Dominick and Council Clerk Russo.

**Approval of Minutes**

Motion by Mr. Patton, seconded by Mr. Malta, to approve the minutes of Regular Meeting of Council of April 6, 2010. Discussion: None. Vote: All ayes. Motion carried.

**Appointments, Special Resolutions & Proclamations**

None.

**Administrative Appeals**

Administrative Appeal Order No. 2010-2	An Order granting a variance and exception of 2'7" distance between structures to allow for an addition of an in-law suite with the stipulation that two hour burn drywall be used on the rear and side wall facing the garage in the application of Section 1163.06(b) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-294, Terry Higgins, 590 E. 300 <sup>th</sup> Street.
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Motion by Mr. Patton, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2010-2. Discussion: None. Vote: All ayes. Motion carried.

**Reports & Communications from the Mayor/Safety Director**

Mayor Bonde reported he spoke with City Engineer Juday and the project manager of the Thomas Street Project as to why work has stopped. Was assured that concrete work would begin the week of April 27<sup>th</sup> and asphalt shortly thereafter. Stated the County will be reducing the amount of reimbursement the city receives for recycling, warned Council the city may need to terminate the program in the near future. Will be meeting with the city trash hauler to discuss the possibility of a contract for recycling should the need arise.

**Discussion of Mayor's Report:**

Mr. Salesky asked what the issues were that stopped the work on the Thomas Street project. Mayor Bonde responded that there were several problems on the project that were taken care of weeks ago and asphalt cannot be put down in cold weather. Now that the weather has started to warm up, was assured the project would be back on track.

**General Communications & Reports – Directors & Officials**

**Service Director Joe Dominick** –written report submitted.

**Discussion:** None.

**Recreation Director Julie Kless** submitted written report, soccer opening day took place, registration for spring and summer began. As of 4:00 pm today, 90 children have been signed up for the summer camp program.

**Discussion:** Mr. Wells asked for clarification of the lettering on the Senior Bus and whether it would be permitted to operate without the lettering. Ms. Kless stated she was under the impression the lettering had been taken care of and yes, the bus can be used without lettering, will check with Senior Center Director. Mr. Malta asked how many high school basketball teams the city has. Recreation Director Kless reported there were 4 boys and 6 girls teams. Both leagues will begin this week.

**City Engineer Craig Juday** no report, updated Council on the Road Program stating it is currently in the bidding phase and should be complete by end of the month. Still waiting to hear from ODOT with regard to the signalization project. North Lakeshore Blvd. Project is moving along and hopes to begin sometime this summer. Outfall landscaping should hopefully begin soon, still waiting to speak with the County.

**Discussion:** Ms. Moran stated there seems to be equipment and topsoil at the outfall, asked if that meant they would begin soon. Mr. Juday responded he would need to check with the County regarding their intentions. Asked if Mr. Juday could look into some complaints she received from the residents living closest to the outfall.

**Finance Director Cheryl Benedict** no written report, reviewed legislation and provided spreadsheet explaining legislation further.

**Discussion:** None.

**Law Director John O'Donnell** no report, reviewed legislation that does not appear on the agenda this evening. Explaining there seem to many clothing and household collection bins dispersed around the city and are becoming a big problem with messes they create.

**Discussion:** Mr. Dominick provided photographs of the collection bins causing problems throughout the city. Mr. O'Donnell stated the ordinance can be amended in the future to allow for the collection bins at the Salvation Store in Northshore Mall.

**Police Chief Michael Lazor** –did not have a written report. Updated Council on the sentencing of a mother accused of attempting to kill her son.

**Discussion:** Mr. Malta thanked the Chief for handling the Aldi trash issue so quickly.

**Fire Chief Robert Posipanka** –Fire Marshall Simonian submitted a written report.

**Discussion:** Mr. Malta thanked Fire Marshall Simonian for the contact name at Lowes and explained he had a small fire at his home caused by a magnifying glass on a desktop in front of window.

**Chief Building Inspector Joe Dominick** no written report, department received plans for a new Taco Bell, and plans for the former Ray's Deli that will become Maria's will be presented to the Plan Review Board.

**Discussion:** None.

### **WARD MATTERS**

Mr. Wells reported that the Route 2 bridge on E. 305<sup>th</sup> still has major drainage issues, asked if it were possible for him to contact Mr. Gills directly. The Mayor responded Mr. Wells could and that he would also call. Mr. Wells further stated that the AT&T boxes are in need of plantings around them as they are an eyesore, asked that the planter in the city funded by the Veteran's be maintained better this year. Mr. Malta thanked Mr. Dominick's department for making major progress with the problem houses in the city. Also announced the Willoughby Eastlake Athletic Boosters are hosting Mulch Madness again this year. The pick up/delivery day is May 15<sup>th</sup>. If anyone is interested, please contact him or if anyone needs pick up and delivery he could arrange that as well. Mr. Salesky asked if the timing at Willowick Drive and E. 305 had changed. Mr. Dominick stated it had about a year ago and it has been and continues to be an ongoing issue. The city does not want to invest a lot of money into the repair of the light because of the ODOT signalization project that is slated to begin sometime within the next year or so.

### **PUBLIC PARTICIPATION**

Brian Geoffrion of 28920 Edgewood Drive sent the Mayor and all members of Council an email regarding the city's snow ban ordinance and his feelings of how unfair the snow ban is. Explained the issues he has with the way snow bans are issued, that at the time he was ticketed, his street did not measure 2" of snow, does not feel there is proper notification of a snow ban and that he has issue with the snow covering all the sidewalks and that the sidewalks should be dealt with.

Patrick Jesberger of 524 E. 315<sup>th</sup> agrees with the problem light on E. 305<sup>th</sup> asked if the wait times could be reduced. Also asked if there were any way to slow traffic down at the intersection of E. 315<sup>th</sup> and E. 305<sup>th</sup>, he has been more and more aware of the near pedestrian/car accidents at the intersection as there is not a signal or crosswalk.

### **Response to Public Portion:**

Mayor Bonde responded to Mr. Jesberger in that there was a light there in the 1970's but the State required the city to remove it. The city is not permitted to replace the light without the permission of the state. Mr. Salesky asked about the possibility of a four way stop. Mr. Juday responded one can not be placed without a traffic study. The city is only able to place a flashing light. Hopes the new signalization system will alleviate some of the high speeds on E. 305<sup>th</sup>. Mr. Wells suggested more signage, the Mayor responded there is currently both a park entrance sign and school sign.

Mr. Malta responded to Geoffrion comment asking Chief Lazor to explain the process the city goes through to begin a snow ban. Chief Lazor explained that as soon as 2" of snow has fallen,

by ordinance and posted signs throughout the city; that a snow ban is in effect. Further explained the Mayor, as Safety Director, would also call the Police Department to issue a snow ban. At that time the Police Dispatchers immediately notify all the local television and radio stations and it is placed on the city's information board. Stressed that if there is 2" of snow on the ground, the snow ban is in effect. The purpose of the snow ban is to keep cars from parking on the street so the city snow plows can effectively plow the streets. Mayor Bonde stated a majority of the calls he receives are as to why cars are not being towed when there is snow on the ground, the Mayor further stated the fine for the ticketed vehicles is minimal, \$25.00. There were only 82 cars ticketed this winter season in the entire season. Stressed that residents need to understand that if the plows are out and/or schools are closed it is safe to assume the snow ban is active. Mr. Allan stated a general rule of thumb is if the city plows are out, do not park in the street.

### **Reports of Standing Committees**

**Finance Committee** – Ms. Moran deferred update to Mr. Patton of the Budget Committee.

**Safety Committee** – No report.

**Service, Utilities & Public Lands Committee** – No report.

**Streets, Sidewalks & Sewers** – No report.

**Tax Compliance Committee** – No report.

**Moral Claims Committee** – No report.

**Budget Committee** – Mr. Patton stated a joint Finance/Budget Committee meeting was held this evening for a review of the first quarter finances. Reported that actual figures thus far are as Finance Director Benedict's projections were reported.

**Sewer & Storm water Task Force**- No report.

**Fire Department Development Committee** - No report.

**City Development Committee** - No report.

### **LIAISON REPORTS**

Hearts and Hammers: Mr. Malta reported the first spring clean up project will be April 27<sup>th</sup> at a home on E. 293<sup>rd</sup>. Anyone interested can contact him, asked for volunteers. May 1, 2010 will be Clean up the Parks Day.

### **FUND TRANSFERS & BID AUTHORIZATIONS**

None.

### **CONTRACT APPROVALS**

None.

**INTRODUCTION & CONSIDERATION OF LEGISLATION**

Ordinance No. 2010-15 (Finance Director) An Ordinance amending Ordinance No. 2010-9 to provide for additional appropriations from the General Fund (101), SCM&R Fund (202), Police and Fire Capital Levy Fund (207), Street Improvement Levy Fund (213), Municipal Tax Increment Equivalent Fund (302), and Stormwater Capital Improvement Fund (420) for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2010 and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Malta, to waive the rules requiring three separate readings. Discussion: None. Vote: Ayes: Moran, Malta, Allan, Salesky, Patton and Vanni. Nays: Mr. Wells. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2010-15. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2010-16 (Law Director) An Ordinance amending Part Seven-Business Regulation Code of the Codified Ordinances of the City of Willowick and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the three-day rule. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2010-15. Discussion: None. Vote: All ayes. Motion carried.

**MISCELLANEOUS**

Motion by Mr. Patton, seconded by Mr. Malta, Motion to approve Purchase Order No. 33034 to Maggie Cole in the amount of \$3,600.00 for Yoga instruction at the Senior Center April through December 2010. Discussion: Mr. Salesky asked what fund this was out of. Ms. Kless responded it is paid out of contracts and was a budgeted item. Vote: All ayes. Motion carried.

**PUBLIC PARTICIPATION**

Patrick Jesberger thanked Council for their consideration of the light and encourages the city to place a crosswalk on E. 305<sup>th</sup> at E. 315<sup>th</sup>

**Response to Public Portion:**

Mr. Patton asked if there were a possibility of placing the speed trailer at the intersection to deter motorists from speeding. Mr. Malta asked Chief Lazor if there were a possibility of bringing Chris Olup back to replace Jeff Pyle. The Chief responded that is the intention at this time.

**ADJOURNMENT**

Motion by Mr. Patton, seconded by Mr. Malta to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 8:25 pm.

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**PRESIDENT OF COUNCIL**

**ATTEST:** \_\_\_\_\_  
**CLERK OF COUNCIL**