

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

DATE: April 7, 2009  
PLACE: City Hall  
TIME: 7:30 p.m.

The seventh 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, Vanni and Hintz.  
Absent: Mr. Patton and Mr. Wells.

**ALSO PRESENT:** Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, Police Chief Lazor, Captain Tim Bynane present for Fire Chief Posipanka, Building and Service Director Dominick, and Council Clerk Russo.

**Approval of Minutes**

Motion by Mr. Vanni, seconded by Mr. Malta, to approve the minutes of Regular Meeting of Council of March 17, 2009. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Hintz, seconded by Mr. Vanni, to approve the minutes of Special Meeting of Council of March 30, 2009. Discussion: None. Vote: All ayes. Motion carried.

**Appointments, Special Resolutions & Proclamations**

Resolution 2009 Resolution on the spending of Federal  
(Mayor Bonde) Economic Renewal Grants to Willowick, Ohio

Motion by Mr. Allan, seconded by Mr. Hintz, to approve Resolution.  
Discussion: None. Vote: All ayes. Motion carried.

Special Resolution A Special Resolution expressing the gratitude  
(Mayor Bonde) of the City of Willowick to Mike Bucci for his  
many years of community service.

Motion by Mr. Malta, seconded by Mr. Vanni, to approve Special Resolution.  
Discussion: None. Vote: All ayes. Motion carried.

Special Resolution A Special Resolution recognizing the month of  
(Mayor Bonde) April 2009 as Child Abuse Prevention Month.

Motion by Mr. Allan, seconded by Mr. Vanni, to approve Special Resolution.  
Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Allan, seconded by Mr. Malta, to appoint Daniel Saleski to the Board of Zoning Appeals for an unexpired term ending December 31, 2009. Discussion: None. Vote: All ayes. Motion carried.

### **Administrative Appeals**

None.

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

Mayor Bonde reported to Council that there has not been a decision on the stimulus funding. Federal money for signalization has been approved, explained to Council that this would provide the city with opticom; which are placed above street lights turning them red as emergency vehicles approach intersections. Mayor reviewed which projects have been requested and are still pending for funding. They include Glen Arden/Lakeshore Blvd. project and Lakeshore Blvd. interceptor sewers system. The city employee benefits fair is scheduled for April 16, 2009. Reported he and Hearts and Hammers Coordinator Janet Bucci will be meeting with the Western Reserve Development Corporation next week to review new programs. New dumpsters have been delivered to the recycling center, the Service Department has cleaned the entire area. Mr. Krone has assured the Mayor that the dump site at Shoregate will be removed as soon as the renovations have been completed. May 2, 2009 is Willowick Green Day in the city, this includes Clean up the Parks, a shredding company will be on hand at the community center for residents and there will be a dumpster available for the residents at the Service Department. Mayor and Finance Director Benedict have been speaking with Herbruck-Alder regarding healthcare options. Will be meeting with the union heads and their committees as well for further discussions. Harvest for Hunger Campaign began this week, there are drop off sites located the Senior Center and Manry.

### **Discussion of Mayor's Report:**

Mr. Malta stated there is a sink hole in front of a home on Maplewood and while he understands that this street is not on the list for repair, he hoped there would be something done to rectify this. Mayor stated he is preparing a road repair report for review. There was some discussion of jack hammering out the bad area and replace the areas.

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

**Service Director Joe Dominick** submitted written report added there have been 12 plans submitted for commercial dye testing and 5 have businesses have been scheduled.

**Discussion:** None.

**Recreation Director Julie Kless** was not present this evening but submitted written report.

**Discussion:** None.

**City Engineer Craig Juday** was not present this evening.

**Discussion:** None.

**Finance Director Cheryl Benedict** submitted written report, briefly reviewed items on agenda.

**Discussion:** None.

**Law Director John O'Donnell** no report, reviewed legislation on the agenda.

**Discussion:** Mr. Hintz asked for clarification of ordinance on the agenda.

**Police Chief Michael Lazor** –submitted written report.

**Discussion:** Mr. Malta thanked the Chief for preparing a follow up report.

**Fire Chief Robert Posipanka** – Captain Tim Bynane present this evening, reviewed item on the agenda and reviewed and asked for approval of item presented to Council this evening

**Discussion:** None.

**Chief Building Inspector Joe Dominick** submitted written report, added work on the pavilion is due to begin soon, weather permitting.

**Discussion:** None.

### **WARD MATTERS**

None.

### **PUBLIC PARTICIPATION**

Mr. Sam Santangelo of E. 293<sup>rd</sup> thanked the city, Mayor Bonde, Joe Dominick and Councilman Malta for their assistance with an emergency he recently had.

There were many residents present from the various condominium locations in the city. The residents voiced their disapproval and concern for the termination of the garbage reimbursement program recently passed by Council. The residents asked Council to reconsider their decision.

#### **Response:**

Mayor Bonde explained to the residents that he too is against Council's decision to terminate the reimbursement program and did not sign the legislation pertaining to such. Hoped that Council would reconsider their decision as well.

Mr. Malta thanked Mr. Santangelo for the compliment to the city, thanked the condominium owners for attending the meeting this evening, however takes offense to comment made that there are no resident representatives on Council, that he and Council work very hard to make the best decisions for both the city and its residents.

Mr. Allan stated there would be a Service, Utilities and Public Lands Committee meeting next Tuesday, April 14, 2009 at 7:00 pm at which time the committee will revisit the reimbursement program. Further stated that yes, currently there is funding to get through the year, however, next year there will not be a surplus as in the past. Explained it is Council's responsibility to be proactive to prevent further problems and that it is very difficult to cut items or programs from the budget.

At this time, several other residents voiced their opposition to Council's decision to discontinue the reimbursement program.

**Response:**

Mr. Hintz explained his views on the matter as did Mr. Vanni. Mr. Vanni reminded everyone in the audience that there would be a committee meeting April 14, and all are welcome to attend to discuss the program further, added he too would be looking into what other cities throughout the county do with the condominium associations as well as other options. Council President Moran stated there were calls made to nine cities throughout the County today and of those nine, only one city, Mentor, reimburses their condominium associations and the City of Willoughby, at this time, includes the condominiums in their city garbage pick up, but are looking into the possibility of discontinuing it. The discussion continued briefly at this time. Ms. Moran invited all back to the Committee meeting this coming Tuesday.

**Reports of Standing Committees**

**Finance Committee** – No report.

**Safety Committee** – No report.

**Service, Utilities & Public Lands Committee** – Meeting scheduled for Tuesday, April 14, 2009 at 7:00 p.m.

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

**Tax Compliance Committee** – No report.

**Moral Claims Committee** – No report.

**Budget Committee** – No report.

**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 stated they would be meeting April 14, 2009 at 6:00 pm to clean up a residence.

Community Energy Awareness Committee met for the first time March 18<sup>th</sup>, next meeting Wednesday, April 22<sup>nd</sup> at 7:00 pm at City Hall and invited all to attend.

**FUND TRANSFERS & BID AUTHORIZATIONS**

None.

**CONTRACT APPROVALS**

Motion by Mr. Allan, seconded by Mr. Vanni, authorizing the Fire Chief to prepare specs and go out to bid for a vehicle mounted diesel exhaust system. Vote: All ayes. Motion carried.

## **INTRODUCTION & CONSIDERATION OF LEGISLATION**

Ordinance No. 2008-56      An Ordinance amending Section 1147.13(f) of  
(Law Director)              the Codified Ordinances of the City of Willowick.

Ordinance No. 2008-56 remains in committee, no action taken.

Ordinance No. 2008-57      An Ordinance amending Section 1147.13(a) of the  
(Law Director)              Codified Ordinances of the City of Willowick.

Ordinance No. 2008-57 remains in committee, no action taken.

Ordinance No. 2008-58      An Ordinance amending Section 1147.14(e) of the  
(Law Director)              Codified Ordinances of the City of Willowick.

Ordinance No. 2008-58 remains in committee, no action taken. Council President Moran reminded Council the planning commission has until May 11, 2009 to make a recommendation.

Ordinance No. 2009-12      An Ordinance establishing Chapter 177 of the Codified  
(Law Director)              Ordinances of the City of Willowick and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Hintz, to adopt Ordinance No. 2009-12 .  
Discussion:      Vote: All ayes. Motion carried.

Ordinance No. 2009-13      An Ordinance amending Section 133.17 of the  
(Law Director)              Codified Ordinances of the City of Willowick  
and declaring an emergency.

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

Motion by Mr. Malta, seconded by Mr. Vanni, to adopt Ordinance No. 2009-13 .  
Discussion:      Vote: All ayes. Motion carried.

Ordinance No. 2009-14      An Ordinance amending Chapter 133 of the  
(Finance Director)              Codified Ordinances of the City of Willowick,  
County of Lake, State of Ohio by establishing  
Section 133.39, Community Development Block  
Grant Fund and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2009-14 .  
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-15 (Finance Director) An Ordinance amending Ordinance No. 2009-4 to provide for additional appropriations from the General Fund (101), Community Development Block Grant Fund (224), Municipal Tax Increment Equivalent Fund (302) for the calendar year ending December 31, 2009 and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2009-15 . Discussion: Vote: All ayes. Motion carried.

Resolution No. 2009-6 (Finance Director) A Resolution authorizing the advance of funds from the General Fund (101), to the Community Development Block Grant Fund (224) and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Hintz, to adopt Resolution No. 2009-6. Discussion: Vote: All ayes. Motion carried.

### **MISCELLANEOUS**

Motion by Mr. Vanni, seconded by Mr. Malta, to approve Purchase Order 35174 to Squires, Sanders & Dempsey in the amount of \$5,735.00 for bond counsel services associated with the Various Purpose Improvement Note (TIF portion). Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, to approve Purchase Order No. 34314 in the amount of \$ 4,091.46 to Weedman for fertilization of city properties and all other athletic fields Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, to approve Purchase Order No. 35327 in the amount of \$27,000. to Harbor Roofing for repairs at Fire Department. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Allan, seconded by Mr. Hintz, to declare Maytag gas clothes dryer, serial number 17485021 EN as surplus. Discussion: None. Vote: All ayes. Motion carried.

### **PUBLIC PARTICIPATION**

Mr. Adoryan asked if Council knew who pays the taxes on foreclosed homes.

### **RESPONSE:**

Law Director O'Donnell stated it depends on what the house sells for, however, the County Treasurer would be first to collect and the mortgage second.

**ADJOURNMENT**

Motion by Mr. Vanni, seconded by Mr. Malta, to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 8:55 pm.

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

\_\_\_\_\_  
PRESIDENT OF COUNCIL