

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

DATE: February 16, 2010
PLACE: City Hall
TIME: 7:30 p.m.

The fourth 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, Vanni, Malta, Patton, Allan, and Salesky.
Absent: Mr. Wells.

ALSO PRESENT: Mayor Richard Bonde, Law Director O'Donnell, City Engineer Juday, Chief Building Inspector and Service Director Dominick, Lt. Don Krockner present for Police Chief Lazor, Chief Posipanka and Council Clerk Russo.

Approval of Minutes

Motion by Mr. Malta, seconded by Mr. Patton, to approve the minutes of Regular Meeting of Council of February 2, 2010. Discussion: Minutes approved with the inclusion of "City of Euclid" in Fire Chief Posipanka's report. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, to approve minutes of Special Meeting of Council of January 29, 2010. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, and Malta. Abstain: Mr. Patton and Mr. Salesky. Motion carried.

Council President Moran read two correspondence received by email. The first from Police Chief Lazor stating that he would like all the residents to know updates on the recent break-ins will be posted on the city website. The second from Dispatcher Angela Trend on behalf of the department thanking Council for the efforts during the budget hearings.

Appointments, Special Resolutions & Proclamations

None.

Administrative Appeals

Administrative Appeal
Order No. 2010-1

An Order granting a variance and exception to allow front yard parking by extending driveway 7' wide by 40' long stopping at the existing flower bed in front of the home for emergency access in the application of Section 1163.105(a) of the Codified Ordinances in Board of Zoning Appeals Case No 21-29, Nicholas Hawk, 29612 Cresthaven.

Motion by Mr. Allan, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2010-1. Discussion: Mr. Hawk was present this evening, explained the driveway is a single wide, flower bed would remain and there is still emergency access to the home. Vote: All ayes. Motion carried.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde reviewed the IT contract motion found later on the agenda, explained it is a substantially reduced contract to save the city approximately \$12,000 for the year. Stated the Fire Marshall began the process of being added to his wife's healthcare, unfortunately he will not be eligible for at least 10 months for coverage and will remain on the city's healthcare plan until such time as there is open enrollment. Met with Mr. Dominick and Rob Gross to review the Sewer Revenue Fund, Mrs. Benedict will be making shifts over from the General Fund to the Sewer Revenue Fund. Explained as revenue continues to decrease, the city needs to pinpoint the problem, if the revenue is not going into that fund, expenses need to be cut, Mr. Dominick and Mr. Gross will meet with the Mayor to further discuss the issues.

Discussion of Mayor's Report:

Mr. Patton asked what options were being looked into regarding the budget. Mayor responded layoffs or shifting of employees should an employee retire. Mr. Patton asked what an estimation of employees retiring would be. Mayor responded he is unable to answer, as it is up to the individual employee to make that decision. However, there are employees that would be eligible to retire this year. Mr. Patton asked if these developments have occurred between the budget hearings and now. Mayor Bonde responded they had. Council further questioned the Mayor on the shortfall of funding of some accounts. Finance Director Benedict explained some of the issues being questioned, reviewed handout provided to Council, asked Council to review over the next week and call with any questions or concerns as they have just received the updated figures. Council President Moran added that it is not the responsibility of Council to determine who would or would not be laid off. The legislative job is to oversee the appropriation of money to the budget, make sure the bills are paid and the city has a carryover from year to year, it is Council's job to protect the General Fund. The Mayor is responsible what jobs would be cut and which employees are laid off. Mr. Vanni explained his frustration with the budget and cuts that are needed. Further discussion had on the budget, cuts and several funds.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick written report submitted, added 6 point of sale dye tests were completed, 2 drains in the Police Department's Sally Port were snaked, and they are still picking up Christmas trees.

Discussion: None.

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

Discussion: None.

City Engineer Craig Juday no written report.

Discussion: None.

Finance Director Cheryl Benedict written report submitted, provided Council with a copy of the budget legislation and explained Ordinances and Resolutions on the agenda this evening.

Discussion: None.

Law Director John O'Donnell no report.

Discussion: None.

Police Chief Michael Lazor –Lt. Krockner present, written report submitted.

Discussion: None.

Fire Chief Robert Posipanka –written report submitted, included are the additions discussed during budget hearings, such as tabulations of shift coverage's, short shift hours, shifts that ran on less than 6 men and an easier to read table.

Discussion: Council President Moran asked if he had the report Council requested. Chief Posipanka stated he is working on the information.

Chief Building Inspector Joe Dominick no written report.

Discussion: None.

WARD MATTERS

Mr. Malta asked the Mayor if he knew when the Chatter would begin placing the publication on the door and not thrown into the drive. Mayor Bonde responded it was his understanding it would be immediate. Mr. Malta stated he has received emails about them being thrown. Mayor Bonde asked Mr. Malta to email him the concerned residents.

PUBLIC PARTICIPATION

Tina Kastanis of 29725 Green Drive stated her concerns for the children in the neighborhood as they have had to walk in the street to and from the bus stop due to the very high piles of snow covering the sidewalks.

Response to Public Portion:

Mr. Malta discussed her concerns with Rob Gross. Mr. Gross went to Green Drive to assess what the issues are. It appears the problems have come from the private snowplow companies hired by residents as well as residents piling the snow into the sidewalk. Mr. Dominick stated he would ask the residents to notify their snowplow company not to pile snow into the sidewalk. Mr. O'Donnell state he would not want more than that done at this time until the city has a better idea of the problem.

Reports of Standing Committees

Finance Committee – No report.

Safety Committee – No report.

Service, Utilities & Public Lands Committee – No report.

Streets, Sidewalks & Sewers – No report.

Tax Compliance Committee – No report.

Moral Claims Committee –Committee met this evening to review a resubmitted claim, it is the recommendation of the committee to approve the claim. After discussion and recommendation of the Law Director, the moral claim decision should be postponed until he is able to obtain further information.

Motion by Mr. Allan, seconded by Mr. Patton to table the Moral Claim of Aven Marts.
Discussion: None. Vote: All ayes. Motion carried.

Budget Committee – Mr. Patton reviewed information to be included in the minutes of the Budget Hearings. Mr. Allan asked if it were possible to schedule a wrap up meeting to review the budget for clarification. Ms.Moran suggested it be done in the Miscellaneous portion of the meeting, Council in agreement.

Sewer & Storm water Task Force- No report.

Fire Department Development Committee - No report.

City Development Committee - No report.

LIAISON REPORTS

Hearts and Hammers: No report.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

Motion by Mr. Allan, seconded by Mr. Malta, authorizing the Mayor to enter into an agreement with Active Networking for computer support services for an annual amount of \$13,152.

Discussion: None. Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2010-7 (Finance Director)	An Ordinance providing for the issuance and sale of \$2,290,000 notes, in anticipation of the issuance of bonds, for the purpose of opening public streets to be known as the Shoreland Circle and Lakewick Lane and thereupon improving the entire length of those public streets and an emergency access drive related thereto by, as necessary, grading, draining, paving, constructing curbs, gutters, water mains, valves, fire hydrants, sanitary sewers, storm sewers, manholes, and water and sanitary sewer service connections, and installing street lighting and traffic control signs, and improving certain easements of the City related thereto by constructing storm sewers, tees, manholes and drains, all together with the necessary appurtenances thereto, and declaring an emergency.
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Motion by Mr. Vanni, seconded by Mr. Malta to waive the rules requiring three separate readings. Discussion: None. Vote: Ayes: Allan, Vanni, Malta, Salesky, Moran. Abstain: Mr. Patton. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni, to adopt Ordinance No. 2010-7. Discussion: None. Vote: Ayes: Allan, Vanni, Malta, Salesky, Moran. Abstain: Mr. Patton. Motion carried.

Ordinance No. 2010-8 (Finance Director)	An Ordinance providing for the issuance and sale of \$630,000 notes in anticipation of the issuance of bonds, for the purpose of paying costs of improving the municipal sewerage system, and declaring an emergency.
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Motion by Mr. Vanni, seconded by Mr. Malta to waive the rules requiring three separate readings. Discussion: None. Vote: Ayes: Allan, Vanni, Malta, Salesky, Moran. Abstain: Mr. Patton. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni, to adopt Ordinance No. 2010-8. Discussion: None. Vote: Ayes: Allan, Vanni, Malta, Salesky, Moran. Abstain: Mr. Patton. Motion carried.

Ordinance No. 2010-9 (Finance Director)	An Ordinance to make appropriations 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.
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Ordinance No. 2010-9 was placed on first reading.

Resolution No. 2010- 5 (Finance Director)	A Resolution authorizing the transfer of funds from the Sewer Revenue Fund (205) to the Sanitary Sewer Improvement Fund (422) and declaring an emergency.
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Motion by Mr. Patton, seconded by Mr. Malta 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 Resolution No. 2010-5. Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2010-6 (Finance Director)	A Resolution authorizing the transfer of funds from the Sanitary Sewer Improvement Fund (422) to the Bond Retirement Fund (301) and declaring an emergency.
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Motion by Mr. Patton, seconded by Mr. Malta to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Resolution No. 2010-6.
Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2010-7
(Finance Director) A Resolution authorizing the transfer of funds from the Shoreland Crossings Improvement Fund (405) to the Bond Retirement Fund (301) and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Resolution No. 2010-7.
Discussion: None. Vote: Ayes: Allan, Vanni, Malta, Salesky, Moran. Abstain: Mr. Patton.
Motion carried.

Resolution No. 2010-8
(Finance Director) A Resolution authorizing the transfer of funds from the Recreation Improvement Levy Fund (214) to the Bond Retirement Fund (301) and declaring an emergency.

Motion by Mr. Malta, 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. Malta, to adopt Resolution No. 2010-8.
Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2010-9
(Finance Director) A Resolution authorizing the transfer of funds from the General Fund (101) to the Police Pension Fund (801) and declaring an emergency.

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. Malta, to adopt Resolution No. 2010-9.
Discussion: None. Vote: All ayes. Motion carried.

*Council President Moran took an opportunity to clarify a statement made at the budget hearings of Wednesday, February 10, 2010 as follows:

A remark made at the Budget Hearings of February 10, 2010 was not directed to any one employee and may have been construed as directed at a particular employee that has been laid off. The assumption of a certain employee prompted a phone call to me, nearly every Councilperson, as well as the Directors and the Mayor. I would like to clarify on my behalf that I did not take the remark in a pointed manner and in my opinion if someone were going to be laid off and been aware of the pending lay off a year in advance, they would keep doing their job their best ability as I believe he did. After discussion with Councilman Allan I can confidently say no disparaging remarks were intended to be directed at any one person on February 10, 2010.

MISCELLANEOUS

Motion by Mr. Vanni, seconded by Mr. Allan, authorizing an increase to the sewer rental charge contained in Section 921.08 of the Codified Ordinances of the City of Willowick in the amount of 5% to the rate of \$33.15 per 1,000 cubic feet of water discharge. Discussion: None. Vote: Ayes: Vanni, Patton, Allan, Moran, Salesky. Nays: Malta. Motion carried.

Budget Discussion: Mr. Patton reviewed highlights of the budget hearings as well as issues mentioned during the meeting this evening for Council, Directors, Chiefs and Mayor. At this time there was a lengthy discussion and questions were answered pertaining to proposed cuts and changes to the budget. Council continued to discuss the budget and possible cuts and reductions to departments. Mr. Patton will prepare and submit Budget Hearing minutes.

PUBLIC PARTICIPATION

None.

ADJOURNMENT

Motion Mr. Vanni, seconded by Mr. Patton, to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 8:40 pm

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL