

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

DATE: February 17, 2009  
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, Wells, Allan and Hintz.

**ALSO PRESENT:** Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, City Engineer Juday, Recreation Director Kless, Police Chief Lazor, Fire Chief Posipanka, Building and Service Director Dominick, Hearts & Hammers Coordinator Janet Bucci 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 February 3, 2009. Discussion: None. Vote: All ayes. Motion carried.

**Appointments, Special Resolutions & Proclamations**

Motion by Mr. Malta, seconded by Mr. Patton, to reappoint Colleen Vahcic to the Recreation Board for a three-year term ending December 31, 2011. Discussion: None. Vote: All ayes. Motion carried.

Oath of Office to Colleen Vahcic to Recreation Board administered by Mayor Bonde.

**Administrative Appeals**

None.

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

Mayor Bonde reported the city will observe "Green Day" on May 2, 2009. The city will be providing dumpsters, and shredding as well as its annual Clean up the Parks Day. More information will be provided. Met with Dave Krone and Mr. Malta for discussion of Shoregate and Laketran stop location. Mayor stated there are plans to open a PetSupplies Plus and Subway at Shoregate and the Laketran location will stay as is with the addition of a cart caddy and landscaping. Mr. Krone discussed his plans for the parking lot with the Mayor. The Purple Shamrock intends on placing an outdoor patio to the restaurant. Met with the Mentor City Manager for the first Taskforce meeting to discuss the Federal Stimulus. Mayor reported the total amount requested for Lake County is \$280 million, further explained for a project to be approved it must be shovel ready meaning all projects must be ready to go to bid within 6 months and within 3 months after that project must begin. Explained they are looking for more regional projects, not projects such as resurfacing of side streets. Added Willowick is requesting \$5 million and there are two projects shovel ready. Spent some time explaining in detail the process and provided a list of all projects throughout the county. The Fire Department sustained damage to their roof during the last snow/wind storm. The roof is leaking heavily, the service department assessed the damage, repaired what they were capable of and contacted a company to complete the job. Reviewed item on the agenda this evening and asked for approval.

**Discussion of Mayor's Report:**

None.

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

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

**Discussion:** None.

**Recreation Director Julie Kless** submitted written report.

**Discussion:** Mr. Malta received a call that the Dan Ertter Memorial sign is missing. Ms. Kless responded the signs are taken down for the winter to protect them and will be replaced in the spring.

**City Engineer Craig Juday** submitted written report.

**Discussion:** None.

**Finance Director Cheryl Benedict** submitted written report.

**Discussion:** None.

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

**Discussion:** None.

**Police Chief Michael Lazor** – no report.

**Discussion:** None.

**Fire Chief Robert Posipanka** – written report submitted.

**Discussion:** None.

**Chief Building Inspector Joe Dominick** written report submitted.

**Discussion:** Mr. Malta received a call from a resident that for approximately the last three years, the neighbor to the rear of his property has been piling debris and is now having drainage issues. The home is located in Wickliffe and the Willowick resident has called the City of Wickliffe for assistance as well. Mr. Malta requested Mr. Dominick and City Engineer Juday take a look at the property.

**Community Redevelopment Hearts & Hammers Coordinator Janet Bucci**-written report submitted.

**Discussion:** None.

## **WARD MATTERS**

Mr. Malta announced there would be a Community Energy Awareness Meeting Wednesday, March 18<sup>th</sup> at 7:00 pm at City Hall. Invited all to attend. The committee has arranged for Sherwin Williams to speak.

Mr. Wells received several phone calls on the condition of the recycling area. Mr. Wells stated when he visited the area, there was a mess, asked if there could be more frequent pick ups. Reported chuckholes in the berm of North Marginal and the sidewalk has not been replaced on Bayridge as it is still gravel.

## **PUBLIC PARTICIPATION**

Dan Hriz, President of the FOP Willowick Branch, stated the union feels the non-union employees are entitled to the same 3.5% salary increase the union employees will be receiving. Asked for Council support of the increases.

## **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** – No report.

**Budget Committee** – Budget hearing minutes will be submitted.

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

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

**City Development Committee** - No report.

## **LIAISON REPORTS**

None.

## **FUND TRANSFERS & BID AUTHORIZATIONS**

None.

## **CONTRACT APPROVALS**

Motion by Mr. Patton, seconded by Mr. Malta, authorizing the Mayor to enter into a three-year contract with Solv-All for a total amount of \$50,472.00 for janitorial services at the city municipal centers. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton to authorize the Mayor to enter into a contract with HzW Environmental for the E. 322<sup>nd</sup> Outfall Project mitigation requirement in an amount not to exceed \$3,910.00. Discussion: None. Vote: All ayes. Motion carried.

## **INTRODUCTION & CONSIDERATION OF LEGISLATION**

The Fiscal Officer's Certificate was presented to the Clerk of Council prior to the introduction of the Ordinance No. 2009-5.

The Fiscal Officer's Certificate was presented to the Clerk of Council prior to the introduction of the Ordinance No. 2009-6.

The Fiscal Officer's Certificate was presented to the Clerk of Council prior to the introduction of the Ordinance No. 2009-7.

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

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

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

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

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

Ordinance No. 2008-58 remains in committee, no action taken.

Ordinance No. 2008-59 (Law Director) (Amended) An Ordinance amending Section 1159.05 of the Codified Ordinances of the City of Willowick and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Malta to waive the rule requiring three readings as amended. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton to adopt Ordinance No. 2009-59, as amended. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-60 (Law Director) (Amended) An Ordinance amending Section 1151.01 of the Codified Ordinances of the City of Willowick and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Malta to adopt Ordinance No. 2009-60, as amended. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-63            An Ordinance amending Section 1155.01 of the Codified  
(Law Director)                    Ordinances of the City of Willowick and declaring an  
(Amended)                        emergency.

Motion by Mr. Patton, seconded by Mr. Malta to waive the rule requiring three readings as amended. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni to adopt Ordinance No. 2009-63, as amended. Discussion: Mr. Wells stated he drove down Lakeshore Blvd. from the Euclid line to Vine Street and there are currently 17 vacancies. Mr. Wells feels the city would be better off having a car lot in the city than to leave the land vacant. Mr. Patton stated he is against any type of car lot and the city has worked very hard to make positive additions. Vote: Ayes: Allan, Vanni, Patton, Wells, Hintz, Moran. Nays: Mr. Malta. Motion carried.

Ordinance No. 2009-2            An amended Ordinance providing for the compensation  
(Finance Director)                of appointed officials and certain other employees of the city,  
    repealing certain ordinances and declaring an emergency.

Ordinance No. 2009-2 received its third and final reading.

Motion by Mr. Patton, seconded by Mr. Allan to adopt Ordinance No. 2009-2.  
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-3            An Ordinance amending Section 921.115 of the  
(Law Director)                    Codified Ordinances of the City of Willowick and  
    declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Vanni to adopt Ordinance No. 2009-3.  
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-4            An Ordinance to make appropriations for current  
(Finance Director)                expenses and other expenditures of the City of  
    Willowick, State of Ohio, during the calendar year  
    ending December 31, 2009 and declaring an  
    emergency.

Ordinance No. 2009-4 was placed on first reading.

Ordinance No. 2009-5  
(Finance Director)

An Ordinance providing for the issuance and sale of \$2,295,000 notes, in anticipation of the issuance of bonds, for the purpose of opening public streets to be known as 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, watermains, valves, fire hydrants, sanitary sewers, storm sewers, manholes and water and sanitary sewer service connections, and installing street lighting and traffic easements of the City related thereto by storm sewers, tees, manholes and constructing drains, all together with the necessary appurtenances thereto, and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Hintz to suspend the rule requiring three separate readings. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton Motion carried.

Motion by Mr. Vanni, seconded by Mr. Hintz to adopt Ordinance No. 2009-5. Discussion: There was a brief discussion on rates between Mr. Wells and Finance Director Benedict clarifying the procedure by which Ms. Benedict handles these notes. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton Motion carried.

Ordinance No. 2009-6  
(Finance Director)

An Ordinance providing for the issuance and sale of \$650,000 notes, in anticipation of the issuance of bonds for the purpose of paying costs of improving the municipal sewerage system, and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Malta, to suspend the rule requiring three separate readings. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton Motion carried.

Motion by Mr. Vanni, seconded by Mr. Hintz to adopt Ordinance No. 2009-6. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton Motion carried.

Ordinance No. 2009-7  
(Finance Director)                      An Ordinance providing for the issuance and sale of \$100,000 notes in anticipation of the issuance of bonds for the purpose of improving Dudley Park by constructing, furnishing and equipping a pavilion and improving the site thereof, all together with the necessary appurtenances thereto, and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Hintz, to suspend the rule requiring three separate readings. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton Motion carried.

Motion by Mr. Vanni, seconded by Mr. Hintz, to adopt Ordinance No. 2009-7. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton. Motion carried.

Resolution No. 2009-3  
(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.

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

Motion by Mr. Patton, seconded by Mr. Vanni to adopt Resolution No. 2009-3. Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2009-4  
(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. Hintz, seconded by Mr. Malta to waive the rule requiring three readings. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Resolution No. 2009-4 Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton. Motion carried.

Resolution No. 2009-5  
(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. Patton, seconded by Mr. Vanni to waive the rule requiring three readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni to adopt Resolution No. 2009-5. Discussion: None. Vote: All ayes. Motion carried.

**MISCELLANEOUS**

Motion by Mr. Hintz, seconded by Mr. Malta, to extend time for Planning Commission to consider Ordinance No. 2008-56 until May 11, 2009. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, to extend time for Planning Commission to consider Ordinance No. 2008-57 until May 11, 2009. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to extend time for Planning Commission to consider Ordinance No. 2008-58 until May 11, 2009. Discussion: None. Vote: All ayes. Motion carried.

**PUBLIC PARTICIPATION**

None.

**ADJOURNMENT**

Motion by Mr. Patton, seconded by Mr. Vanni, to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 8:15 pm.

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

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PRESIDENT OF COUNCIL