

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

DATE: June 16, 2009  
PLACE: City Hall  
TIME: 7:30 p.m.

The twelfth 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, Wells, Vanni, Allan, and Hintz.  
Absent: Mr. Patton.

**ALSO PRESENT:** Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, City Engineer Juday, Recreation Director Kless, Police Chief Lazor, Fire Chief Posipanka, Chief Building Inspector and Service Director Dominick and Council Clerk Russo.

**Approval of Minutes**

Motion by Mr. Hintz, seconded by Mr. Malta, to approve the minutes of Regular Meeting of Council of June 2, 2009. Discussion: None. Vote: All ayes. Motion carried.

**Appointments, Special Resolutions & Proclamations**

None.

**Administrative Appeals**

None.

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

Mayor Bonde stated he exercised the city's right to terminate the contract with current IT company with 30 days notice. The city would like to hire Active Network as IT company, they will be able to handle most of the city work, day to day issues will be handled separately. Further explained hourly rate and services. Asked for approval of contract this evening. Dudley Pool Pavilion is complete, explained several items not complete and stated they will be done by end of week. Reported there were several areas in the city parks that were vandalized, none that seriously, the Service Department was able to make repairs. Stated there will be flood lights installed on the field house shining down onto the courts, pool and walkway. A more sophisticated camera system will be installed as well. Reviewed the E. 305<sup>th</sup> and Route 2 interchange problem and stated CT Consultants will be looking into. The city will be provided with summer workers through the Federal Stimulus Grant. Mayor explained where the city plans to use the workers. The Mayor reviewed a motion not on the agenda this evening and asked for approval of such. Reviewed projects for the Storefront Renovations and what will be needed to complete these projects.

Mayor Bonde introduced Gary DeWine at this point for a brief presentation.

Mr. DeWine provided Council with before and after drawings of the current projects explained what the renovations are and what is still needed. Stated he has been working on the Stebal Project and the Malone Building Project. Mr. DeWine stated the goal is to eventually rid the city of the pole signs that run down Lakeshore Blvd. and Vine Street. Reviewed the budgets both business owners have to work with and the money available through the CDBG for their renovations. Both projects need to be complete by end of August. Mr. DeWine continues to speak with various business owners in the city to offer assistance with storefront renovations.

Mayor Bonde asked for approval of a motion not on the agenda this evening:

Motion by Mr. Allan, seconded by Mr. Hintz to approve the expenditure of an amount not to exceed \$30,010 from the CDBG. Discussion: Mayor Bonde stated there would still be approximately \$20,000 left for further storefront projects. Vote: All ayes. Motion carried.

Mayor stated the city is applying for stimulus money for a new fire station, there are millions of dollars available, the Fire Chief is preparing the application. Mayor Bonde stated Chief Posipanka is need of City Engineer Juday's assistance to complete the application. Mayor asked for approval of a motion not on the agenda this evening. Provided copies of Police Chief Lazor's article that was published in a national magazine.

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

Mr. Hintz asked if there were some resolution to the traffic light issues on E. 305<sup>th</sup> Street. Mr. Juday stated the City of Wickliffe is working on the issue. Mayor Bonde pointed out that the walls on Route 2 are nearly complete. Mr. Malta inquired as to whether the city has more than one property interested in storefront renovation.

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

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

**Discussion:** Ms.Moran asked Mr. Dominick look into a very large hole on the corner of E. 329<sup>th</sup> and Lakeshore Blvd.

**Recreation Director Julie Kless** submitted written report, added her staff is doing a great job. All camps and activities are running smoothly. Thanked Maureen Brennan, the Police and Fire and Service Departments for their assistance with the parade. Thanked all that participated.

**Discussion:** Mr. Wells asked why the picnic tables were not delivered on time. Mayor Bonde stated this was the fault of the trucking company in charge of delivering the tables. Great Lakes Crushing placed the order in a timely manner and it was not their fault.

**City Engineer Craig Juday** stated the striping program should begin in the next couple weeks, the road program is moving along and contracts should be signed and completed by next week.

**Discussion:** None.

**Finance Director Cheryl Benedict** no report, reviewed amended legislation on the agenda this evening. Explained the billing of the new IT company that the city could be billed hourly at a rate of \$120.00 per hour or purchase a block of 100 hours which would save the city \$30.00 per hour. Explaining the hours do not expire and suggested the city should consider this. Requested

Tax Budget Hearing for the July 7, 2009 meeting at 8:00 pm. Stated she is projecting an 8% decrease in valuation of the residential properties. City will not have actual numbers from the County for a couple more months.

**Discussion:** Mr. Wells stated he hoped the decrease would not be higher. Finance Director Benedict added the figures only include home sales, not foreclosures and Sheriff's sales. Mr. Vanni agreed with the figures Finance Director Benedict is projecting.

**Law Director John O'Donnell** no report, asked that DiGioia-Suburban Excavating motion remain postponed at this time.

**Discussion:** None.

**Police Chief Michael Lazor** –written report submitted, asked for approval of purchase order on the agenda, stated the department should receive 100% reimbursement end of the year. Stimulus money is available for victims advocates, application will be submitted.

**Discussion:** Mr. Wells inquired about a junk car, provided Chief Lazor with address. Mr. Wells thanked the department for looking into the residents that are putting out their garbage too early.

**Fire Chief Robert Posipanka** –written report submitted, stated the Water Department would be painting the city fire hydrants this year.

**Discussion:** Mayor Bonde commended both the chiefs for their hard work and time spent looking into stimulus money and grants available. The Chief explained the application process and timeline to complete project.

**Chief Building Inspector Joe Dominick** no written report.

**Discussion:** None.

### **WARD MATTERS**

Mr. Wells reviewed several locations in the city in need of striping.

### **PUBLIC PARTICIPATION**

None.

### **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** – 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 introduced Ann Turk. Ms. Turk reviewed the condition of the home of Mrs. Eden on Willowick Drive. Stated this was a very big project and the volunteers worked very, very hard completely tearing off the garage roof, replacing posts and re-roofing. The homeowner was very appreciative.

Community Energy Awareness Committee next meeting Wednesday, June 17 at 7:00 pm at City Hall.

**FUND TRANSFERS & BID AUTHORIZATIONS**

None.

**CONTRACT APPROVALS**

None.

**INTRODUCTION & CONSIDERATION OF LEGISLATION**

Ordinance No. 2009-11 (Law Director)	An Ordinance repealing the authorization for the Director of Finance to provide for the reimbursement to Condominium Owners Associations those costs associated with the collection of trash, rubbish, and garbage and declaring an emergency. <b>(4/9/09 vetoed by Mayor Bonde pursuant to Section 4.6 of the Willowick City Charter)</b>
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Postponed, No action taken at this time. Ms. Moran requested this continue to be postponed and would like a meeting of the Service, Utilities and Public Lands Committee to be held for further discussion before the next council meeting. Thanked the associations for meeting and preparing reports for council. Committee Chair Allan asked Mr. Hupp if he had received and submitted a written proposal. Mr. Hupp explained they did in fact meet and he does not have a written contract. Ms. Moran stated they will schedule a meeting. Committee Chair Allan scheduled meeting for Weds. June 24, 2009 at 7:00 pm for further discussion, invited condominiums owners and associations to attend. Mr. Hupp and Ms. Bisbee confirmed they would be able to attend June 24<sup>th</sup> and they would contact Mr. Majors to attend as well.

Ordinance No. 2009-22 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Hintz, seconded by Mr. Allan, to adopt Ordinance No. 2009-22. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-23 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

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

Motion by Mr. Allan, seconded by Mr. Hintz, to adopt Ordinance No. 2009-23. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-24 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

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

Motion by Mr. Allan, seconded by Mr. Hintz, to adopt Ordinance No. 2009-24. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-25 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Malta, 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. Allan, to adopt Ordinance No. 2009-25. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-26 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Vanni, seconded by Mr. Hintz, to adopt Ordinance No. 2009-26. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-27 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Hintz, seconded by Mr. Allan, to adopt Ordinance No. 2009-27. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-28 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Malta, seconded by Mr. Vanni, to adopt Ordinance No. 2009-28. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-29 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2009-29. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-30 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Hintz, seconded by Mr. Malta, to adopt Ordinance No. 2009-30. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-31 (Finance Director) As Amended An Ordinance amending Ordinance No. 2009-4 to provide for additional appropriations from the General Fund (101), Street Construction Maintenance and Repair Fund (202), Police and Fire Capital Improvement Fund (207), Street Improvement Levy Fund (213) for the calendar year ending December 31, 2009 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. Allan, seconded by Mr. Hintz, to adopt Ordinance No. 2009-31, as amended. Discussion: None. Vote: All ayes. Motion carried.

### **MISCELLANEOUS**

Motion by Mr. Allan, seconded by Mr. Malta, to expend \$6,500 from the Police and Fire Capital Improvement Fund to CT Consultants for application of stimulus funds for new fire department. Discussion: Mr. Wells requested Executive Session to discuss further, Ms. Moran responded this does not fall in the guidelines. Mr. Wells feels this is not a necessary expenditure, that perhaps the chief could request plans from other cities that have built new stations and not have to spend the money. Chief Posipanka explained the Federal Government has very strict stipulations as to what is considered ethics violations. Stated he cannot enter into discussions free of charge or otherwise with anyone that may be interested in bidding on this project. He is requesting CT Consultants assist with this because they are the engineers for city and the fire department does not have the expertise to provide figures on the cost of a new station. Further added he does not have to show plans at this time, simply proof that they have been discussing plans for building a new station. Chief Posipanka added this motion is to generate the grant narrative. Mr. Wells feels this is a lot of money to spend. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni, allowing the Mayor to enter into an agreement to purchase 100 prepaid hours of IT service with Active Networking Inc. for an amount not to exceed \$9,000. Discussion: None. Vote: All ayes.

Motion by Mr. Vanni, seconded by Mr. Allan, approving contract RL Home Improvement to repair siding at Manry Pool House at a cost of \$3,900. (Approved by telephone poll of Council 6/12/09 vote of 7-0) Discussion: None. Vote: All ayes. Motion carried.

Motion authorizing the release of the remaining retainage in the amount of \$17,928.96 to DiGioia-Suburban Excavating relative to the Shoreland Crossings Subdivision. Remains postponed at this time. No action taken.

Motion by Mr. Malta seconded by Mr. Vanni. to vacate regular meetings of Council of July 21<sup>st</sup> and August 18<sup>th</sup>, 2009. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, to approve Purchase Order No. 35674 to Atwell's Police & Fire Equipment in the amount of \$11,205.00 for the purchase 15 Second Chance body armors. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni, to approve Purchase Order No. 35224 to the Lake County Treasurer in the amount of \$3,461.85 for the second half of 2008 stormwater assessments on all city properties. Discussion: None. Vote: All ayes. Motion carried.

### **PUBLIC PARTICIPATION**

None.

Motion by Mr. Allan, seconded by Mr. Hintz, to approve an expenditure not to exceed \$14,010. for the Stebal Building Project from the Community Development Block Grant Fund. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by M r. Hintz, to approve an expenditure not to exceed \$16,000 for the Malone Building Project from the Community Development Block Grant Fund. Discussion: None. Vote: All ayes. Motion carried.

### **ADJOURNMENT**

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

Ms.Moran requested anyone available on Wednesday, June 24, 2009 at 7:00 pm attend.

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

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PRESIDENT OF COUNCIL