

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

DATE: June 17, 2008
PLACE: City Hall
TIME: 7:30 p.m.

The thirteenth 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, Allan, Vanni, Patton, Malta, Wells and Hintz.

ALSO PRESENT: Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, City Engineer Juday, Recreation Director Kless, Building/Service Director Dominick, Police Chief Lazor, Mark Slavick for Fire Chief Posipanka 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 3, 2008. Discussion: None. Vote: Ayes: Moran, Allan, Vanni, Malta, Wells and Hintz. Abstain: Mr. Patton. Motion carried.

Appointments, Special Resolutions & Proclamations

Special Resolution (Council President)	Urging the National Credit Union Administration, the Federal Reserve Board and the Office of the Federal Trade Commission Act, Truth in Savings Act, and Truth in Lending Act to protect consumers from unfair and abusive practices by the credit card industry.
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Motion by Mr. Allan, seconded by Mr. Hintz to adopt Special Resolution. Discussion: None. Motion carried.

Special Resolution (Councilman Malta)	A Special Resolution recognizing "Judy's Dandy Donuts" and expressing the best wishes of City Council and the residents of the City of Willowick for Judy Moran's continued success.
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Motion by Mr. Allan, seconded by Mr. Malta to adopt Special Resolution. Discussion: None. Motion carried.

Administrative Appeals

Administrative Appeal Order No. 2008-10	An Order granting a variance and exception of 230-1/2 feet rear yard for a stockade fence in the application of Section 1165.05(c) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-258, Timothy Sherman, 32307 Glen Arden.
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Motion by Mr. Allan, seconded by Mr. Patton, to grant Administrative Appeal Order No. 2008-10. Discussion: None. Vote: All ayes. Motion carried.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde reported summer programs have begun, there is currently a waiting list for the Learn to Swim Program for every session offered. Locks were placed on the basketball hoops, phone calls have been received complaining about them. Willowick will host their 1st annual "Willowick Night at the Captains Stadium" August 21st. Will host a luncheon for the crossing guards June 27th at City Hall. Thanked the Police, Fire and Recreation Departments for their hardwork, wanted to especially thank Maureen Brennan for all her hardwork in putting together the parade, there were 66 vehicles participating this year. Reviewed an ordinance for council's consideration, asked it be placed on 1st reading, ordinance pertains to number of dogs and cats a homeowner may have. Has met with Teleco to discuss possible new phone system for city.

Discussion of Mayor's Report:

None.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick submitted written report.

Discussion: Mr. Malta thanked the department for their quick response to an issue he had, asked if there were more information on the Senior Sidewalk Program. Mr. Dominick responded the seniors choose their own contractor and fill out a form with the Service Department. Mr. Vanni asked if there were resolution to the Shoreland Crossings issue. Mr. Dominick responded the resident is paying a fee to the homeowners association and that he did make a call to the contractor responsible for maintaining the lawns at Shoreland Crossings to cut the grass. Stated the homeowner should complain directly to the homeowners association or the landscape company as the city is not responsible for any part of the maintenance. Mr. Hintz asked for any updates regarding the tree on Oakdale. Mr. Dominick responded he has two quotes for tree removal and should be taken care of soon. Mr. Wells thanked Mr. Dominick for his assistance on Arnold and asked if the department could replace the asphalt with concrete.

Recreation Director Julie Kless submitted and reviewed her written report, thanked the Police, Fire and Service Departments for their assistance with the parade and Council for their participation. Thanked Maureen Brennan for all her hard work during this time.

Discussion: Ms. Moran also thanked Maureen.

City Engineer Craig Juday did not have a report. Stated during Finance Committee Meeting he presented a tabulation of updated project costs for project slated for 2008-2009. Submitted pre-application for funding for three anticipated projects. Still waiting for the mitigation report for the Outfall, will update when further information is available.

Discussion: None.

Finance Director Cheryl Benedict will have the proposed tax budget to Council by the end of next week, is requesting Tax Budget Hearing for Council meeting of July 18, 2008 at 8:15 p.m. Reviewed purchase order on the agenda this evening.

Discussion: None.

Law Director John O'Donnell requested Executive Session for discussion of Court action. Reviewed item on the agenda this evening.

Discussion: None.

Police Chief Michael Lazor no written report.

Discussion: Mr. Patton stated he has received several complaints regarding speeding near and around Dudley Park.

Fire Chief Robert Posipanka Mark Slavick present for Chief, did not have a written report, reviewed Purchase Order on the agenda stating it is a budgeted item.

Discussion: None.

Chief Building Inspector Joe Dominick no report.

Discussion: None.

WARD MATTERS

None.

PUBLIC PARTICIPATION

Nancy Mahavic asked if there were an ordinance regulating roof replacements as her neighbor replaced only half of his roof and it does not match existing roof. Also asked what should be done when fireworks are discharged as she has had several land in her yard and if they are prohibited.

Response:

Chief Lazor explained it is very difficult to cite residents for fireworks discharge as the police officer needs to witness the discharge. If they arrive at the home, they can confiscate the fireworks. The department receives many calls pertaining to this issue, there will be an increase as 4th of July draws closer. Mr. Dominick responded homeowners can take out two types of permits, one being a complete roof replacement and the second being a roof repair. Mr. Dominick will look into.

Reports of Standing Committees

Finance Committee – committee met this evening and discussed two issues. The first being the unanimous decision of the committee to move forward with basic Option #1 from City Engineer to overlay Barjode. Also discussed new phone system with Teleco.

Motion by Mr. Patton, seconded by Mr. Wells, to authorize CT Consultants to prepare specifications and advertise for bids for the Barjode Resurfacing Project. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Patton to authorize the Mayor to enter into a contract with Teleco for a 5 year lease in the monthly amount of \$2725.40. Discussion: None. Vote: Ayes: Vanni, Malta, Patton, Hintz, Moran and Allan. Abstain: Mr. Wells. Motion carried. Mrs. Benedict further explained the details of the contract and asked that the above motion be amended. Law Director O'Donnell asked the motion be revisited later in the meeting.

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, Mr. Patton asked that a hearing be set to review a previously heard claim. Meeting will be set before the next regular meeting of Council.

Budget Committee – No report.

Sewer & Storm water Task Force- No report.

Fire Department Development Committee - No report.

City Development Committee - No report.

LIASON REPORTS

Hearts and Hammers: Mr. Malta reported the committee has completed two projects and asked if anyone is interested in volunteering, please contact him or Janet Bucci.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2008-29 (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.
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Motion by Mr. Hintz, seconded by Mr. Allan, to waive the rule requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Hintz, to adopt Ordinance No. 2008-29. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-30 (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. Hintz, to waive the rule requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2008-30. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-31 (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. Hintz, seconded by Mr. Allan, to waive the rule requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Hintz, to adopt Ordinance No. 2008-31. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-32 (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. Hintz, seconded by Mr. Allan, to waive the rule requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Hintz, to adopt Ordinance No. 2008-32. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-33 (Law Director) An Ordinance amending Section 505.08 of the Codified Ordinances of the City of Willowick and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Patton to waive the three-day rule. Discussion: None. Vote: All ayes. Motion carried. Mr. Wells asked what happens to those who currently have more than the allotted number of pets. Mayor responded they could appeal to the Board of Zoning Appeals and Ms. Moran pointed out this is on first reading to work out any issues. Mr. Hintz voiced his concern for the possibility for overreacting to one person having a large number of cats.

Ordinance No. 2008-33 was placed on first reading.

Resolution No. 2008-12 A Resolution declaring certain weapons to be
(Law Director) obsolete, or not needed for public purpose and
 providing for the disposition of said property.

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

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

Motion by Mr. Allan, seconded by Mr. Patton, to adopt Resolution No. 2008-12. Discussion: Mr. Wells inquired why some weapons are being returned to dealers as opposed to destroying them as has been done in past. Chief Lazor responded there are several weapons that have value to them. Adding there are weapons that have been turned in by residents after a family member passes away. Vote: All ayes. Motion carried.

MISCELLANEOUS

Motion by Mr. Vanni, seconded by Mr. Allan, to vacate the regular Council Meetings of July 1 and August 5, 2008. Discussion: None. Vote: All ayes. Motion carried.

Motion to declare as surplus weapons listed in Police Chief Lazor's memorandum of June 9, 2008 was removed from the agenda and taken care of through Resolution No. 2008-12.

Motion by Mr. Vanni, seconded by Mr. Allan, to approve Purchase Order No. 34023 to Jones Equipment in the amount of \$4,189.00 for the purchase of a cement mixer for roads and sewers. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton, to approve Purchase Order No. 34540 to The Fire House in the amount of \$4,580.00 to purchase uniforms for the new hires. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, accepting the recommendation of the Planning Commission for the placement of an AT&T cabinet at 31600 Lakeshore Boulevard. Discussion: None. Vote: Ayes: Vanni, Malta, Patton, Hintz, Moran and Allan. Nays: Mr. Wells. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, to approve Purchase Order No. 33725 to Adler Team Sports in the amount of \$3,458.50 to purchase various uniforms and accessories for lifeguards. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to declare as surplus 22 size "D" oxygen cylinders and 6 size "E" oxygen cylinders from the Fire Department. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to approve Purchase Order No. 33913 to Lake County Treasurer in the amount of \$3,514.02 for 2nd half real property tax 2007. Discussion: None. Vote: All ayes. Motion carried.

Amended Motion by Mr. Malta, seconded by Mr. Patton, to authorize the Mayor to enter into a contract with Teleco for a five-year lease in the monthly amount of \$752. plus a \$1.00 buyout. Discussion: Amended Motion to above Contract Approval. Vote: All ayes. Motion carried.

At this time, Ms. Moran scheduled a Tax Budget Hearing for July 15, 2008 at 8:15 p.m.

Motion by Mr. Allan, seconded by Mr. Malta, to declare the equipment listed as 11 Verizon wireless camera phones with accessories as obsolete and are no use to the city and have no value. Discussion: None. Vote: All ayes. Motion carried.

PUBLIC PARTICIPATION

Tom Baker 181 E. 316th Street asked if the AT&T cabinets must be placed where someone lives, why they could not be placed on vacant land.

Mr. Wells stated he does not like them throughout the city. Would like to see them placed under ground and feels they decrease the value of the homeowners property.

Mr. Allan, as committee chairperson, stated they need to be placed in the right of way, they need ventilation so it is not possible for them to be placed underground. He, as chairperson, reviews each site that is proposed.

ADJOURNMENT

Motion by Mr. Hintz, seconded by Mr. Vanni to adjourn to Executive Session.

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

Motion by Mr. Vanni, seconded by Mr. Patton, to return regular meeting of Council. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton, to adjourn. Discussion: None. Vote: All ayes. Motion carried.

Meeting adjourned at 8:50 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL