

**CITY OF WILLOWICK  
LAKE COUNTY, OHIO**

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING COUNCIL**

DATE: June 3, 2008  
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, Allan, Vanni, Malta, Wells and Hintz.  
Absent: Mr. Patton

**ALSO PRESENT:** Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, City Engineer Juday, Recreation Director Kless, Building/Service Director Dominick, Lt. Krocker for Police Chief Lazor, Fire Marshall Simonian 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 May 20, 2008. Discussion: None. Vote: All ayes. Motion carried.

**Appointments, Special Resolutions & Proclamations**

Special Resolution (Councilman Malta)	A Special Resolution Memorializing <b>Bob Kermavner</b> for his dedication, commitment and contributions to the City of Willowick.
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Motion by Mr. Allan, seconded by Mr. Hintz to adopt Special Resolution. Discussion: None. Motion carried.

Special Resolution (Mayor Bonde)	A Special Resolution recognizing the <b>Royalview Safety Patrol</b> for their dedication.
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Motion by Mr. Allan, seconded by Mr. Malta to adopt Special Resolution. Discussion: None. Motion carried.

**Administrative Appeals**

None.

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

Mayor Bonde reported that for the fourth year in a row, the Day Camp is filled to capacity. The city will hire an additional camp counselor to allow more children to enroll. The decision was made to close the city basketball courts Monday through Friday from 5:00 p.m. to 9:00 p.m. There will be locks placed on the hoops each evening and removed each morning. The HUD home program is still on hold. When the program commences, the city will begin looking into purchasing homes for renovation and sale. Mayor reported as of July 1, Channel 23 will move to Channel 20. The city will hold its 1<sup>st</sup> Annual Family Fun Day on July 25, 2008; the evening will include the Big Screen movie as well as many things for the entire family. It will be held at Dudley Park beginning at 5:00 p.m. The city has signed on with University Hospitals as their managed care organizer; Gates McDonald will remain the city's 3<sup>rd</sup> party coordinator. Mayor Bonde met with Councilman Malta and a resident from the Edgewood area to discuss implementing a neighborhood watch program. Neighborhood Watch signs will be made and placed on existing poles on the streets. Foreclosures seem to be on the rise in rental homes and are causing renter evictions.

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

Mr. Malta added he met with Sgt. Turner and resident Bob Fuhrman who have both agreed to undertake the neighborhood watch program. A kickoff block party to introduce the program to the city will be planned. Mr. Malta will update as plans come along.

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

**Service Director Joe Dominick** submitted written report, asked that the city leaf machine be declared as surplus and reviewed a memo submitted regarding the Lateral Bids received. Reviewed a request for fund transfers. Mrs. Benedict further explained what Mr. Dominick is asking for, reviewed memo she submitted and stated there is legislation for consideration regarding such.

**Discussion:** Council President Moran reminded Council there was discussion regarding the possibility of a fund transfer during the budget hearings, reviewed what was discussed and feels Mr. Dominick has done a good job managing this account. Council President Moran asked if there were a recreation repair fund that could have repaired the damaged playground equipment, Recreation Director Kless responded there is not and Finance Director Benedict added there is a parks repair account the money could have been taken from, however, the service department decided to take it out of land and buildings maintenance and repair. Council President Moran inquired about a pole that has been down in front of 321 E. 320<sup>th</sup> for approximately two years, asked who is responsible for removal. Service Director Dominick responded the responsibility would fall on the last company to have moved their wires from the existing pole to the new pole. He would look into who the responsible company is and attempt to have it removed. Ms. Moran asked if there were plans for street repairs on E. 320<sup>th</sup>. Mr. Dominick responded there are plans for sealing the entire city and they are beginning the process now. Mr. Hintz asked if he had an opportunity to look into the issue they spoke. Mr. Dominick responded he had and they are in process of getting prices. Mr. Wells questioned the water line issue at 30305 Arnold, Mr. Dominick will look into. Mr. Vanni asked if there were updates on the dog and bush issues they discussed. Mr. Dominick responded they have gone to the home 3 or 4 times and have told them they must cut the bushes down to three feet. His department will continue to visit the home to rectify the dog issue.

Motion by Mr. Allan, seconded by Mr. Vanni, to declare leaf machine as surplus (Serial No. 157615). Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Allan, seconded by Mr. Vanni, to declare leaf machine as having no value and sold for scrap. Discussion: None. Vote: All ayes. Motion carried.

**Recreation Director Julie Kless** submitted and reviewed her written report.

**Discussion:** None.

**City Engineer Craig Juday** did not have a report. Thanked Council for approving the reappointment of CT Engineering as the firm to represent the city. Submitted and reviewed memo with motions for Council to consider this evening. Explained to Council the State is implementing an Economic Stimulus Incentive package, which will provide funding for capital improvement. Briefly reviewed previous money available and the money the state would now be offering. Will begin the process of preapplications, which are due by June 13, 2008. One project of high interest is Thomas Street improvements. There has been discussion about the project ongoing. Updated Council on the Outfall. Stated they are working on the easements and mitigation plan and are waiting on information about the mitigation plan. Intends to begin to proceed with the bidding and construction services phase of that project. Will update as information begins available.

**Discussion:** Mr. Vanni asked when the Lakeshore Blvd/Glen Arden project might begin. Mr. Juday responded he hoped no later than late September. Mr. Wells asked if Royalview were running on schedule. Mr. Juday responded it is running a little ahead of schedule and going very efficiently. Mr. Wells asked if the company could water the streets down. Mr. Juday responded he had not gotten any complaints regarding dust but should he, the streets would be taken care of. Mayor Bonde reviewed OPWC funding and stated the city would be applying for funding for projects. Stated the road department came to him regarding the deplorable condition of Barjode, it is need of major repairs and new curbs. Council President Moran placed the Barjode repair in Finance Committee. The committee will meet to discuss this and any other issues before the next meeting. Council President Moran inquired how he was progressing with the EPA and what the outcome of the EPA Public Hearing was. Mr. Juday responded the city should be close, stated that because no issues were brought forward at the Public Hearing, no minutes or reports were prepared. Reviewed several issues he was attempting to solve. Mr. Juday added the plan is complete. Mr. Juday reminded the city is on the hood for the mitigation. Explained the process of finding a resolution for the mitigation plan. Ms. Moran asked if he felt the outfall project would begin this year, Mr. Juday responded he does.

**Finance Director Cheryl Benedict** stated engineers request for the Cresthaven project is a budgeted item. Reported to Mr. Malta there is enough money to fill the salt dome, this year, which will be done in August or September.

**Discussion:** Mr. Hintz asked if the city had looked into any alternative method for roads, such as the beet juice. Service Director Dominick stated the city has explored several different options and at this time, the salt is the most effective way to treat the streets.

**Law Director John O'Donnell** stated he hoped the city would be prepared to move forward on the outfall project by the next meeting.

**Discussion:** Ms. Moran asked for definition of renter or rental, Law Director O'Donnell stated the city does not defines the terms renter or rental as "non-owner occupied" or not occupied by owner. The city recently passed such legislation to redefine such and it is determined where the homeowner actually lives by where the taxes are paid.

**Police Chief Michael Lazor** Lt. Krockner did not have a report this evening.

**Discussion:** None.

**Fire Chief Robert Posipanka** Fire Marshall Simonian did not have a written report.

**Discussion:** None.

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

**Discussion:** None.

### **WARD MATTERS**

Mr. Malta stated he has been receiving calls from the residents that belong to the private Willow Beach Club. Members have been stating there are many Larimar residents coming into the park through the back way to access the private beach area. Asked if there were something that could be done.

Mayor Bonde responded that he is reluctant to have the city put up a sign, as this is private property. Law Director O'Donnell suggested the beach club put up a "Members Only" sign at all of entrances into the area. If the Larimar residents continue to access the private area, the beach club may than call the police department.

Mr. Malta invited Council to attend the fundraiser of Nicole Hastings, a 19 year old with cancer. Stressed he hoped all would attend this Sunday. Further offered, on behalf of Council, condolences to Police Chief Lazor, his wife Ellen and their family on the passing of Mrs. Lazor's mother.

Mr. Wells stated he had requested three signs be placed up in the city and to date are still not up, further stated he went to the recycling center on Monday, it was a mess and overflowing. Mr. Dominick stated the pick up for recycling is Monday afternoon, Mr. Wells asked to request morning pick up instead of afternoon. Reviewed several locations that have not had the grass cut or weed whacked, noticed the contractors coming onto Lakeland Blvd. are dumping mulch onto the street, had concern for it entering the sewer.

### **Reports of Standing Committees**

**Finance Committee** – No report, committee will meet Tuesday June 10, 2008.

**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.

**LIASON REPORTS**

None.

**FUND TRANSFERS & BID AUTHORIZATIONS**

Motion by Mr. Vanni, seconded by Mr. Malta authorizing CT Consultants to prepare plan and obtain bids for the Cresthaven Outfall Improvements project for an estimated fee not to exceed \$20,000. Discussion: None. Vote: All ayes. Motion carried.

**CONTRACT APPROVALS**

Motion by Mr. Allan, seconded by Mr. Vanni authorizing the Mayor to enter into a construction contract with Phillip Miller Construction for the 2008 Lateral Replacement Project in the amount of \$174,400. Discussion: None. Vote: All ayes. Motion carried.

**PUBLIC PARTICIPATION**

Monica (inaudible) inquired about a non-owner occupied situation she has with her grandmother living in a home she does not own. Asked if they were to place the grandmother's name on the deed would they than be exempt from the housing inspections.

**Response:**

Law Director O'Donnell responded they would no longer need the rental inspection but would be subject to a Point of Sale Inspection. Explained several scenarios in which one would be exempt from any inspections.

**INTRODUCTION & CONSIDERATION OF LEGISLATION**

Ordinance No. 2008-27 (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.
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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. 2008-27. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008-28 (Finance Director) An Ordinance amending Ordinance 2008-14 to provide for additional appropriations from the General Fund (101) for the calendar year ending December 31, 2008 and declaring an emergency.

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

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. 2008-28. Discussion: None. Vote: All ayes. Motion carried.

**MISCELLANEOUS**

Motion by Mr. Vanni, seconded by Mr. Allan, to waive Special Events permit fee for the Kelley Miller Circus. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni, to waive Special Events permit fee for the St. Mary Magdalene Festival. Discussion: None. Vote: All ayes. Motion carried.

**PUBLIC PARTICIPATION**

None.

**ADJOURNMENT**

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

Meeting adjourned at 8:50 p.m.

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**PRESIDENT OF COUNCIL**

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