

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

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

The sixth 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, Allan, Salesky, Wells, Patton and Vanni.

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

Approval of Minutes

Motion by Mr. Malta, seconded by Mr. Vanni, to approve the minutes of Regular Meeting of Council of March 2, 2010. Discussion: None. Vote: Ayes: Moran, Malta, Allan, Wells and Salesky. Abstain: Mr. Vanni, and Mr. Patton. Motion carried.

Appointments, Special Resolutions & Proclamations

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 35 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to *Assistant Chief Joseph Rupena* on this occasion.

Motion by Mr. Patton, seconded by Mr. Allan to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 20 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to *Steven Knaus* on this occasion.

Motion by Mr. Patton, seconded by Mr. Malta to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 20 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to *Captain Michael Palumbo* on this occasion.

Motion by Mr. Wells, seconded by Mr. Patton to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 20 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to *David Ruberto* on this occasion.

Motion by Mr. Patton, seconded by Mr. Malta to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 20 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to *Captain Ronald Zak* on this occasion.

Motion by Mr. Allan, seconded by Mr. Malta to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Administrative Appeals

None.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde reported Thomas Street has had no activity due to the discovery of an abandoned waterline, it has since been repaired, the street will not have asphalt delivered as the asphalt batch plants are not open, Mayor will send update letter to the residents of the street. Mayor Bonde is preparing the State of the City Report which will be published in the Courier this year to save money by not mailing them. Will be scheduling a Town Hall meeting as well to answer questions and concerns of the residents. Mayor has requested an Executive Session this evening for discussion of personnel.

**Update from Mr. Tony Vitolo from the Lake County Health Board.

Mr. Vitolo thanked the Mayor and Council for this reappointment to the Health Board. Attended the Advisory Board Meeting of March 8, 2010 and reported the 2011 budget has been approved, provided Mayor with a copy of the Lake County Health Board Annual Report, stated it can also be found on their website. Provided and reviewed the updates and organizational chart to Mayor and Council. Reviewed the success of the H1N1 vaccination program. The Health Department was pleased with the amount of immunizations and the volunteers that assisted this year. There were approximately 37,485 doses provided to the residents of the County.

Discussion of Mayor's Report:

None.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick was not present this evening.

Discussion: None.

Recreation Director Julie Kless no written report, stated the Spring/Summer guides have been delivered and are available at all City buildings and online. The Collectibles Flea Market will be held Saturday, March 27, 2010 from 9am to 3pm at Manry. The Easter Egg Hunt will be held Saturday, April 3 at noon and one, also at Manry.

Discussion: None.

City Engineer Craig Juday submitted written report, explained several items not on the agenda and asked for approval of such.

Discussion: Ms. Moran asked that as he explains the motions, he states which of the motions have already been budgeted. Mayor Bonde pointed out the costs of asphalt and concrete going up this year, the city will need to take E. 322nd off of the active list of streets to be done, but will be put on alternate list. Mr. Vanni asked for further information regarding E. 322nd Street. Mr. Wells asked if the contractors could possibly be responsible for any of the outgoing money. Mr. Juday stated the motions do not directly reflect on the contractor, only the motion involving Trax; which have done an excellent job in the city. Mr. Wells asked if any jobs actually came in at budget, Mr. Juday responded there have been several at or below budget.

Finance Director Cheryl Benedict no written report.

Discussion: None.

Law Director John O'Donnell no report.

Discussion: None.

Police Chief Michael Lazor –written report submitted, reviewed report. Stated the city had a carjacking/robbery this week. Reported there have been several officers throughout the state that have lost their lives in the line of duty and illness. Kenny Bambic was an officer for the City of Willowick, his services will be held this Thursday.

Discussion: Mr. Salesky thanked the Chief for allowing him the opportunity to ride along with an officer.

Fire Chief Robert Posipanka –submitted written report, stated there were 146 emergency alarms, 116 rescue/EMS runs. Discussed the tabulations and will provide an updated report.

Discussion: None.

Chief Building Inspector Joe Dominick was not present this evening.

Discussion: None.

WARD MATTERS

None.

PUBLIC PARTICIPATION

Tony Vitolo of 31500 Daniel Dr. thanked the Service Department for snaking his lines and that all the workers were prompt, courteous and professional.

Dale Crowley of the Service Department welcomed newest Councilman Dan Salesky, thanked the Mayor for taking the time to explain the budget to his department, had some questions regarding the SCM&R Fund as well as the Sewer Levy Fund. Spoke for the department that they all fear layoffs, where the city stands as far as layoffs go, for example how many workers, if any and how soon would they take effect. Explained the difficulties the department would face as

well as the residents of the city if the crews were no more than 2 men. Stressing that though they always do their best, it would be nearly impossible for the standard of work to continue if the crews were cut and the services the residents are used to would be affected.

Response to Public Portion:

Mayor Bonde stated he has discussed all the budget and accounts and the city does not expect any more revenue.

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: No report, reminded Council the committee is always in need of volunteers and spring cleanup is being scheduled, if any council members are interested, please email Mr. Malta.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2010-9 (Finance Director) (As Amended)	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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Motion by Ms. Moran, seconded by Mr. Allan to adopt Ordinance No. 2010-9. Discussion: Ms. Moran reminded Council the budget needs to be passed no later than March 31, 2010, she will not postpone the passage any further than March 23, 2010. If any member of Council has any

questions whatsoever, please ask them now. Mr. Vanni asked for clarification of shortages as did Mr. Patton. Mrs. Benedict stated these shortages are projections. Mr. Patton suggested there be joint Budget/Finance Committee Meetings quarterly to carefully review where the city stands financially at the end of each quarter. Ms. Moran and Mr. Vanni are in full agreement that would be best for the City. Mr. Patton asked if Mrs. Benedict could predict what the carryover for the end of this year might be, she estimates approximately \$345,000., stressing this is projected only. Mr. Allan stated that though he has reviewed the budget many, many times, he is not convinced there can still be more cuts made to possibly save jobs. Would not vote for budget if it were voted on this evening. Mr. Wells also stated he would have a hard time voting for the budget as he would like more time to review the budget, suggested meeting again next Tuesday, doesn't feel the city has done enough yet. Mr. Patton reminded Council that there has been close to 14 hours of open meetings with Council as well as time spent on their own reviewing the budget. Stressed that now is not the time to continue to review the budget, Council has done their due diligence to assure the budget is the best that it can be at this time. Ms. Moran suggested Special Meeting next Tuesday, cautioned Council members that any questions should be answered by Directors and Chiefs prior to the meeting or at least a phone call made to them to allow time for an answer to be provided. The budget absolutely will be voted on next Tuesday. Mr. Patton asked that the budget ordinance be voted on this evening, there has been more than enough time for questions, answers, thorough review and suggested cuts. Mr. Vanni strongly agrees that there should be joint Budget/Finance Committee meetings quarterly to assure Council is aware of exactly where the city stands financially. Mr. Allan briefly discussed the ongoing union discussions and explained various scenarios the city may be faced with.

Motion by Ms. Moran, seconded by Mr. Allan to postpone Ordinance No. 2010-9.

Discussion: None. Vote: Ayes: Wells, Salesky, Moran and Allan. Nays: Malta, Patton and Vanni. Motion carried. Ordinance No. 2010-9 was postponed due to outstanding questions by Council, Special Meeting scheduled for Tuesday, March 23, 2010 at 6:30 pm.

MISCELLANEOUS

Motion by Mr. Vanni, seconded by Mr. Malta, to approve Purchase Order No. 36726 in the amount of \$5,725.00 to Squires, Sanders and Dempsey, LLP for bond counsel fees associated with Shore Crossings portion of 2010 various purpose note. Discussion: None.

Vote: Ayes: Moran, Vanni, Allan, Wells, Salesky, Malta. Abstain: Mr. Patton. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, approving Change Order No. 1 to the construction contract with Great Lakes Crushing, Inc. in the amount of \$58,000 for the Thomas Street Improvement Project. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, authorizing CT Consultants to prepare bid specifications, obtain bids, administer the construction contract and provide inspection services for the 2010 Pavement Repair Program for an amount not to exceed \$57,000. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, requesting an additional expenditure in the amount of \$33,000 for proprietary controllers manufactured by Eagle, proprietary pre-emption system by OptiCom and additional construction services by ODOT associated with the Signalization Project. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, authorizing CT Consultants to provide additional engineering services for the amount not to exceed \$28,900 associated with increased project scope, additional studies and coordination with ODOT during construction of the Signalization Project. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, approving Change Order No. 2 to the construction contract with Trax Construction Company in the amount of \$1,987.37 to resolve all outstanding claims associated with the E. 322nd Outfall Project. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, authorizing CT Consultants to provide additional engineering services for the amount not to exceed \$14,000 associated with construction closeout and mitigation authorization regarding the E. 322nd St. Outfall Project. Discussion: None. Vote: All ayes. Motion carried.

PUBLIC PARTICIPATION

Chief Lazor took the opportunity to speak on behalf of most of the Directors and Chief Posipanka stating that they are always available for questions or concerns before next Tuesdays meeting to give them opportunity to answer any questions either at that time or get back to Council after the answer is obtained. Especially if Council has specific questions about certain accounts.

Ms. Moran stated Council must have their questions prepared and inquired before the meeting as the vote cannot or will not be postponed any later than next Tuesday.

Tony Vitolo stated he is saddened by the city's lack of revenue, but hopes there is a light at the end of the tunnel. Offered several suggestions regarding the recreation programs and using parent volunteers.

Dale Crowley reminded everyone that we are in this situation together and the residents need to be made aware of the condition of the city budget and perhaps pass along some of the expense to the residents. He worries about the city services in coming years.

Recreation Director Julie Kless reminded Council of the contributions all the leagues have agreed to make this year in order to cover certain expenses.

Response to Public Portion:

Council President Moran thanked Mr. Crowley for his statement and to everyone that has come to this evenings meeting. Mayor Bonde responded there has been a drop in income tax.

Mr. Salesky does not agree that the residents should need to contribute any more funds to the city and that the city has the 2nd highest tax in the County next to Kirtland Hills

Mr. Johnny DiFranco of the Service Department stated he is missing his daughter's visit to the Easter Bunny by attending this evening's meeting. Is very concerned about himself or others in his department losing their jobs and asked Council if he indeed would have a job in the near future.

ADJOURNMENT

Motion Mr. Malta, seconded by Mr. Allan to adjourn to Executive Session. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 8:55 pm.

Motion by Mr. Allan, seconded by Mr. Patton to return to the Regular Meeting of Council. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 9:20 pm.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL