

**CITY OF WILLOWICK
LAKE COUNTY, OHIO**

MINUTES AND PROCEEDINGS OF A REGULAR MEETING COUNCIL

DATE: March 18, 2008
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, Allan, Vanni, Malta, Hintz, Patton and Wells.

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

Approval of Minutes

Motion by Mr. Patton, seconded by Mr. Vanni, to approve the minutes of regular meeting of Council of March 4, 2008. Discussion: None. Vote: Ayes: Vanni, Malta, Wells, Hintz, Moran, Allan. Abstain: Mr. Patton. Motion carried.

Appointments, Special Resolutions & Proclamations

Proclamation A Proclamation declaring the month of April, 2008
(Mayor Bonde) as Occupational Therapy Month.

Oath of Office to Tony Vitolo administered by Mayor Bonde for appointment to the Lake County Board of Health.

Administrative Appeals

None.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde reported the HVAC system at City Hall has a leak, added the system is 37 years old and HVAC company called to service feels the system will last about another year. Mayor has spoken to the Service Department and feels a new system needs to be placed in the budget for replacement. Thanked the Service Department, Fire Department and Police Department for the outstanding job they did working together during last weekends snowstorm. Gave several instances on what the departments faced that evening. Reported he had an opportunity as well as Mr. Allan to ride along with the snowplows that evening. Meetings have begun with Herbruck-Alder to discuss healthcare, asked for a Council representative to partake in the meetings. Please let him know if you are interested. Mayor Bonde added there should be a contract proposal for new city phone system next month. State of the City scheduled for Wednesday March 26, 2008.

Discussion of Mayor's Report:

None.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick submitted written report.

Discussion: Ms. Moran asked Mr. Dominick to relay the sincere thanks of the city to his department during the snowstorm.

Recreation Director Julie Kless was not present but submitted written report.

Discussion: None.

City Engineer Craig Juday did not have a written report, but updated Council on the Outfall. Stated the Army Corps of Engineers are not satisfied with the mitigation plan proposed and submitted, they have suggested some alternatives. The Ohio EPA seems satisfied with the plan at this time. Reported the Army Corps also had issue with the manufacturer of the stabilizing blocks based on information submitted; however has no issue with the posts. When further information is received, they will finalize the documents and begin process with the County. He anticipates resolving the outstanding issues soon.

Discussion: Ms. Moran asked what issues there were with the mitigation plan. Mr. Juday responded there are penalties any time you take away open streams or wetlands habitat. This project anticipated and set aside in excess of \$200,000 in 2005 for this projects restoration. The proposed wetlands restoration slated for the Geauga Park District. There are some outstanding issues on this proposition; Mr. Juday added they are currently working on revising the restoration plan. Mayor Bonde asked what the concerns were. Mr. Juday responded the issues are with the formula used to come up with the plan as well as the restoration not taking place in Lake County.

Finance Director Cheryl Benedict did not have a written report, distributed an updated Ordinance for consideration in place of that submitted in Council packets. Explained to Council that in addition to a transfer from the General Fund to the State Highway Fund this Ordinance includes an additional \$20,000.00 appropriation for road salt, adding since the beginning of 2008 the city has spent approximately \$101,000.00 so far, there was \$95,000.00 budgeted for the entire year.

Discussion: None.

Law Director John O'Donnell no report.

Discussion: None.

Police Chief Michael Lazor updated Council on the Middle School incidents.

Discussion: Mr. Malta thanked the Police Department for their assistance.

Fire Chief Robert Posipanka submitted annual report, further stated his department is still experiencing significant computer problems. Thanked the Service and Police Department for their hard work and assistance. Added how impressed and thankful he and his department are to the Police and Service Departments and all those involved what went above and beyond what was expected of them to assist the Fire and Rescue workers on the night of the snowstorm. John Vargo has been nominated as Firefighter of the Year. Chief Posipanka stated he would find assistance for Senior Center Director Davidson on blood pressure and glucose checks at the Center.

Discussion: Mayor Bonde added how impressed he was with all the departments and the neighbors that assisted the rescue squad when it became stuck in the snow on its way to an emergency call.

Chief Building Inspector Joe Dominick did not have a written report, but added that the Service Department received a call regarding a water line leak at 300th and Manry.

Discussion: None.

WARD MATTERS

Mr. Wells stated how important it is to have Welcome to Willowick signs placed on Euclid Ave, E. 305th Street and Vine Street. Mayor Bonde agreed and explained there is issue with placing them on E. 305th Street because of the Wickliffe/Willowick changes on the street. Mr. Wells further expressed his displeasure with the condition of the recycling center parking lot stating there are numerous chuckholes; asked if it were possible for the city to place traffic cones over chuckholes at the Shoregate Shopping Center. He has received many complaints about the shopping center. Mayor Bonde agrees that the condition of Shoregate parking lot is deplorable and that the area in front of the bus stop is beginning to collapse. Mr. Dominick has been checking on the real estate transfers for the shopping center so the Mayor can arrange a meeting with the new owners. Law Director O'Donnell explained that cones can be placed at Shoregate, however, management can remove them because it is private property, added that they have been cited by the city approximately one month ago.

PUBLIC PARTICIPATION

Sam Santangelo of 174 E. 293rd Street stated he has been a resident of the city for 52 years, living at this current location for 48 years. Explained that he has been involved in 4 accidents coming out of his street. Most recently last week when a woman ran a red light on Lakeshore Blvd. and broadsided his vehicle. Asked if there were a possibility of placing a red light camera at the location because of the high number of accidents. Further added he and several residents are displeased over Walgreen's coming to the city, does not feel another drugstore is necessary.

Alan Adoryan asked if there have been any comments from World Resources regarding the recycling they receive from the City.

Katie Dawson of 393 Clarmont Rd. explained that she is renting her home and recently become aware it is in foreclosure, expressed her frustration with the owners of the home and lack of support for renters paying their rent on time. Stated she and her family have lived in this home for 5 years, have paid their rent on time and are attempting to purchase the home and that they are currently facing eviction. Suggested and asked if the city could enforce some type of law to ensure the landlord/owners are current on rental home mortgage payments and if there were a possibility that tenants could check the credit reports of the landlord/property owners. Mrs. Dawson stated she and her husband have repaired some of the problems in the home but the house is in dire need of a new roof as well as other numerous issues.

Tony Vitolo of 31500 Daniel Drive asked if the city service garages were protected against fire in view of the fire Chardon experienced. Asked if the Mayor or Chiefs could relay to the residents of the city through the Courier how much effort and dedication their employees put forth during the snowstorm to answer all emergency calls.

Response:

Mayor Bonde stated the problem with placing articles in the Courier is it is published one month after the fact and that he has commended all the departments on their efforts, also addressed Mr. Santangelo in that Walgreen's will not be opening in Willowick. Chief Lazor responded he will place additional patrol at the Lakeshore Blvd. /E. 293rd Street intersection, also addressed red light cameras by stating he believes there are current lawsuits regarding such, and feels there might be more dangerous intersections to place them at if this were a possibility. Mayor invited Mr. Santangelo to meet with him and Chief Lazor for further discussion. Mayor Bonde responded to Mr. Adoryan that the city has not heard anything regarding the recycling products, stated World Resources is the only local recycling company and is not pleased with their service. The Mayor further responded to Mrs. Dawson's foreclosure issue stating Madison and Eastlake have the highest foreclosure rates in the County, asked why the owners do not sell the home to the Dawson's. Mrs. Dawson responded that they are attempting to purchase the home through the bank or at the time of foreclosure. Ms. Moran asked how behind the owner is on mortgage payments; Mrs. Dawson responded at least 8 months, stated several major repairs that are needed as well as what their attorney is attempting to do to assist in the purchase of the home. Mr. Dominick responded the homeowner has been cited for violations, which are currently in the Willoughby Municipal Court. Mayor Bonde wished them success. Mr. Malta agreed the intersection Mr. Santangelo spoke of is a dangerous intersection, asked if the speed limit could be reduced on Lakeshore Blvd. Mayor Bonde responded the city cannot change state highway speed limits without the permission of the state. Law Director O'Donnell concurred with the Mayor's response. Mayor requested data on E. 288th/Lakeshore and E. 293rd/Lakeshore.

Reports of Standing Committees

Finance Committee – Met this evening with CT Consultants, discussed the consideration of a mileage rate change, salt expenditures and a motion.

Motion by Mr. Vanni, seconded by Mr. Patton to authorize CT Consultants to do a financial analysis of the Sewer Fund for an amount not to exceed \$10,000.00. Discussion: Ms. Moran explained why the analysis is necessary and there would be a meeting scheduled once reports are prepared. Mayor Bonde stated two pieces of data will be prepared, one will be capital needs over the next few years and secondly, the operational costs for the sanitary sewer system, which is currently being funded by the General Fund, and deducts money from carryover. Finance Director Benedict added the current fund balance is approximately \$122,000.; stated there is a possibility that by next Council meeting there will be a request for an advance from the General Fund to the Sewer Fund because there will not be sufficient revenue to support the next Euclid bill as well as the wages for next month. Mayor Bonde stated he is hopeful the city could pay itself back by the end of the year depending on what the revenue is coming in from the sewer charges. Vote: All ayes. Motion carried.

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 – Mr. Patton submitted minutes from Budget hearing.

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 thanked Mayor Bonde for attending the meeting, reminded all of the Murder-Mystery Night being held March 29, contact Lisa Regovich for tickets: 440-336-3121, committee is very excited about the possibility of the city purchasing foreclosed homes.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2008-9 (Finance Director)	An Ordinance providing for the compensation of appointed officials and certain other employees of the City, repealing certain ordinances and declaring an emergency.
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Ordinance No. 2008-9 received its third reading.

Motion by Mr. Malta, seconded by Mr. Vanni to adopt Ordinance No. 2008-9.

Discussion: Mr. Wells stated he is not in support of certain employee raises, feels merit raises should be permitted. Mr. Patton pointed out the Police and Fire Departments compensate their employees near or equal to that of other cities, emphasized that Willowick’s Finance Director and Prosecutor are one of the lowest paid positions in comparison to other cities throughout the County. Mr. Hintz stated his opposition to certain employee raises, complimented Finance Director Benedict on her work. Mr. Patton stated when looking for talent in these particular positions, the compensation must be comparable to that of other cities in order to obtain and keep qualified people. Mr. Patton further reminded Council they approved a 33% raise for themselves last year, adding Mr. Hintz was not on Council at that time. Mayor Bonde reminded Council they are the highest paid Council in the county. Vote: Ayes: Vanni, Malta, Patton, Moran. Nays: Wells, Hintz, Allan. Motion carried.

Ordinance No. 2008-16 (Law Director)	An Ordinance amending Section 133.17(c) of the Codified Ordinances of the City of Willowick, and declaring an emergency.
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Motion by Mr. Patton, seconded by Mr. Malta, to waive the rule requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2008-16
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2008 -17 An Ordinance amending Ordinance No. 2008-14
(Finance Director) 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. Patton, to waive the three-day rule. Discussion: None.
Vote: All ayes. Motion carried.

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

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2008 -17.
Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2008-8 A Resolution authorizing the transfer of funds
(Finance Director) from the General Fund (101) to the State Highway
Fund (203) and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Resolution No. 2008-8.
Discussion: None. Vote: All ayes. Motion carried.

MISCELLANEOUS

Motion by Mr. Vanni, seconded by Mr. Patton, to approve Purchase Order No. 33754 in the amount of \$7,998.04 to Mity-Lite Inc. for new tables and chairs at Dudley Field House.
Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, to approve Purchase Order No. 33753 in the amount of \$3,679.85 to Middle Ridge Gardens for the purchase of 90 planters and hardware for City beautification. Discussion: Mr. Wells believes motion should fail and money be placed in Sewer Fund, stated flowers are a nice idea, but city needs to keep sewers in order. Mr. Patton asked Finance Director Benedict if this were a possibility; Mrs. Benedict responded it could be transferred into the sewer fund because this money is out of the General Fund. Mr. Hintz stated when campaigning, the community acknowledged the flowers were nice but they were more concerned about the roads and sewers. Added that he agrees with Mr. Wells suggestion of placing this money into the sewer fund. Ms. Moran stated that the sewer rates have not changed since 2000, and that this money would not be significant enough for any changes pertaining to the streets and sewers. Mr. Patton pointed out the city needs to be competitive in the real estate market and city beautification is an important component in today's market. Mr. Wells stated his

concern over the additional monies needed to water these baskets, Mr. Hintz further addressed Mr. Patton's point of city beautification and feels he needs to support what the residents in his ward would want. Mayor Bonde further stated he has heard nothing but flattering remarks regarding the baskets, banners and new LED sign. Mr. Hintz called for vote. Vote: Ayes: Vanni, Malta, Patton, Moran, Allan. Nays: Hintz, Wells. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Purchase Order No. 33852 in the amount of \$250,443.73 to the Ohio Bureau of Worker's Compensation for the 2008 Workman's Compensation Annual Payment. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Allan, to approve Purchase Order No. 33853 in the amount of \$3,121.77 to the Ohio Public Employees Retirement System for additional contributions due. Discussion: None. Vote: All ayes. Motion carried. **(Approved by telephone poll of Council 3/13/08)**

PUBLIC PARTICIPATION

Sam Santangelo of 174 E. 293rd Street expressed his pride in the city and all its services; especially in light of the fact, the city has no industry.

Alan Adoryan questioned why the city approved additional payment for a financial analysis of the Sewer Fund, as it seems this would fall within the Engineers scope of work.

RESPONSE:

City Engineer Juday responded to Mr. Adoryan's question by explaining that this study falls outside of the scope. Further explained this is an additional study to develop various scenarios and alternatives so the engineer may provide the city with enough information so they may make informed decisions. Ms. Moran added this is out of the scope of work they provide for the city, they are asked by the city to perform such duties so they city may make fair and impartial decisions on sewer rates changes. Mr. Adoryan asked if this were public record. Ms. Moran responded it was and Mr. Adoryan asked to be provided with a copy of the study once completed.

ADJOURNMENT

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

Meeting adjourned at 8:55 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL