

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

DATE: November 3, 2009  
PLACE: City Hall  
TIME: 7:30 p.m.

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

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

**Approval of Minutes**

Motion by Mr. Patton, seconded by Mr. Hintz, to approve the minutes of Regular Meeting of Council of October 20, 2009. Discussion: None. Vote: All ayes. Motion carried.

**Appointments, Special Resolutions & Proclamations**

Special Resolution (Mayor Bonde)	A Special Resolution recognizing the opening of the Lake Health TriPoint Medical Center.
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Motion by Mr. Wells, seconded by Mr. Patton, to approve Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

**Administrative Appeals**

None.

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

The Mayor reported the children's Halloween party, at Dudley went very well. There was some vandalism over the weekend that the Service immediately took care of. The auction brought in a little over \$4,300. The city received a check in the amount of \$124,000. for estate tax this year. Mayor briefly discussed employees that would be retiring early next year, would like to discuss retirement funding further.

**Discussion of Mayor's Report:**

None.

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

**Service Director Joe Dominick** not present, written report submitted.

**Discussion:** None.

**Recreation Director Julie Kless** submitted written report, explained Change Order not on the agenda, asked for approval of purchase order.

**Discussion:** None.

**City Engineer Craig Juday** no written report, updated Council on the outfall stating that another set of plans has been submitted regarding the landscaping of the outfall to Lake County Stormwater Management. All documents and reports have been submitted for the signalization project to ODOT.

**Discussion:** Mr. Hintz asked if there were any updates on the synchronization of the traffic lights near and under the bridge on E. 305<sup>th</sup> Street. Mr. Juday responded this is part of the signalization project and would be rectified at that time; Willowick and Wickliffe are working together in the meantime to try and keep lights running smoothly. Mr. Allan asked for further information regarding a motion for inspection of Larimar outfall appearing later on the agenda. Mr. Juday responded the believed there had been an inspection, but no report has ever been filed. The inspection is required no later than the end of this year. Mr. O'Donnell explained the Planning Commission began inquiring frequently about this inspection and it is their recommendation to hire CT to inspect or hire an inspector for the Larimar outfall.

**Finance Director Cheryl Benedict** written report submitted, explained legislation on the agenda this evening.

**Discussion:** None.

**Law Director John O'Donnell** no report, reviewed legislation on the agenda this evening

**Discussion:** None.

**Police Chief Michael Lazor** –no written report.

**Discussion:** None.

**Fire Chief Robert Posipanka** – no written report, reviewed and asked for approval of purchase order on the agenda.

**Discussion:** None.

**Chief Building Inspector Joe Dominick** not present, written report submitted.

**Discussion:** None.

## **WARD MATTERS**

None.

## **PUBLIC PARTICIPATION**

Mr. Al Lukehart of 32003 Dickerson commended the city on the management of the rat situation. Mr. Lukehart stated that in his personal opinion the city did an excellent job and there have not been any problems in his neighborhood, nor has he gotten complaints from any of the other residents. Explained what he had done in his neighborhood to rid the problem.

### **Reports of Standing Committees**

**Finance Committee** – No report, committee will meet Tuesday, November 17, 2009 at 7:00 pm.

**Safety Committee** – No report.

**Service, Utilities & Public Lands Committee** – No report.

**Streets, Sidewalks & Sewers** – No report.

**Tax Compliance Committee** – No report.

**Moral Claims Committee** –Committee met this evening for a claim received. It is the recommendation of the committee that the Moral Claim be denied at this time, however Mr. Orlando may resubmit the claim if he provides the committee with more information.

Motion by Mr. Patton, seconded by Mr. Hintz to deny the claim of Mr. Orlando at this time.  
Discussion: None. Vote: All ayes. Motion carried.

**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.

Community Energy Awareness Committee: No report.

### **FUND TRANSFERS & BID AUTHORIZATIONS**

None.

### **CONTRACT APPROVALS**

None.

### **INTRODUCTION & CONSIDERATION OF LEGISLATION**

Ordinance No. 2009-81 (Law Director)	An Ordinance amending Section 335.01(a) of the Codified Ordinances of the City of Willowick and declaring an emergency.
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Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-81.  
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-82      An Ordinance amending Section 335.071(c)(1) of  
(Law Director)              the Codified Ordinances of the City of Willowick  
and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-82.  
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-83      An Ordinance amending Section 335.072(b) of the  
(Law Director)              Codified Ordinances of the City of Willowick  
and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-83.  
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-84      An Ordinance amending Section 335.074(b)(1) of  
(Law Director)              the Codified Ordinances of the City of Willowick  
and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Hintz, to adopt Ordinance No. 2009-84.  
Discussion: None. Vote: All ayes. Motion carried.

\*\*Council President Moran stepped out of the meeting at this point. Councilman Allan proceeded.

Ordinance No. 2009-85      An Ordinance amending Section 335.01(b) of the  
(Law Director)              Codified Ordinances of the City of Willowick  
and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: Ayes: Hintz, Allan, Vanni, Patton and Wells. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-85.  
Discussion: None. Vote: Ayes: Hintz, Allan, Vanni, Patton and Wells. Motion carried.

Ordinance No. 2009-86 (Finance Director) An Ordinance amending Ordinance No. 2009-4 to provide for additional appropriations from the General Fund (101), Street Lighting Levy Fund (204), Sewer Revenue Fund (205), Fire Emergency Rescue Fund (208), Street Improvement Levy Fund (213), Senior Citizen Levy Fund (220), Police Pension Fund (801), for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2009 and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: Ayes: Hintz, Allan, Vanni, Patton and Wells. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-86. Discussion: None. Vote: Ayes: Hintz, Allan, Vanni, Patton and Wells. Motion carried.

Resolution No. 2009-16 (Finance Director) A Resolution authorizing the transfer of funds from the General Fund (101) to the Senior Citizen's Center Fund (220) and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: Ayes: Hintz, Allan, Vanni, Patton and Wells. Motion carried.

\*\*Council President Moran returns at this time.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Resolution No. 2009-16. Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2009-17 (Finance Director) A Resolution authorizing the transfer of funds from the General Fund (101) to the Stormwater Management Capital Improvement Fund (420) and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Hintz, to adopt Resolution No. 2009-17. Discussion: None. Vote: All ayes. Motion carried.

### **MISCELLANEOUS**

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Purchase Order No. 33019 to MC Mobility Systems for added and updated equipment for 2008 Chevrolet Express Van for Senior Center in amount of \$7,127.00. Discussion: Mr. Vanni asked for further information on this purchase. Ms. Kless stated this is for the van the Senior Center currently has. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Purchase Order No. 35590 to Ward Diesel Filter Systems for 6 No Smoke Diesel Exhaust Removal Systems, installed in the amount of \$51,444.00. Discussion: None. Vote: All ayes. Motion carried.

Motion by Vanni, seconded by Mr. Patton, to approve the recommendation of the Planning Commission to authorize CT Consultants Confined Space Entry Inspector or allowing CT Consultants to hire an independent Confined Space Entry Inspector to inspect the storm outfall at Larimar by December 31, 2009. Motion tabled. No action taken.

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Change Order # 1 to Myers Equipment in the amount of \$ 3,535.00 for additional items for the Senior Center Bus. Discussion: None. Vote: All ayes. Motion carried

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Purchase Order No. 35625 to Westnet Inc. for First in Fire Station Alerting System in the amount of \$12,244.17. Discussion: None. Vote: All ayes. Motion carried.

**PUBLIC PARTICIPATION**

None.

**ADJOURNMENT**

Motion Mr. Vanni, seconded by Mr. Hintz to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 7:58 pm

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

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PRESIDENT OF COUNCIL