

**CITY OF WILLOWICK
LAKE COUNTY, OHIO**

MINUTES AND PROCEEDINGS OF A REGULAR MEETING COUNCIL

DATE: October 16, 2007
PLACE: City Hall
TIME: 7:30 p.m.

The twenty-first 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, Wells, Patton, Vanni and Perpar.
Absent: Ms. Tague.

ALSO PRESENT: Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, City Engineer Juday, Recreation Director Kless, Lt. Pallante for Police Chief Lazor, Fire Chief Posipanka, Building/Service Director Dominick 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 October 2, 2007. Discussion: None. Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

Special Resolution (Mayor Bonde)	A Special Resolution commemorating the 50 th anniversary of the Knights of Columbus Magnificat Council 4498. (Approved by telephone poll of council 10/11/07)
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Motion by Mr. Allan, seconded by Mr. Patton to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Proclamation (Mayor Bonde)	Proclaiming November 12, 2007 to be the Knights of Columbus 50 th Anniversary Celebration.
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Administrative Appeals

Administrative Appeal Order No. 2007-19	An Order granting a variance of 48 sq. feet for a new garage in the application of Section 1337.01(5) (B) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-248, Andrew Logar, 29310 Cresthaven Drive.
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Motion by Mr. Wells, seconded by Mr. Patton to grant Administrative Appeal Order No. 2007-19. Discussion: None. Vote: All ayes. Motion carried.

Administrative Appeal
Order No. 2007-20

An Order granting a variance of 5' height for a new garage in the application of Section 1337.01(5) (B) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-248, Andrew Logar, 29310 Cresthaven Drive.

Motion by Mr. Patton, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2007-20. Discussion: None. Vote: All ayes. Motion carried.

Administrative Appeal
Order No. 2007-21

An Order granting a variance and exception of 1' 7" height for a new garage in the application of Section 1337.01(C) (5) (B) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-249, Rick Pugh, 31434 Wellner.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Administrative Appeal Order No. 2007-21. Discussion: Mr. Pugh was present this evening and explained needed variances. Neighbor Mr. Muzychenko was also present, stated the objections he has to Mr. Pugh's proposed garage and provided photos of both his and Mr. Pugh's property. Ms. Moran stated the new structure would be 10' or more from the neighbor's home. Mr. Perpar verified the location of the new garage will begin where the current garage ends and be built further back into Mr. Pugh's property. Council requests further detailed drawings from Mr. Pugh. Ms. Moran requested Mr. Muzychenko place his objections in a letter addressed to her. It is the recommendation of Council that Administrative Appeal Order No. 2007-21 be tabled. No action taken.

Administrative Appeal
Order No. 2007- 22

An Order granting a variance and exception of 504 sq. ft. for a new garage in the application of Section 1337.01(C) (5) (B) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-249, Rick Pugh, 31434 Wellner.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Administrative Appeal Order No. 2007-22. Discussion: Ms. Moran explained to Mr. Pugh what type of new drawings Council is requesting for clarification. It is the recommendation of Council that Administrative Appeal Order No. 2007-22 be tabled. No action taken.

Administrative Appeal
Order No. 2007-23

An Order granting a variance and exception of 7' 4" setback for a roof over an existing porch in the application of Section 1163.10 of the Codified Ordinances in Board of Zoning Appeals Case No. 21-250, Hilda Waychoff, 31827 Glenhurst.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Administrative Appeal Order No. 2007-23. Discussion: Homeowner was present, had nothing to add. Vote: All ayes. Motion carried.

Administrative Appeal
Order No. 2007- 24

An Order granting a variance and exception to Section 505.02, Exception 2 of the Ohio Building Code of 120 Sq. Ft. or 55% for a Mezzanine/Loft area of S/L 125 at Building #7 Larimar in Board of Zoning Appeals Case No. 21-251, Willowick Partners LLC, WAP Construction, 30009 Lakeshore.

Motion by Mr. Patton, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2007-24. Discussion: Mr. Betteley was present and explained to Council this variance and the following three, change is only to the interior lay out of the homes; the exterior views remain the same. Vote: Ayes: Patton, Perpar, Moran, Allan and Vanni. Abstain: Mr. Wells. Motion carried.

Administrative Appeal
Order No. 2007- 25

An Order granting a variance and exception to Section 505.02, Exception 2 of the Ohio Building Code of 70 Sq. Ft. or 56% for a Mezzanine/Loft area of S/L 126 at Building #7 Larimar in Board of Zoning Appeals Case No. 21-251, Willowick Partners LLC, WAP Construction, 30009 Lakeshore.

Motion by Mr. Patton, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2007-25. Discussion: None. Vote: Ayes: Patton, Perpar, Moran, Allan and Vanni. Abstain: Mr. Wells. Motion carried.

Administrative Appeal
Order No. 2007-26

An Order granting a variance and exception to Section 505.02, Exception 2 of the Ohio Building Code of 70 Sq. Ft. or 56% for a Mezzanine /Loft area of S/L 127 at Building #7 Larimar in Board of Zoning Appeals Case No. 21-251, Willowick Partners LLC, WAP Construction, 30009 Lakeshore.

Motion by Mr. Patton, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2007-26. Discussion: None. Vote: Ayes: Patton, Perpar, Moran, Allan and Vanni. Abstain: Mr. Wells. Motion carried.

Administrative Appeal
Order No. 2007- 27

An Order granting a variance and exception to Section 505.02, Exception 2 of the Ohio Building Code of 120 Sq. Ft. or 55% for a Mezzanine /Loft area of S/L 128 at Building #7 Larimar in Board of Zoning Appeals Case No. 21-251, Willowick Partners LLC, WAP Construction, 30009 Lakeshore.

Motion by Mr. Patton, seconded by Mr. Vanni, to grant Administrative Appeal Order No. 2007-27. Discussion: None. Vote: Ayes: Patton, Perpar, Moran, Allan and Vanni. Abstain: Mr. Wells. Motion carried.

Reports & Communications from the Mayor/Safety Director

Reminded Council the City auction will be Saturday, November 3, 2007, provided Council with a list of items. Thanked the Police Department for their assistance to the Euclid Police Department this week. Reviewed two changes to the police department, one being the change of shifts to twelve hour and the second being the future purchase of two new cruisers. Mayor Bonde requested an Executive Session this evening for discussion of real estate. Reminded Council of the two fundraisers this coming weekend, Compassionate Friends and Hearts and Hammers. Will be meeting with the Willoughby-Eastlake Transportation Department, the principals of Royalview and Willowick Middle and the police department to discuss safety and traffic patterns once the construction begins in and around the schools. Mayor has begun posting Route 2 construction updates on Channel 23.

Discussion of Mayor's Report: None.

Motion by Mr. Perpar, seconded by Mr. Vanni to declare the city auction list as surplus.
Discussion: None. Vote: All ayes. Motion carried.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick submitted his written report.

Discussion: None.

Recreation Director Julie Kless submitted and reviewed her written report.

Discussion: None.

City Engineer Craig Juday did not have a formal report.

Discussion: Mr. Perpar and Ms. Moran asked if there were updates on the outfall. Mr. Juday stated he hoped to have more information at the next Council meeting.

Finance Director Cheryl Benedict reviewed Ordinance on agenda, asked it be tabled.

Discussion: None.

Law Director John O'Donnell: reviewed legislation on the agenda regarding building department fees.

Discussion: None.

Police Chief Michael Lazor: Lt. Pallante did not have a report this evening.

Discussion: None.

Fire Chief Robert Posipanka submitted written report.

Discussion: None.

Chief Building Inspector Joe Dominick submitted his written report.

Discussion: Mr. Patton asked if Mr. Dominick had received a copy of letter from a resident in his ward, Mr. Dominick responded he had and explained the details of the incident. The homeowner was given a warning.

WARD MATTERS

Mr. Wells stated it does not seem Lakeland Blvd. has been mowed, nor has the rock and mulch mess from area businesses improved. Mr. Dominick responded Lakeland has been mowed and his department has cleaned up the mess on Lakeland and instructed those businesses at fault to keep the area clean. Mr. Wells further asked if the city could obtain more recycle bins as the area is always unkept. Mr. Dominick responded he has requested more bins and the Service Department cleans the area daily. Mr. Perpar reviewed a letter from the daughter of an elderly resident on Oakdale, asked if the city could assist. Mrs. Benedict responded there is indeed a deadline for the sidewalk program and Mr. Dominick stated this home is on the list for curb replacement. Mayor Bonde asked Mr. Dominick to look into this situation further. Mr. Allan stated he continues to receive complaints of cars parking at Roosevelt Park overnight. He received a call from a resident stating there were seven cars parked there overnight this past weekend. Mr. Dominick responded he needs permission from the Police Department before his department can post signs for no overnight parking.

PUBLIC PARTICIPATION

Mrs. Baker of 181 E. 316th Street asked why Channel 23 did not have closed caption.

Mr. Betteley asked for clarification of the law regarding turning onto Lakeshore Blvd. from Shoregate Shopping Center and his development.

Lt. Pallante explained that it is very dangerous to pull across all lanes of traffic onto Lakeshore Blvd. Therefore, vehicles are not to go straight across all lanes of Lakeshore and will be ticketed for such. Mayor Bonde responded that he would look into the closed caption capabilities of the station

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 – Committee will meet November 20, 2007 at 7:00 p.m.

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

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2007-87 (Law Director) An Ordinance amending Ordinance No. 2005-92, an Ordinance adopting the Tax Increment Financing and Development Agreement between the City of Willowick and the Marucci Group, LLC, adopting the First Amendment to the Tax Increment Financing and Development Agreement between the City of Willowick and the Marucci Group, LLC, and declaring an emergency.

Ordinance No. 2007-87 remains tabled at this time. No action taken.

Ordinance No. 2007-88 (Law Director) An Ordinance amending Section 1337.01 of the Codified Ordinances of the City of Willowick, and declaring an emergency.

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

Motion by Mr. Perpar, seconded by Mr. Patton to adopt Ordinance No. 2007-88. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2007- 89 (Finance Director) An Ordinance amending Ordinance 2007-10 to provide for additional appropriations from the General Fund (101); the State Highway Fund (203);the Fire Emergency Rescue Fund (208); the Senior Citizens Center (220) for the calendar year ending December 31, 2007 and declaring an emergency.

Ordinance No. 2007-89 tabled. No action taken at this time.

MISCELLANEOUS

Motion by Mr. Perpar, seconded by Mr. Patton, to approve Purchase Order No. 32685 in the amount of \$3,340.00 to Finley Fire Equipment for the purchase of 14 hydrant adapters with caps. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Liquor Permit transfer from the Lalita Corporation to VHM Inc. DBA Avenue Food and Beverage located at 30825 Euclid Avenue. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni to approve Liquor Permit transfer from 71090 Food and Beverage Inc. to 1 J&R LLC DBA The C Store located at 31905 Vine Street. Discussion: None. Vote: All ayes. Motion carried.

