

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

DATE: September 1, 2009
PLACE: City Hall
TIME: 7:30 p.m.

The fifteenth 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, Hintz and Malta.

ALSO PRESENT: Mayor Richard Bonde, Finance Director Benedict, City Engineer Juday, Police Chief Lazor, Fire Chief Posipanka, Chief Building Inspector and 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 August 18, 2009. Discussion: None. Vote: Ayes: Moran, Patton, Wells, Vanni, and Allan, Hintz. Abstain: Mr. Malta. Motion carried.

Appointments, Special Resolutions & Proclamations

Special Resolution A Special Resolution acknowledging and commending
(Mayor Bonde) Norman L. Vail on attaining 20 years as a crossing guard
for the City of Willowick.

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

Administrative Appeals

None.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde stated he has received a confirmation from Mr. LaTourette's office acknowledging support of the city's proposed Fire Station project. Road repair project is nearly complete, street striping will begin soon after. The city had a meeting regarding Thomas Street project, it is the intention of the city to leave the waterline intact, new curbs, sidewalks, aprons will be installed. Reviewed traffic light situation and the Opticom project. Commended Finance Director Benedict on the perfect report received from Ciuni and Panichi audit. Provided copy of police report to Council regarding a man exposing himself to a high school aged girl today, has also been reported on the news.

Discussion of Mayor's Report: None.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick written report submitted, explained items on the agenda.

Discussion: Mr. Wells pointed out several locations in the city that have not been weed whacked; Mr. Dominick noted the areas and will send a worker out.

Recreation Director Julie Kless not present this evening, submitted written report.

Discussion: None.

City Engineer Craig Juday explained and asked for approval of items on the agenda as well as a few that are not on the agenda this evening. Updated Council on Outfall progress.

Discussion: Mr. Patton asked for an update on the guardrail issue they have been working on. Mr. Juday responded it is his understanding, for aesthetics, that posts and wire cables would be installed rather than guardrail. Discussion continued on the safety of the post and wire cable system. Mr. Juday believes this can be installed this season before snow falls. Ms. Moran asked for an update on spraying topsoil, grass seed at the outfall. Mr. Juday responded the company needs three days of dry weather to spray and three days of dry weather after sprayed, he would check on for updates. Inquired about a crushed pipe. Mr. Juday explained this item is in dispute and are working on a resolution, adding these pipes are separate from the Outfall project. Mr. Dominick will call and arrange a meeting to discuss further. Ms. Moran asked if the fuel tank was still at the outfall. Mr. Juday stated, at this time, it is still at the Outfall. Mayor Bonde explained they are looking into whether it will be removed or stay at the outfall.

Finance Director Cheryl Benedict no written report, reviewed and explained legislation on the agenda this evening.

Discussion: Mr. Patton requested a detailed explanation of legislation; Ms. Benedict provided the necessary details to Mr. Patton.

Law Director John O'Donnell not present this evening.

Discussion: None.

Police Chief Michael Lazor –written report submitted, reviewed liquor transfer on the agenda.

Discussion: Mr. Wells questioned the light on E. 305th Street and Euclid Avenue, asking if this is a dangerous intersection. Chief Lazor does not believe there have been any accidents in this area, added the south side of Euclid Avenue is in Wickliffe (Rush Road). Mr. Wells stated he would like this area striped as soon as possible and have a couple signs placed in the area warning of turn lane only. Chief Lazor stated the city does have signs on E. 305 and the street striping would be done soon, however, the opposite side of Euclid Ave is in Wickliffe and Willowick cannot place signs in their city. Some discussion continued between Mr. Wells, Chief Lazor and City Engineer Juday regarding street striping and signs.

Fire Chief Robert Posipanka –no report.

Discussion: None.

Chief Building Inspector Joe Dominick submitted written report, added area one of commercial dye testing is nearly complete and notices are being sent out for area two. The leaf pick up schedule is prepared and will be posted on the website and submitted to the Courier. Added he and Mayor Bonde are meeting with Wickliffe Mayor Ruffner and their Service Director and would request they place a sign for turn lane only on their side of E. 305 and Euclid Avenue.

Discussion: Mr. Allan asked about a home on E. 330th Street. Mr. Dominick stated he has made a Hearts and Hammers referral and the Service Department is offering to place plywood over the hole in the front door as a temporary fix.

WARD MATTERS

Mr. Wells asked why the school zone crosswalks have not been striped as school has begun and many children use the crosswalks daily. Asked if the city could get a crossing guard at Pendley and Royalview. Mayor Bonde stated the city is not in the financial position to hire more crossing guards. Mr. Wells inquired about commercial property on Euclid Avenue, Mr. Dominick would look into. Mr. Hintz asked about a completion date on Forestgrove. Mr. Juday stated within a week or two. Mr. Malta asked if anything could be done on Edgewood and Maplewood as the streets flood every time it rains. Mayor Bonde stated it is not on the list to be repaired currently reviewed several locations that are in worse shape. Mayor Bonde stated he would contact Mr. Martin at the County to discuss the ongoing issues. Mr. Dominick stated the Service Department has attempted to patch the street, but it does not hold due to the problems the County needs to repair. The Mayor and City Engineer Juday agree the street does need to be replaced but there are streets in worse shape that need to be done first.

PUBLIC PARTICIPATION

None.

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 met this evening to discuss four moral claims submitted. It is the recommendation of the committee that Claim #1 be granted, Claim #2 be denied, Claim #3 be denied and Claim #4 be tabled and referred to the Law Director for further advisement.

Motion by Mr. Patton, seconded by Mr. Vanni to grant the claim of Mr. and Mrs. Navin in the amount of \$500.00. Discussion: None. Vote: All ayes. Motion carried

Motion by Mr. Vanni, seconded by Mr. Patton to deny the claim of the Barcomb's. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton to deny the claim of the Marts'.
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 formal report, committee can always use volunteers.

Community Energy Awareness Committee: Committee will meet Wednesday, September 16, 2009 at 7:00 pm, guest speaker will be Rose Dziak and the topic of discussion will be Natural Gas.

FUND TRANSFERS & BID AUTHORIZATIONS

Motion by Mr. Allan, seconded by Mr. Patton, authorizing the Service Director to prepare bid specifications and advertise for bids for road salt for the remainder of 2009 and for 2010.
Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Patton, authorizing the Service Director to prepare specs for grass cutting and go out to bid. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, authorizing CT Consultants Inc. to provide construction contract administration and inspection services on the Thomas Street Improvements Project for a fee not to exceed \$66,000. Discussion: None. Vote: All ayes. Motion carried.

CONTRACT APPROVALS

Motion by Mr. Wells, seconded by Mr. Vanni, authorizing the Mayor to enter into a construction contract with Great Lakes Crushing, Inc., for the base bid and bid Alternatives A and C (asphalt resurfacing and sidewalk replacement) associated with Thomas Street Improvements Project in the amount of \$548,542.50. Discussion: None. Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

The Supplemental Fiscal Officers Certificate was presented to the Clerk of Council prior to the introduction of Ordinance No. 2009-71.

Ordinance No. 2009-71
(Finance Director)

An Ordinance providing for the issuance and sale of \$575,000. notes, in anticipation of the issuance of bonds, for the purpose of paying costs of improving the storm water drainage system by reconfiguring the city's East 322nd and Lakeshore Boulevard storm outfall, installing storm sewers, channel linings and riprap in connection therewith, and improving the site thereof, all together with the necessary appurtenances thereto, and otherwise improving that system and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2009-71. Discussion: None. Vote: Ayes: Vanni, Malta, Wells, Hintz, Moran and Allan. Abstain: Mr. Patton. Motion carried.

Ordinance No. 2009-72
(Finance Director) An Ordinance amending Ordinance No. 2009-4 to provide for additional appropriations from the General Fund (101), Street Construction Maintenance & Repair Fund (202), Sewer Revenue Fund (205), Police & Fire Capital Improvement Levy Fund (207), Fire Emergency Rescue Fund (208), Permissive License Fee Fund (215), for current expenses and other expenditures of the City of Willowick during the calendar year ending December 31, 2009 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. 2009-72. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-73
(Law Director) An Ordinance adopting Chapter 1182 of 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. 2009-73. Discussion: Mr. Wells asked if this had been in committee and that he would request more time for review and consideration. Mr. Dominick stated this is being required by Stormwater Management that would tie in with the EPA requirements. There was never a provision for illicit discharge, which is included in this ordinance. Mr. Patton called for a vote at this time. Vote: Ayes: Vanni, Malta, Patton, Hintz, Moran and Allan. Nays: Mr. Wells. Motion carried.

Resolution No. 2009-12
(Finance Director) A Resolution authorizing the transfer of funds from the Stormwater Management Fund (420) to the Bond Retirement Fund (301) and declaring an emergency.

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

Motion by Mr. Vanni, seconded by Mr. Allan, to adopt Resolution No. 2009-12.

Discussion: None. Vote: All ayes. Motion carried.

MISCELLANEOUS

Motion by Mr. Patton, seconded by Mr. Vanni, to approve Purchase Order No.35792 to David Williams and Associates in the amount of \$7,135.52 for the purchase of fitness equipment for the Wellness Walk at Manry Park. Discussion: Mayor Bonde reminded Council this is being funded entirely out of the Senior Levy Fund. Vote: All ayes. Motion carried.

Motion by Mr. Allan, seconded by Mr. Patton, to approve a liquor license transfer from Tamico LLC dba Tampico located at 30610 Lakeshore Blvd. to Paradiso, Inc. same address.
Discussion: None. Vote: All ayes. Motion carried

PUBLIC PARTICIPATION

None.

ADJOURNMENT

Motion by Mr. Hintz, seconded by Mr. Patton, to adjourn. Discussion: None. Vote: All ayes.
Motion carried. Meeting adjourned at 8:35 pm.

ATTEST: _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL