

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

DATE: September 15, 2009
PLACE: City Hall
TIME: 7:30 p.m.

The sixteenth 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, Law Director O'Donnell, City Engineer Juday, Recreation Director Kless, Police Chief Lazor, Fire Chief Posipanka, Chief Building Inspector and Service Director Dominick and Council Clerk Russo.

Approval of Minutes

Motion by Mr. Vanni, seconded by Mr. Patton, to approve the minutes of Regular Meeting of Council of September 1, 2009. Discussion: None. Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

Special Resolution A Special Resolution congratulating Walter and Lucy
(Mayor Bonde) Boxler on their 50 years of marriage.

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

Special Resolution A Special Resolution recognizing Frank and Paul Melison
(Council President) for their dedication.

Motion by Mr. Malta, seconded by Mr. Wells, to adopt Special Resolution. Discussion: None. Mr. Melison thanked Council and the Mayor for the job they do. Vote: All ayes. Motion carried.

Administrative Appeals

None.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde congratulated Hearts and Hammers on receiving the Outstanding Station of the Year Award from the Lake County Retired Senior Volunteer Program (RSVP). Updated Council on the Storefront renovation Program, there are currently three projects started and nearly complete. The condition of the grant was that the projects be completed by August 31, 2009, the Mayor asked for and received an extension to December 31, 2009. The city has received notice of change of precincts throughout the city, will be notifying the residents of changes. Road repair program is near completion and CT Consultants is preparing for Thomas Street. The Mayor reported he has had Maplewood placed on the list with County for repair/replacement. Larimar sales seem to be slowly picking up, it is their hope to begin another mid-rise soon. Discussed the snowplow rebate program with Council, asked for a decision from them whether to continue the program. Stated that nearly every senior in the city would qualify for the rebate program. Reminded Council the city spent nearly \$6,000 on rebates last year.

Discussion of Mayor's Report:

Mr. Patton asked what rebate the city has cut in the past, Mayor Bonde stated the city cut out the sewer rebate program due to the fact that they get a large break on their property taxes due to homestead exemption. Mr. Patton asked what the average rebate is per senior. Mr. Dominick stated there were more than 30 people in the program last year, the city pays up to \$150.00 per senior home, the city reimburses ½ of what they are charged with the cap being \$150.00. Finance Director Benedict estimated the city paid approximately \$145.00 per household last year.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick written report submitted.

Discussion: None.

Recreation Director Julie Kless submitted written report, asked for approval of a motion on the agenda, explained it is a budgeted item and would be funded through the Senior Citizens Levy Fund.

Discussion: None. Due to Ms. Kless having to report to Manry for an event, the motion pertaining to the purchase of the new bus would be voted on at this time.

FUND TRANSFERS & BID AUTHORIZATIONS

Motion by Mr. Patton, seconded by Mr. Wells, authorizing the Recreation Director to go out bid for a 28 passenger bus for the Willowick Senior Center. Discussion: None. Vote: All ayes. Motion carried.

City Engineer Craig Juday submitted written report, updated Council on the signalization the plans were submitted to ODOT today, has put together a basic schedule of the events of the next couple of months. With regard to the North Lakeshore Blvd. Project heard this afternoon that the formal application for funding can be submitted, explained and asked for approval of a resolution added to the agenda pertaining to the application.

Discussion: Mr. Hintz inquired about assessment of anticipated budget still available for the 2009 Road Program, Mr. Juday responded it may be approximately \$25,000. Mayor Bonde added this money can be carried over. Mr. Wells inquired why the waterlines would not be replaced on Thomas Street in light of the fact that the entire street would be torn up. Mr. Juday responded the waterline was never discussed and not in the budget, inquiries and research into

the street found there are no pressure problems or breaks in that area, the decision was made to focus on the sanitary sewers as they are deplorable and need of replacement. Should there be a problem once the road is complete, the road will be asphalt and repairs would be easily made with not much damage. Mr. Wells asked if he could provide a ballpark figure to replace the waterlines, Mr. Juday and Mayor Bonde responded it would cost \$250,000.00. Mayor Bonde stated this would not be funded out of a levy but out of the General Fund. Mr. Patton thanked Mr. Juday for the preparation for the barrier on 288th and hoped it would be completed before change of weather.

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.

Discussion: None.

Fire Chief Robert Posipanka – written report submitted, reviewed Purchase Order on the agenda, adding this is the final payment to Sundance for the MDT's and Mapping software, most of the funding has come from Homeland Security and Capital Improvement Fund and is a budgeted item.

Discussion: None.

Chief Building Inspector Joe Dominick submitted written report, added the department has picked up 23 shopping carts from Marcs, 1 from PetCo., 6 from Giant Eagle and 2 from Pat Catan's. Giant Eagle has paid for and retrieved 3 of their carts so far. Informed Council there was a gas leak discovered at E. 300th Street and Mildred, crews were out today to attempt to repair without tearing up the street, it was determined that a portion of the street needs to be torn up to make the repair and will be closed during school hours from 9:00 am to 3:00 pm on Wednesday September 16, 2009.

Discussion: Mr. Malta spoke on behalf of the manager of Pat Catan's stating they did not receive a letter regarding the new shopping cart ordinance and asked if Council could waive the fee for their cart. Law Director O'Donnell stated Council does not have the authority to waive the fee, they would need to pay the fee and could file a Moral Claim with the City for reimbursement. Mr. Dominick explained that when his department sees a cart along Lakeshore Blvd., they note the time and if the cart is still in the area after the allotted time, they confiscate it. Mr. Dominick added the owner/manager of Shoregate was to notify the tenants of the shopping cart ordinance.

Mr. Hintz asked if the City could revisit the street parking ordinance. Stating that currently the ordinance reads no car is permitted to park within 30' of a stop sign and 20' of any other intersection, feels this is too close to stop signs and intersections. Mr. Malta asked if there had been an increase in accidents. Mr. Hintz stated he believes the city should be proactive in protecting the children of the city in light of the increase of new families with young children moving into the city. Mayor Bonde stated perhaps Chief Lazor could look into this further. Council President Moran stated this should be placed in Streets, Sidewalks and Sewers for further review.

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 – No report, Committee will meet Tuesday, October 6, 2009 at 6:45.

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, Mr. Malta thanked Ann Turk for nominating Hearts and Hammers for the award they have received. Also thanked Ann for all the time and effort she puts into the Hearts and Hammers. Mrs. Turk thanked Mr. Malta and added that everything is a team effort.

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 and Jeff Monreal will discuss insulation.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2009-74 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-74. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-75 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

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

Motion by Mr. Patton, seconded by Mr. Allan, to adopt Ordinance No. 2009-75. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-76 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. Malta, to adopt Ordinance No. 2009-76. Discussion: None. Vote: All ayes. Motion carried.

*Council President Moran stepped out at this time, no vote reflected.

Ordinance No. 2009-77 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax 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. 2009-77. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-78 An Ordinance directing the Director of Finance to
(Finance Director) certify delinquent accounts to the Lake County
Auditor and Lake County Treasurer for collection
as property tax 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. 2009-78.
Discussion: None. Vote: All ayes. Motion carried.

*Council President Moran returned to meeting at this time.

Resolution No. 2009-13 A Resolution accepting the rates as determined by
(Finance Director) the Budget Commission and authorizing the necessary
tax levies and certifying them to the County Auditor
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. Vanni, to adopt Resolution No. 2009-13
Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2009-14 A Resolution authorizing the Mayor to prepare and submit an
(Law Director) application to participate in the Ohio Public Works Commission
State Capital Improvements Program(s) and to execute contracts as
required, and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Allan to waive the three-day rule. Discussion: None.
Vote: All ayes. Motion carried.

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

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Resolution No. 2009-14.
Discussion: None. Vote: All ayes. Motion carried.

MISCELLANEOUS

Motion by Mr. Patton, seconded by Mr. Malta, to approve Purchase Order No. 36222 to Grand River Asphalt in the amount of \$3,785.40 for the purchase of asphalt. Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Wells to approve Purchase Order No. 35600 to Sundance Systems in the amount of \$24,785.00 for the Fire Mobile Project. Discussion: None.
Vote: All ayes. Motion carried.

Mayor Bonde provided Council with a statement from Active Networking Inc for the work they have done thus far. They are asking for an additional \$9,000. Reminded Council that the city paid the previous IT company a total of \$40,000 for two years work with many problems remaining.

Motion Mr. Patton, seconded by Mr. Vanni, to approve payment to Active Networking Inc. for services provided in an amount not to exceed \$9,000.00. Discussion: None. Vote: Ayes: Patton, Moran, Allan and Vanni. Nays: Malta, Wells and Hintz. Motion carried.

PUBLIC PARTICIPATION

None.

Mayor reminded Council of the need to discuss the Senior Snowplow Rebate Program as letter need to go out soon and the Service Department has already started to receive calls.

Streets, Sidewalks & Sewers -Committee will meet Tuesday, September 22, 2009 at 7:00 pm for discussion of prohibited parking within 30 feet of a stop sign and 20 feet of an intersection, the guard rail installation and any other business.

Finance Committee – Committee will meet Tuesday, September 22, 2009 at 6:30 pm for discussion of the Senior Snowplow Rebate Program and any other business.

ADJOURNMENT

Motion by Mr. Patton, seconded by Mr. Allan, to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 8:40 pm.

ATTEST: _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL