

**CITY OF WILLOWICK
LAKE COUNTY, OHIO**

MINUTES AND PROCEEDINGS OF A REGULAR MEETING COUNCIL

DATE: September 18, 2007
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, Allan, Wells, Patton, Vanni, Perpar and Tague.

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

Approval of Minutes

Motion by Mr. Vanni, seconded by Ms. Tague, to approve the minutes of regular meeting of Council of September 4, 2007. Discussion: None. Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

Proclamation (Mayor Bonde) A Proclamation recognizing the week of September 23 to September 30 as Red Ribbon Week.

Administrative Appeals

Administrative Appeal Order No. 2007-16 An order granting a variance of 4' setback for a screened front porch with roof in the application of Section 1163.10 of the Codified Ordinances in Board of Zoning Appeals Case No. 21-247, Mr. and Mrs. Tolbert, 383 E. 328th St.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Administrative Appeal Order No. 2007-16. Discussion: None. Vote: All ayes. Motion carried.

Administrative Appeal Order No. 2007-17 An Order granting a variance of 1' side yard to build a new garage in the application of Section 11711.01(f) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-245, Anthony Ozello, 29149 Oakdale.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Administrative Appeal Order No. 2007-17. Discussion: None. Vote: All ayes. Motion carried.

Administrative Appeal
Order No. 2007-18

An Order granting variances of 30' double fencing in the rear yard and 238 sq. ft. for a garage addition in the application of Sections 1171.01 (garage) and 1165.06 (double fence) of the Codified Ordinances in Board of Zoning Appeals Case No. 21-246, Carl Wasickanin, 631 E. 315th St.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Section 1165.06 to allow double fencing in Administrative Appeal Order No. 2007-18. Discussion: This Administrative Appeal was broken down into to separate motions. Mr. Allan asked for details as to the walkway, the homeowner explained he will lay landscape fabric and river gravel; the walkway will be open ended. Mr. Perpar asked Service Director Dominick to explain the neighbor issues; Mr. Dominick explained the neighbor of Mr. Wasickanin does not maintain the property as far as overgrown grass and weeds. Vote: All ayes. Motion carried.

Motion by Mr. Perpar, seconded by Mr. Patton to grant Section 1171.01 to allow a garage addition in Administrative Appeal Order No. 2007-18. Discussion: Council President Moran read a letter from neighbor, a copy of which is attached to these minutes. A discussion had on lot size. The homeowner was present and offered explanation of garage. Mrs. Dobre voiced her concerns with the garage addition. Vote: Ayes: Wells. Nays: Vanni, Tague, Patton, Perpar, Moran, Allan. Motion failed.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde stated he had just come from a house fire, commended the Fire Department on the outstanding job they do. Discussed a call from a resident that does not want the city spraying for mosquitos and has expressed her interest in being on the Health Board. Mayor Bonde also has another resident interested in applying for the open position on the Lake County Health Board. Met this past Friday with the local realtors, close to 50 people attended. Shared some concerns with Council, one issue is that over 1 million adjustable rate mortgages will rollover within the next month and will continue. There are currently 9 homes in the city going up for Sheriff's sale, 18 in foreclosure. Discussed Shoreland Crossings opening and the Senior Citizen High Rise building going up. Would like to use the website to promote the city, possibly with links to area realtors. The State has completed their audit of the city, there were two concerns mentioned that would be detailed in a report from State Auditors Office. Mayor will be meeting with the new School Board members, invited Council to meet with them.

Discussion of Mayor's Report: None.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick submitted his written report.

Discussion: Mr. Wells asked about the old generator being stored at the Service Department. Mr. Dominick explained it would be placed in the city auction.

Recreation Director Julie Kless submitted and reviewed her written report.

Discussion: None.

City Engineer Craig Juday was not present this evening.

Discussion: None.

Finance Director Cheryl Benedict had no report.

Discussion: None.

Law Director John O'Donnell: explained motions on the agenda this evening, including the request of Planning Commission for Winbury.

Discussion: Mr. Perpar stated if the Winbury motion were approved, there would need to be some modifications to the driveway. Mr. Wells feels allowing this turn will be very hazardous. Mr. O'Donnell added that the reasoning for limited turn is partly based on delivery and garbage vehicles having a difficult time getting around.

Police Chief Michael Lazor submitted report.

Discussion: Ms. Tague offered her assistance in the car seat safety project, stated she spoke with Rainbow Babies and Children and they have offered to send out volunteers. Mr. Allan inquired about the unlicensed vehicles on Vine Street. Chief Lazor stated his officers went to the location and gave warning, further explained the limits of the department. Mr. Vanni asked the opinion of Chief Lazor regarding Winbury. Chief Lazor stated he does have concerns however, feels Council should approve motion.

Fire Chief Robert Posipanka submitted written report, as well as updated reports from previous months. Thanked the Mayor for recognizing his department and stated the fire this evening was determined to be accidental.

Discussion: None.

Chief Building Inspector Joe Dominick no report.

Discussion: Some discussion had on contractor responsibility and work site safety.

WARD MATTERS

Mr. Wells asked if the city had planned to obtain additional recycling containers. Mentioned his concerns with the overloaded construction vehicles entering Lakeland Blvd. from local businesses, as they tend to dump debris onto the roadway, which then enters the sewer systems.

PUBLIC PARTICIPATION

Sharon Vyskosil of 820 Charles Street asked if anything were planned for the parking lot of the Marcs Store.

Jim Vyskosil of 820 Charles Street asked if the mess lawn care services leave on the streets and sidewalks can be considered littering.

Mark Rising 31301 Lakeshore Blvd. stated the Planning Commission has studied the Winbury Estate issue for quite some time and has determined the best plan would be to allow left turns out the development during restricted hours. The Commissions reasoning would be to make mail, deliveries and garbage pickup easier.

Response:

Mayor Bonde responded to Mrs. Vyskosil explaining Shoregate has been sold. He plans to meet with the owners to discuss the shopping center and the parking lot. Law Director O'Donnell stated grass clippings, fertilizer or similar material could be considered litter if it is on city property, if it were left on private property, it would be a civil matter. Mr. Perpar offered an alternative plan for exiting the Winbury Development.

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. It is the recommendation of the committee that the Moral Claim be denied.

Motion by Ms. Tague, seconded by Mr. Patton to deny the Moral Claim. Discussion: None. Vote: All ayes. Motion carried.

Budget Committee – No report.

Sewer & Storm water Task Force- No report, reminded Council Stormwater Management still does not have answer regarding the E. 322nd Street outfall.

Fire Department Development Committee - No report.

City Development Committee - No report.

LIASON REPORTS

None.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

Motion by Mr. Perpar, seconded by Mr. Vanni, authorizing the Mayor to enter into a contract with Polaris Engineering for Plan Approval for the Shoreland Crossings Subdivision.

Discussion: None. Vote: Ayes: Vanni, Tague, Wells, Perpar, Moran, Allan. Abstain: Mr. Patton. Motion carried.

