

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

DATE: January 8, 2019
PLACE: City Hall
TIME: 7:30 p.m.

The first meeting of Council of 2019 was called to order by Council President Patton at 7:30 p.m., followed by the Pledge of Allegiance to the Flag and Invocation.

Present: Council members Turk, Koudela, Vanni, Malta, Reho, Patton and Pintar
Also Present: Mayor Regovich, Law Director Landgraf, Finance Director Benedict, Police Chief Turner, Service Director Pauley, Chief Housing and Zoning Inspector Brennan, City Engineer Lannon, and Council Clerk Wovrosh. Capt. Ron Zak sat in for Fire Chief Posipanka. Recreation Director Kless was absent.

Mr. Patton announced that there would be an Executive Session at the end of the meeting to discuss imminent litigation.

Approval of Minutes

Motion by Mr. Malta, seconded by Ms. Turk to approve the minutes of the Regular Meeting of Council of December 18, 2018.

Discussion: None.

Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

The Oath of Office was administered to Ryan Jeric by Mayor Regovich as a Firefighter in the Willowick Fire Department.

Administrative Appeals

None.

Reports and Communications from the Mayor/Safety Director

Mayor Regovich reported the following:

- NOACA is mapping Lake County's bike routes and will be holding an open meeting here in February for anyone who would like to participate. He will provide the date when it has been finalized.
- WOW expects their construction to be done the beginning of February. Sign-up cannot begin until their testing is done. Residents can go online to wowinc.com to email inquiries about when the new service will start; the company will keep them updated. When services are ready, mailers will be sent to residents and teams will go door-to-door.
- He is working on the budget and should have it to Council in the next couple of weeks.

Council Discussion of the Mayor's Report

None.

General Communications & Reports – Directors & Officials

Service Director Rob Pauley: Written report submitted. Residents on E. 329th Street between Lakeshore Blvd. and Willowick Drive have received letters notifying them of the beginning of Phase 3 of the sewer project to locate and test sewer tees. Christmas trees are being collected. The two purchase

orders on the agenda are for the purchase of the cab and chassis for the five-ton replacement and the dump body and hydraulics associated with it. These are coming out of the Sewer Fund.

Recreation Director Julie Kless: Absent. No written report.

City Engineer Tim Lannon: No written report.

Finance Director Cheryl Benedict: No written report.

Law Director Stephanie Landgraf: No written report. She requested an Executive Session for both pending and imminent litigation.

Police Chief Brian Turner: Written report submitted by email.

Fire Capt. Ron Zak: Written report submitted.

Chief Housing and Zoning Inspector Sean Brennan: Written report submitted.

Ward Matters

Mr. Pintar received calls from residents on Terrace regarding WOW coming into their backyards on a Sunday without notification which created an issue with their dogs. They would like notification before someone comes into their yards on the weekend. The Mayor can bring this to the company's attention.

Ms. Koudela received a call from a resident who inquired if there is an ordinance requiring garbage cans to be behind the house. In checking with Mr. Brennan, she found that there is no such ordinance. A change would need to go through Council.

Public Participation

Bryon White, 30550 Willow Lane requested an update regarding the garbage contract. Ms. Landgraf reviewed that at the last meeting (December 18) there was a resolution to exercise the option under our current contract. The city went to bid and only received one bid which was from Kimble. Council voted at their December 4 meeting to reject the bid which meant the city's only option was to exercise the option for one additional year through Kimble. This was set forth in the original contract which was executed in 2015 and has been in effect this entire time. With the exercise of the option, the increase is based on the CPIU rate which is set by the Department of Labor and is currently 2.2% which is the increase residents will see. The city is currently in a contract and intends to rebid. When we are ready to rebid, an ad will be publicly posted and we will go through the public bidding process. For the previous bid, an ad was published in the News-Herald and the Plain Dealer. Ms. Landgraf noted that Kimble asked for \$.60 per household per month during the December 4 meeting, but that is not in place at this time. She is working toward a meeting with Kimble. Mr. Patton was careful to ask about the increase and clarified at the last meeting that the CPIU is a standard provision in these types of contracts. He also made clear at the same time that they were not signing up for the \$.60 increase that Kimble wanted.

Mr. White also inquired why more Council members did not write a column in the most recent edition of the Courier. Residents appreciate communication through the Courier rather than Facebook on things such as the garbage contract and information about sewers. Several members commented on writing columns. The deadline for the submission of articles is the 10th of the prior month which is a couple of weeks before the paper actually comes out. Therefore, the most recent information will not necessarily be in the articles. Mr. White pointed out that people would rather hear information from the Council members themselves rather than from someone who attended the meeting writing on a Facebook page. Mayor Regovich stated that the rules for social media are different for elected officials and employees. The Law Director is working on a policy, but the wheels of government move slowly. Ms. Landgraf pointed out that she may have advised Council members not to comment on a particular issue or situation yet since discussing it publicly could compromise the city's position. This would ultimately affect the

outcome which affects all the residents. She recommended that individuals reach out to their Council person to see why they are not commenting about a particular subject.

Ryan Lose, 30533 Willow Lane inquired how to get trash in the wooded area behind Shoregate Towers and Willoughbeach Towers cleaned up. Mr. Brennan will look at it and then contact the owners of the properties and ask them to clean it up.

Mr. Lose stated that someone at the last meeting asked for information regarding the \$28,000 expenditure for Melamed Communications. He requested that information as well. Ms. Benedict stated that as soon as we had the final invoices, they were sent via email to the individuals who had requested the information. The invoices and survey were also sent via email to Mr. Lose as soon as his request. Mr. Lose checked his email during the meeting and found the information in his spam folder.

Reports of Standing Committees

At the beginning of each year, Council members are given the opportunity to change their committee assignments. Mr. Patton requested that anyone who would like to a committee reassignment contact him.

Finance: No report.

Safety: No report.

Service, Utilities & Public Lands: No report. The issue regarding the location of garbage cans raised by Ms. Koudela earlier in the meeting was assigned to this committee.

Streets, Sidewalks & Sewers: No report.

Tax Compliance: No report.

Moral Claims: No report.

Budget: No report. The Budget Hearings are scheduled for Saturday, February 9 at 8:00 a.m. The agenda is being finalized and should be out next week.

Liaison Reports

Mr. Malta reported that door prizes are still being accepted for the fundraiser. Very few tickets are left. The date is January 19.

Fund Transfers and Bid Authorizations

None.

Contract Approvals

None.

Introduction & Consideration of Legislation

Resolution No. 2019-1 (Finance Director)	A Resolution to approve authorizations (Then and Now Certificate) for the City of Willowick, and declaring an emergency.
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Motion by Mr. Vanni, seconded by Mr. Pintar to waive the three readings of Resolution No. 2019-1.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Ms. Turk, seconded by Mr. Malta to approve Resolution No. 2019-1.

Discussion: None.

Vote: All ayes. Motion carried.

Miscellaneous

Motion by Mr. Pintar, seconded by Ms. Turk to authorize a purchase order to Cerni Motors for a five ton cab and chassis in the amount of \$84,697.80.

Discussion: Ms. Benedict confirmed that this is a budgeted item out of the Sewer Fund.

Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Pintar to authorize a purchase order to Concord Road Equipment for a body, hydraulics and spreader in the amount of \$70,347.41.

Discussion: Ms. Benedict confirmed that this is a budgeted item out of the Sewer Fund.

Vote: All ayes. Motion carried.

Public Participation

Shane Cook of 613 E. 300th Street thanked members for the information regarding the trash and recyclables in the Courier. He does not feel that the \$.60 increase is unreasonable. He is happy with the services that they provide. Mayor Regovich clarified that their bid was \$4.00 more per month, not \$.60 more which we heard for the first time at the last meeting. We elected to reject the bid and exercise the option because we would also like to change the parameters of the bid to pick up yard waste longer in the year. Kimble is currently losing money on our contract, and it has to do with the fact that no one is buying recycling now. This is a country-wide problem. Mr. Patton was very careful to clarify several times at the last meeting for both Kimble and attendees that Council was not voting on the \$.60 increase which figure we heard for the first time at that meeting. The negotiations are ongoing.

Ryan Lose of 30533 Willow Lane requested clarification regarding the purchase of the trucks, if it was for one or two trucks which had been discussed at the last Council meeting. It was explained that the purchases approved previously in the meeting were to replace a 1991 truck which is in very poor condition. These types of trucks are typically depreciated over 15 years, and we have had it for 28 years. It is being purchased out of the Sewer Fund. The lease of the other vehicle that was discussed at a previous meeting has been put on hold and may be discussed at the Budget Hearing. At this time we do not want to tap into the General Fund.

Mr. Lose also inquired about what to do with branches that have come down during the recent storms since Kimble is not picking up yard waste until spring. Mr. Pauley said that we can pick them up along with the Christmas trees.

Tom Flaisig of 30429 Fern Drive inquired if the Budget Hearing meeting is a public meeting, and it was affirmed that it is open to anyone who wants to attend. It begins at 8:00 a.m. with an overview of the budget by the Mayor and Finance Director. They then meet individually with the directors. Those in attendance can pose questions. Willowick is the only city that holds this type of meeting regarding the budget. They go through every line item and talk about what is being spent. The budget then goes on the agenda for three readings which provides residents with additional time and opportunity to ask questions.

Ms. Benedict added something to the previous public participation session regarding the request that came in from Mr. Lose for the survey results. She noted that we responded to the request within ½ hour. If we have the information available for public requests, we respond as quickly as possible.

Motion to Adjourn to Executive Session

Motion by Mr. Pintar, seconded by Ms. Turk to adjourn to Executive Session to discuss imminent and pending litigation.

Discussion: None.

Vote: All ayes. Motion carried.

Motion to Return to Table from Executive Session

Motion by Mr. Pintar, seconded by Mr. Vanni to return to the table from Executive Session.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Pintar, seconded by Mr. Malta to authorize the Law Director and the law firm of Wiles and Richards to take any action necessary in order to enforce the contract with Kimble regarding trash collection.

Discussion: None.

Vote: All ayes. Motion carried.

Adjournment

Motion by Mr. Vanni, seconded by Ms. Turk to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

The meeting adjourned at 8:39 p.m.



PRESIDENT OF COUNCIL

ATTEST: *Susan K. Womack*
CLERK OF COUNCIL