

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

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

The eighth 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, Fire Chief Posipanka, Police Chief Turner, Service Director Pauley, Recreation Director Kless, City Engineer Lannon, Council Clerk Wovrosh, and Economic Development Manager Monica Drake. Chief Housing and Zoning Inspector Brennan was absent.

Approval of Minutes

Motion by Mr. Malta, seconded by Ms. Turk to approve the minutes of the Regular Meeting of Council of April 16, 2019.

Discussion: None.

Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

None.

Administrative Appeals

None.

Reports and Communications from the Mayor/Safety Director

Mayor Regovich reported the following:

- He attended a meeting of a Euclid Council Committee regarding privatization of the city's sewers. Mr. Reho and Ms. Koudela attended as well. It appears this has to do with public/private partnerships, a way to get finance projects related to sewer treatment or utility plants. There are no specific projects they currently want to fund. They will keep him apprised of any developments.
- The parade is Sunday, June 2 at 1:00 p.m. See Ms. Kless to sign up.
- The auditors are now here and will be for several weeks. He requested that people allow additional time for any requests to the Finance Department due to this and the current staffing situation.
- He made a brief statement due to the recent television coverage regarding the ongoing case for the late Capt. Mike Palumbo.

This is a tragic case that affected us here and affected me personally. I want to reiterate my original statement that I made to Channel 5 that this process is ongoing. There are a lot of complicated issues in this case that are beyond what has been reported. I can only ask that people respect the fact that the city cannot comment on an ongoing situation. We hope for a quick judgement by the Bureau of Workers Compensation and all those involved.

Council Discussion of the Mayor's Report

None.

General Communications & Reports – Directors & Officials

Service Director Rob Pauley: Absent. Written report submitted.

Recreation Director Julie Kless: No written report. Clean Up the Parks had a great turnout. She thanked the over 80 people who turned out to help. All donations for the Concerts in the Park have been received, and two more donations are expected for the parade which will provide the full amount needed.

City Engineer: No written report.

Finance Director Cheryl Benedict: No written report.

Law Director Stephanie Landgraf: No written report.

Police Chief Brian Turner: Written report submitted electronically. He called attention to a purchase order on the agenda for the purchase of new rifles which are budgeted and also a motion to declare trade-in weapons as surplus.

Fire Chief Bob Posipanka: Written report submitted electronically. He noted that there is a request on the agenda to reject the recent bids for SCBA equipment since the vendors submitting bids did not meet the specifications. He would like the bids to be rejected and the project rebid.

Chief Housing and Zoning Inspector Sean Brennan: Absent. No written report.

Economic Development Manager Monica Drake: The Community Reinvestment Area application has been submitted to the State. It will take 3-4 weeks for processing, and we hope to see approval within the next month, barring any questions or additional information that is needed. She and the Mayor have discussed Community Development Block Grant funding and projects the city might want to consider for application for these funds.

Ward Matters

Mr. Reho has been receiving complaints about people making a left turn out of Shoregate where Ohio Savings is located which is starting to block the Lakeshore traffic.

Mr. Malta requested patching of holes in front of 312 Lakewick Lane and 29127 Edgewood.

Public Participation

Mike Palumbo, Sr., father of firefighter Michael Palumbo, described the difficulty in watching his son die a slow death from a terrible disease that he got from a job he loved and which worked in for 27 years for the city. He asked why his son's family is being denied his rightful benefits and was concerned that Willowick is being influenced by Beachwood. The Fire Department fought for 20 years to get this senate bill passed. His son was carried into the Senate in Columbus to testify. His wife had to work so that they could have health benefits after he was dropped from Beachwood's health insurance.

Mr. Patton responded that this is a pending legal matter in the court system, and we are not able to comment on it at this time, but his comments will be taken under consideration.

Angela Vanek of 305 E. 293rd Street said she has been a proud community member until this week. She reviewed elements of the Palumbo Act, including what constitutes carcinogens 1 and 2a and exposure circumstances. She is a citizen who knows right from wrong but feels this situation is about money rather than right and wrong. All those at the table are elected or appointed by an elected official. Unless they fix this, they will not be reelected.

She inquired if the Law Director decides what cases are litigated on behalf of the city. Ms. Landgraf replied that she does not pursue or oppose litigation on her own unilaterally.

She inquired why the city is denying the claim of Michael Palumbo that has been approved by the State of Ohio. Ms. Landgraf responded that it was not adjudicated under the statute. The case remains pending in the Bureau of Workers Compensation and in front of the Industrial Commission. It is further complicated by the fact that Mr. Palumbo was employed in two various degrees at two different entities

at the time. It is not a simple reason as to why either city is taking any particular course of action. It is not that we don't want to answer the question, but it remains pending and issues need to be sorted out. We are hopeful that the Industrial Commission and the Bureau of Workers Compensation can do that as quickly as possible. That is as much as she can say at this point.

Ms. Vanek then asked if the city would be appealing to pay out the Palumbo claim. Ms. Landgraf said she could not comment on that because we don't know what the decision will be, and it would be unfair to say one way or another.

Kathryn Richards of 283 E. 317th Street brought pictures of the property across the street from her home. The deconstruction of the property started on November 17, 2018 without a permit, and it has been nothing but an eyesore since. She asked what is being done to resolve to this situation. Mayor Regovich was aware of the ongoing situation but will need to contact Zoning Inspector Brennan to get an update on the status of the situation.

Sheila Dureiko of 31728 Willowick Drive had three questions. 1) How much money is still needed for the Concerts in the Park and the parade? Ms. Kless responded that the Concerts in the Park are completely funded and the parade will be completely funded when we receive two donations that have been promised. 2) Will the trade-in for the rifles be credited to the budget? Chief Turner stated that the credit for the trade-in will bring the purchase price of the rifles down. 3) Has a traffic study been done related to the new Dunkin Donuts which will be located near Willowick and Vine to determine how this will affect an already a congested area, especially in the mornings? Mayor Regovich explained that it will not be right on the corner where the muffle shop is but behind it, where the Knights of Columbus was located. There will be access to both Willowick Drive and Vine Street with right turns out of each, so patrons will not be pulling out directly at the light. It should not be a big congestion area since it is set back from the corner.

Reports of Standing Committees

Finance: No report. Mr. Vanni set a joint meeting of the Budget & Finance Committees for June 4 at 6:30 p.m., prior to the Council meeting.

Safety: No report.

Service, Utilities & Public Lands: No report.

Streets, Sidewalks & Sewers: No report.

Tax Compliance: No report.

Moral Claims: No report.

Budget: No report.

Liaison Reports

Mr. Malta thanked everyone who helped with Clean Up in the Parks, including the whole North High School football team. Anyone interested in getting involved with Hearts & Hammers can contact Ms. Turk.

Fund Transfers and Bid Authorizations

None.

Contract Approvals

Motion by Mr. Pintar, seconded by Mr. Reho to reject all bids for the purchase and furnishing of 18 firefighting SCBA packs, including face piece, bottles, pass alarm, and harness.

Discussion: None.

Vote: All ayes. Motion carried.

Introduction & Consideration of Legislation

Ordinance No. 2019-15
(Law Director)

An Ordinance approving the editing and inclusion of certain Ordinances as parts of the various component codes of the Codified Ordinances; approving, adopting and enacting new matter in the updated and revised Codified Ordinances; repealing ordinances and resolutions in conflict therewith, and declaring an emergency.

Motion by Mr. Malta, seconded by Ms. Turk to waive the three readings of Ordinance No. 2019-15.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Reho, seconded by Mr. Vanni to adopt Ordinance No. 2019-15.

Discussion: None.

Vote: All ayes. Motion carried.

Ordinance No. 2019-16
(Finance Director)

An Ordinance amending Ordinance 2019-3 to provide for additional appropriations from the General Fund (101); Street Construction, Maintenance & Repair Fund (202); Street Lighting Fund (204); and the Police & Fire Capital Improvement Fund (207) for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2019, and declaring an emergency.

Motion by Mr. Reho, seconded by Mr. Vanni to waive the three readings of Ordinance No. 2019-16.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Ms. Turk, seconded by Mr. Reho to adopt Ordinance No. 2019-16.

Discussion: None.

Vote: All ayes. Motion carried.

Resolution No. 2019-18
(Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to Lake County Telecommunications in the amount of \$3,610.87, for the City of Willowick, and declaring an emergency.

Motion by Mr. Malta, seconded by Mr. Vanni to waive the three readings of Resolution No. 2019-18.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Ms. Turk to approve Resolution No. 2019-18.

Discussion: None.

Vote: All ayes. Motion carried.

Miscellaneous

Motion by Mr. Reho, seconded by Mr. Vanni to authorize a purchase order to Kiesler Police Supply for new ERT guns and accessories for the Police Department in the amount of \$11,858.67.

Discussion: Mr. Patton clarified that the amount in the motion includes the credit from the trade-ins and that the purchase is from the Police and Fire Levy, not from the General Fund.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Ms. Turk to declare 10 SWAT long guns from the Police Department per the list provided as surplus for the purpose of trade-in.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Ms. Turk, seconded by Mr. Vanni to authorize Council to vacate the Council meetings of July 16, 2019 and August 20, 2019.

Discussion: None.

Vote: All ayes. Motion carried.

Public Participation

Sandy Bontempo of 480 Cole Plaza thanked Ms. Vanek for her speech supporting the Palumbo family. The community supports the Palumbo family. She inquired if the claim, if approved, would be paid by the Bureau of Workers Compensation and that the impact that it has on the city would be on the rates that we are charged. Ms. Benedict confirmed that anything that is paid out would affect the rate that the city is charged on our payroll in regard to premium.

Michael Bowen of 472 E. 319th Street said that he has served in three different branches of the service and was in war. A sailor or soldier was never left behind.

Mr. Malta noted that Saturday, May 11, is the Post Office food drive.

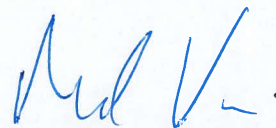
Adjournment

Motion by Mr. Pintar, seconded by Mr. Vanni to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

The meeting adjourned at 8:15 p.m.



PRESIDENT OF COUNCIL

Council President Pro-Tem

ATTEST: 
CLERK OF COUNCIL