

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

DATE: November 6, 2019
PLACE: City Hall
TIME: 7:30 p.m.

The eighteenth meeting of Council 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 Reho, Patton, Pintar, Turk, Koudela, Vanni and Malta.
Also Present: Mayor Regovich, Law Director Landgraf, Finance Director Benedict, Fire Chief Posipanka, Police Chief Turner, Chief Housing and Zoning Inspector Brennan, City Engineer Lannon, and Council Clerk Wovrosh. Recreation Director Julie Kless arrived late. Service Director Pauley and Economic Development Manager Monica Drake were absent.

Approval of Minutes

Motion by Mr. Malta, seconded by Mr. Reho to approve the minutes of the Regular Meeting of Council of October 15, 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:

- Thanks to all candidates who ran for Council positions, and thanks to Mr. Pintar, Ms. Turk and Mr. Reho for their service on Council for the last four years. He congratulated newly-elected Council members Natalie Antosh, Theresa Bisbee and David Phares.
- S.C.R.A.M. (Security Camera Registry and Mapping) is up and running in Willowick. Cameras can be registered on the Police Department's page of the city's website.

Council Discussion of the Mayor's Report

Mr. Malta congratulated Mayor Regovich on his election.

General Communications & Reports – Directors & Officials

Service Director Rob Pauley: Absent. Written report submitted.

Recreation Director Julie Kless: Arrived after this portion of the meeting. No written report.

City Engineer Tim Lannon: Written report submitted. The E. 329th Street Sewer Rehabilitation project has been awarded. In response to Mr. Patton's question regarding the budget for the project, Mr. Lannon stated that the budget is \$1.6 million for both storm and sanitary sewers on the north side of the street and the resurfacing of the entire street to Willowick Drive which is about 4,000 feet. We have 42 miles of streets in the city.

Finance Director Cheryl Benedict: No written report.

Law Director Landgraf: No written report. Ms. Landgraf addressed the add-ons to the agenda. There is a resolution related to the shore structure on private property on LSB and explained the process for residents obtaining a permit to build a sea wall on their private property. She also noted that there is a motion to award the garbage contract commencing February 1, 2020 to Kimble who was the low bidder. If approved by Council, the contract will be forthcoming before the expiration of the current contract in accordance with the bids.

Police Chief Brian Turner: No written report.

Fire Chief Bob Posipanka: Written report submitted electronically.

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

Economic Development Manager Monica Drake: Not in attendance.

Ward Matters

Don Johnson of Kimble Recycling and Disposal gave a brief history of the company. He explained that times have changed, and there is now a shortage of drivers in the trucking industry in general. They addressed this at the beginning of the summer with the hiring of two new drivers. He has followed the issues that were submitted from the city to be sure that they are corrected and resolved. He explained the China Sword policy which has turned the recycling industry upside down with their requirement for .5% or less contaminants in recycling. This has resulted in an increase in the recycling portion of the bid.

Mr. Patton said he has received a number of complaints, particularly with furniture that waits a long time to be picked up, and yard waste as well. Mr. Johnson said residents should call Customer Service if there are issues with pickup. He gets involved when they do not get resolved at that level. Big box stores such as Home Depot, Ace Hardware, the Dollar Store or mattress stores should carry large plastic.

Ms. Turk explained a situation with someone parking in front of a resident's house which interferes with pickup, and Kimble leaves the can in the middle of her driveway. Traffic stops on the street when she gets out to move the can. Mr. Johnson said drivers are trained to put the can back in the location from which it was picked up. He requested the address so that this can be addressed. Mr. Pintar noted that his experience is that Kimble is very responsive to issues and get them taken care of quickly.

Mr. Malta expressed concern over leaf pickup this year. He feels that this is a service that we should provide to our residents. It should have been communicated to residents earlier pickup by the city starts in December, so they would not be raking them to the tree lawn at this time. Mayor Regovich explained that residents can bag until the end of November for pickup by Kimble. He explained that the whole Service Department shuts down during leaf pickup which is inefficient. This will also help get some more life out of our machines, the newest of which is from 1994. He is open to better ideas.

Mayor Regovich requested an Executive Session at the end of the meeting to discuss contract negotiations.

Public Participation

Bryon White of 30550 Willow Lane had several questions. 1) He did not understand the language of Resolution 2019-52, and Ms. Landgraf explained it, noting that this is part of the process for a lakefront property owner to build a sea wall. 2) Regarding the sewer projects, are they moving from east to west or are they directed to the areas with the worst flooding? Mr. Vanni explained that they started on the east side of the city since it is the oldest part and that is where the problems were starting. Mr. Lannon explained that we had received a notice from the EPA about that part of the city as well. Mr. Vanni said

that they are looking at other areas of the city that have issues as well. 3) The Police Department's Facebook page encouraged people to vote in support of the levy to maintain staffing in the Police Department. Since the levy did not pass, will there be a reduction in Police Dept. staffing? The Police Department's Facebook page said that 100% of their salaries come from the General Fund. Is this correct? Chief Turner said that all salaries for the Police Department come from the General Fund and not from any other fund. Ms. Benedict confirmed this.

Bob Pinkerman of 29515 Bruce Drive sent an open letter along with 53 signatures from neighbors to the Mayor, Law Director, Police Department, Council members, Lake County Dog Warden, Lake County Health Department and the Lake County Humane Society regarding a dog that attacked his dog on his street while they were out walking. He requested that the dog be removed from the neighborhood. This incident was reported to the Police Department. A lady and two other dogs have been bitten by the same dog. He is now fearful to walk his dog in his own neighborhood. Ms. Landgraf explained that dangerous and vicious dog designations fall within the jurisdiction of the Lake County Dog Warden. It takes a number of events to remove a dog, and the due process that is required takes a long time. Chief Turner said there are other ordinances that can be applied such as running at large, etc., so those things need to be reported. Mayor Regovich noted that he had received the letter, researched all the year's incidents and found we are doing all that we can at this point. He emphasized that every incident should be reported. The more there is on record, the more that could be brought to a judge. Mr. Brennan will look into the fence at the front of the home to see if there are issues with it.

C. J. Williams of 492 E. 300th Street asked if there are plans to change reciprocity since the income tax increase did not pass. Mayor Regovich said there are no plans at this time.

Ryan Lose of 30533 Willow Lane asked what the cost will be to residents for the new Kimble garbage contract and if there is extended leaf pickup included in the Kimble contract. Mayor Regovich said that yard waste pickup will now go through December in the new contract. The new cost is \$17.06 per month, reflecting an increase of \$2.48 per month.

Reports of Standing Committees

Finance: No report. Mr. Vanni posed the idea of waiting to meet until the Budget hearing in February. Mayor Regovich will discuss it with Ms. Benedict and communicate with Council.

Safety: No report.

Service, Utilities & Public Lands: No report.

Streets, Sidewalks & Sewers: A meeting of the committee was scheduled for 6:30 p.m. on Tuesday, November 19 before the regular Council meeting to discuss the sewer rates. If there has been time to collect information about Willowick Drive, that will be discussed as well.

Tax Compliance: No report.

Moral Claims: No report.

Budget: No report.

Liaison Reports

Mr. Malta said that the annual fundraiser has been set for Saturday, January 25, 2020. Tickets will be available soon.

Fund Transfers and Bid Authorizations

None.

Contract Approvals

Motion by Mr. Vanni seconded by Mr. Pintar to authorize the Mayor to enter into a Contract with United Survey, Inc. for the E. 329th Street Sewer Rehabilitation – Phase 2 in the amount of \$1,342,093.60.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Ms. Turk to award a five-year contract for the collection and disposal of garbage, recycling, and yard waste pickup to Kimble Recycling and Disposal, Inc., beginning February 1, 2020 in accordance with the bid specifications received and authorizing the preparation of a contract in accordance with its terms.

Discussion: None.

Vote: All ayes. Motion carried.

Introduction & Consideration of Legislation

Ordinance No. 2019-32

(Law Director)

An Ordinance authorizing the approval of the collective bargaining agreement between the City of Willowick and the Fraternal Order of Police and its Lodge No. 116 for a bargaining unit consisting of Dispatchers, and declaring an emergency.

Motion by Mr. Vanni, seconded by Ms. Turk to waive the three readings of Ordinance No. 2019-32.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Ms. Turk, seconded by Mr. Malta to adopt Ordinance No. 2019-32.

Discussion: None.

Vote: All ayes. Motion carried.

Ordinance No. 2019-33

(Law Director)

An Ordinance authorizing the approval of the collective bargaining agreement between the City of Willowick and the Fraternal Order of Police and its Lodge No. 116 for a bargaining unit consisting of all police officers below the rank of Sergeant, and declaring an emergency.

Motion by Mr. Reho, seconded by Mr. Vanni to waive the three readings of Ordinance No. 2019-33.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta to adopt Ordinance No. 2019-33.

Discussion: None.

Vote: All ayes. Motion carried.

Ordinance No. 2019-34

(Law Director)

An Ordinance authorizing the approval of the collective bargaining agreement between the City of Willowick and the Fraternal Order of Police and its Lodge No. 116 for a bargaining unit consisting of all police officers at the rank of Sergeant and above, and declaring an emergency.

Motion by Ms. Turk, seconded by Mr. Malta to waive the three readings of Ordinance No. 2019-34.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Reho, seconded by Mr. Vanni to adopt Ordinance No. 2019-34.
Discussion: None.
Vote: All ayes. Motion carried.

Ordinance No. 2019-35 (Finance Director)	An Ordinance amending Ordinance 2019-3 to provide for additional appropriations from the General Fund (101); Street Construction, Maintenance & Repair Fund (202); and the Sewer Revenue Fund (205) for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2019, and declaring emergency.
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Motion by Mr. Vanni, seconded by Mr. Reho to waive the three readings of Ordinance No. 2019-35.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni to adopt Ordinance No. 2019-35.
Discussion: None.
Vote: All ayes. Motion carried.

Resolution No. 2019-51 (Finance Director)	A Resolution authorizing the transfer and return of advanced funds from the Homeland Security Fund (223) to the Police & Fire Capital Improvement Levy Fund (207), and declaring an emergency.
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Motion by Mr. Vanni, seconded by Mr. Malta to waive the three readings of Resolution No. 2019-51.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Ms. Turk, seconded by Mr. Reho to approve Resolution No. 2019-51.
Discussion: None.
Vote: All ayes. Motion carried.

Resolution No. 2019-52 (Law Director)	A Resolution setting forth no objection to the Submerged Land Lease and proposed Shore Structure Application for real property located at 32319 Lake Shore Boulevard, Willowick, Ohio, owned by Frederick and Linda Audi, and declaring an emergency.
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Motion by Mr. Vanni, seconded by Mr. Reho to waive the three-day rule for Resolution No. 2019-52.
Discussion: None.
Vote: All ayes.

Motion by Mr. Malta, seconded by Mr. Vanni to waive the three readings of Resolution No. 2019-52.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Ms. Turk to approve Resolution No. 2019-52.

Discussion: None.

Vote: All ayes. Motion carried.

Miscellaneous

Motion to refer to the Planning Commission a proposal from Larimar Development to amend the previously approved Final Development Plan for Larimar, Phase III for the construction of the Larimar pool and pool house at 30009 Lakeshore Blvd.

10-15-19 Referred to Planning Commission

This motion is still with the Planning Commission.

Motion Mr. Vanni, seconded by Ms. Turk to grant authorization for Dawn Snyder to sign purchase orders during the Finance Director's absence from November 15 through December 2.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Pintar to authorize a purchase order to Hach Company for four sanitary sewer flow meters and data loggers with trade-in in the amount of \$21,991.45.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Reho to declare five sanitary sewer flow meters per list provided as surplus for trade-in.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni to authorize Change Order #1 to Ronyak Paving, Inc. for the 2019 Pavement Repair Program in a deduct amount of \$11,931.94.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Reho to authorize the release of retainage to Ronyak Paving, Inc. for the 2019 Pavement Repair Program in the amount of \$7,352.72.

Discussion: None.

Vote: All ayes. Motion carried.

Public Participation

C. J. Williams of 492 E. 300th Street asked if there is an ordinance about the maximum number of dogs. It was stated that it is five.

Don Johnson of Kimble Recycling and Disposal thanked Council for their confidence in their company. They look forward to continuing to provide service to the residents of Willowick and having open lines of communication.

Executive Session

Motion by Mr. Reho, seconded by Mr. Vanni to adjourn to Executive Session to discuss contract negotiations.

Discussion: None.

Vote: All ayes. Motion carried.

Return to Table from Executive Session

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

Discussion: None.

Vote: All ayes. Motion carried.

Adjournment

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

Vote: All ayes. Motion carried.

The meeting adjourned at 9:05 p.m.



PRESIDENT OF COUNCIL

ATTEST: 

CLERK OF COUNCIL