

WICKLIFFE CITY COUNCIL MEETING
January 12,2009 - 7:00 p.m.

A regular meeting of Wickliffe City Council was called to order by Council President William Margalis at 7:00 p.m. on Monday, January 12, 2009. The following were present at roll call:

MAYOR: Thomas W. Ruffner
COUNCIL PRESIDENT: William Margalis
COUNCIL: Jaworski, Koski, Krych, Levar, Luther, Matyja
LAW DIRECTOR: William C. Gargiulo
FINANCE DIRECTOR: Martin Germ
SERVICE DIRECTOR: Daniel C. Paschke
ENGINEER: Peter J. Formica
BUILDING COMMISSIONER: Raymond F. Sack
RECREATION DIRECTOR: Timothy E. Stopp
POLICE CHIEF: Randy E. Ice
FIRE CHIEF: Daniel L. Helsel
ECONOMIC DEVELOPMENT: Jason Laver

APPROVAL OF MINUTES:

Mr. Jaworski referred to page 5 under Ordinance No. 2008-77 discussion, he raised a question about if there were enough available plow drivers during the winter to which Mr. Paschke replied that there were.

Moved by Ms. Luther, seconded by Mr. Margalis that the minutes of the council meeting of December 15, 2008 be approved as amended.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried.

Moved by Mr. Krych seconded by Mr. Jaworski that the minutes of the organizational meeting of January 5, 2009 be approved as presented.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - Mayor Ruffner reported that he received a memo from the Recreation Director questioning the integrity of the bridges at the golf course and requested that this be placed into committee. He also requested that CT Consultants conduct an inspection of those bridges to ensure their safety. Mr. Margalis placed this into the SAFETY COMMITTEE. He referred to a memo from Mr. Stopp regarding a new law that may go into effect called the Virginia Graeme Baker Pool and Spa Safety Act, this is in response to the death of a girl who had her hair caught in a pool drain. Mr. Margalis placed this also into the SAFETY COMMITTEE. He further reported that he received a letter from Cleveland Magazine asking for a rating of our suburb.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Gargiulo referred to the Denny's property and stated that we are safe in destroying that building. On Jan. 26th he has prepared in anticipation of the Lloyd Court Drive public roadway dedication, that ordinance will be on the agenda for the next meeting. He reported on a violation in Stark County of a Public Records Act where the Board of Trustees were hit with a forfeiture of \$4,000 for not providing public records quick enough, the Court of Appeals also upheld \$27,506.25 for the person's attorney fees. Violation of this Act can be very severe. Copy of this Act is kept in our files. Mr. Gargiulo further updated council on the Vitantonio property.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Margalis had no communications.

THERE WERE NO ADDITIONS OR AMENDMENTS TO THE AGENDA

ADMINISTRATORS:

A. Police Chief - Report attached. Chief Ice reported on the outcome of an injury regarding a policeman hurt during an accident.

B. Fire Chief - Chief Helsel had nothing to add to his report which is attached.

C. Finance Director - Financial report attached. Mr. Germ stated that the fiscal year was just finished and the final financial report has been distributed to council. The report may be difficult to understand so he plans to write a memo to council summarizing the report more clearly. Basically, all departments came in under budget, including the Service Department. Some transfers were made and we were able to keep the Service Department within budget also. We will have used about \$9,000 of our carryover balance. Revenues came in a bit higher than anticipated and we controlled our expenses.

Mr. Margalis added that a Finance Committee meeting is scheduled for January 28th to discuss capital improvements and our plan would be to have discussions on the budget for 2009 during the first three weeks of February and the plan would be to have a budget ready to present to council at the last meeting in February.

D. Engineer - Report attached. Mr. Formica reported that at the January 28th meeting he is preparing a list of projects open for discussion. Mr. Margalis referred to the Lloyd Court Subdivision acceptance and dedication, this is ready to go so an ordinance will be ready for the next meeting of council for dedication of that street. Mr. Margalis then referred to a memo regarding Hall Chemical's application for sewer exemption. Mr. Formica replied that the entire sanitary sewer system at Hall Chemical has been reviewed and approved of its integrity. The Law Director will check in the procedure to have this done. Mr. Levar feels that this sewer exemption should be placed into committee for study. Mr. Margalis placed this into the IMPROVEMENT COMMITTEE.

Mr. Jaworski asked about the televising of the sewer along Worden and Regent. Mr. Formica answered that he met with the Service Department employees last week and we looked at the sewers. His concern was how they were connected and if they are hooked up right. It seems that the sewer is large enough so the next step is to look at the sanitary sewer also and to have it televised. They are continuing their investigation. Mr. Jaworski further asked about the smoke test in that area to which Mr. Formica replied that there were a couple on the side streets that were not necessarily along Regent. Mr. Margalis added that there still seems to be a problem with the flooding on Regent and that Mr. Formica should do whatever is necessary to solve this.

E. Service Director - Mr. Paschke had nothing to add to his report which is attached. Mr. Levar thanked the Service Department for the exceptional job done on the maintaining of the roads during recent snowfalls. Ms. Koski asked about the plowing of the sidewalks especially where children walk to school.

F. Building Commissioner - Monthly and yearly reports attached. Mr. Sack requested that the subject of licensing of residential rental properties be placed into committee. Mr. Margalis placed this into the LEGISLATION AND WELFARE COMMITTEE. Ms. Luther interjected that at present we have rental housing inspections and point of home purchase inspections in committee, so they shall be removed.

G. Recreation Director - Report attached. Mr. Stopp invited council to attend the Winter Fest at Green Ridge which will be held on January 17th from 1:00 p.m. to 4:00 p.m. He also updated council on the activities being removed from the rec hall to the Senior Center and the programs which will be added.

H. Economic Development Coordinator - Mr. Laver reported that Ganley Motors has changed managers. He also updated council on businesses in the city. A representative from Wickliffe Academy also commented on their business and the programs they are offering. Mr. Vanilli updated council on the Vitantonio property and stated that there is only one glitch and that is with the legal description. As soon as that is done we are ready to go.

AUDIENCE PARTICIPATION OPENED

William Kirsch, 2182 Buena Vista, commented on an AT&T individual stopping at their home, he was in dark clothes, no identification and no customer list. He was soliciting on the street. The police came to the house and this person was rude to the policeman. The city needs to have no solicitation after dark and a stronger position on i.d.'s of people who come around and solicit in the city. Or that a no solicitation sign be placed on people's door that should be honored. He asked council to take this into consideration. Chief Ice responded to this. Discussion followed. Mr. Margalis placed this item into the LEGISLATION AND WELFARE COMMITTEE.

Chris Bryant, 704 E. 241 St., Euclid, informed council that he is still interested in buying the house at Green Ridge. The Mayor told him that if he is willing to pay the \$285,000 that is being asked for the house he will meet with him.

AUDIENCE PARTICIPATION CLOSED

COMMITTEE REPORTS

Mr. Margalis read the report of the Committee of the Whole meeting of January 5, 2009 which is attached.

Mr. Levar scheduled an Economic Development Committee meeting for Wednesday, January 21st at 7:00 p.m. to discuss energy efficiency and he will ask Brother McElroy from Borromeo who has experience in this to attend the meeting. Ms. Koski scheduled an Environmental Committee meeting for the same evening at 8:00 p.m. to discuss deer population.

THERE WERE NO COMMISSION REPORTS

THERE WAS NO OLD BUSINESS

THERE WAS NO NEW BUSINESS

ORDINANCES

ORDINANCE NO. 2008-78 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH OBO DEMOLITION & CONSTRUCTION FOR ASBESTOS ABATEMENT OF THE STRUCTURE AT 28707 EUCLID AVENUE, PP#29A010A000680, AND DECLARING AN EMERGENCY. Read by title. THIRD READING.

Moved by Mr. Levar seconded by Mr. Jaworski that Ordinance No. 2008-78 be adopted as presented.

Discussion followed regarding other people involved in purchasing this property. There were people interested but none have come forward.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar (reluctantly), Luther, Margalis, Matyja
No: None

Motion carried. Ordinance No. 2008-78 adopted.

ORDINANCE NO. 2008-79 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH EASTON LEASING, INC. FOR THE DEMOLITION OF THE STRUCTURE AT 28707 EUCLID AVENUE, PP#29A010A000680, AND DECLARING AN EMERGENCY. Read by title. THIRD READING

Moved by Mr. Jaworski seconded by Mr. Margalis that Ordinance No. 2008-79 be adopted as presented.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried. Ordinance No. 2008-79 adopted.

ORDINANCE NO. 2009-01 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH THE OHIO PLAN, AGENT LOVE INSURANCE AGENCY, FOR THE PROVISION OF LIABILITY INISURANCE COVERAGE FOR THE CITY, AND DECLARING AN EMERGENCY.

Moved by Mr. Krych seconded by Mr. Jaworski that the rules of council be suspended and that Ordinance No. 2009-01 be placed on third and final reading.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried.

Moved by Mr. Jaworski seconded by Mr. Krych that Ordinance No. 2009-01 be adopted as presented.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried. Ordinance No. 2009-01 adopted.

There being no further business, it was moved by Ms. Luther seconded by Mr. Krych that the meeting of January 12, 2009 be adjourned.

ROLL CALL: Ayes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
Nays: None

Motion carried. Meeting adjourned at 8:00 p.m.

Council Clerk

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No: None

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Moved by Mr. Krych seconded by Mr. Jaworski that the rules of council be suspended and that Ordinance No. 2009-01 be placed on third and final reading.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried.

Moved by Mr. Jaworski seconded by Mr. Krych that Ordinance No. 2009-01 be adopted as presented.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: None

Motion carried. Ordinance No. 2009-01 adopted.

There being no further business, it was moved by Ms. Luther seconded by Mr. Krych that the meeting of January 12, 2009 be adjourned.

ROLL CALL: Ayes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
Nays: None

Motion carried. Meeting adjourned at 8:00 p.m.

Council Clerk

Council President and
Presiding Officer