

WICKLIFFE CITY COUNCIL MEETING  
January 25, 2010 - 7:00 p.m.

A regular meeting of Wickliffe City Council was called to order by Council President David Krych at 7:00 p.m. on Monday, January 25, 2010. The following were present at roll call:

MAYOR: William Margalis  
COUNCIL PRESIDENT: David Krych  
COUNCIL: Bala, Ely, Iafelice, Koski, Levon, Matyja  
LAW DIRECTOR: William C. Gargiulo  
FINANCE DIRECTOR: Martin Germ  
SERVICE DIRECTOR: Donald Kerniskey  
ENGINEER: Peter J. Formica  
BUILDING COMMISSIONER: Raymond F. Sack  
RECREATION DIRECTOR: Timothy E. Stopp  
POLICE CHIEF: Randy E. Ice  
FIRE CHIEF: James G. Powers  
ECONOMIC DEVELOPMENT: Jason Laver, excused

APPROVAL OF MINUTES:

Moved by Mr. Iafelice seconded by Ms. Koski that the minutes of the council meeting held on January 11, 2010 be approved as presented.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: None

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - Mayor Margalis reported on a meeting of the Mayors and Managers meeting which he attended today and referred to the information distributed regarding the Sunshine Law which every elected official must complete during their term of office. A class will be conducted next Monday from 1:00 p.m. to 4:15 p.m. at Lakeland College, but there will be others also scheduled. This has to be done once during the term of office held.

He also reported that one of the other items discussed at the meeting was regarding the communications department and the new radio system. We have discussed this and there is additional funding which has come in for the backbone which will reduce our costs. We still have a cost for the radios we presently have, right now there are no funds to supply these. Last time this was done the County paid 50% of that cost and we paid the other 50%. This time we will probably have to pay for the whole amount unless other funding sources come in. They anticipate that this purchase will happen by December 2011 so we have two more years to put money aside for this purpose. We presently have \$300,000 in that fund and will probably need \$600,000 or somewhere in that area until the funding comes in place. So for the 2010 and 2011 budget we should be setting aside that amount.

The Mayor further reported on the Green Ridge house which has been up for sale. The real estate sign is down now and he talked to the agent and informed her that we have decided to reconsider how we are going to market this. There was a potential buyer but the offer was below what we wanted to accept. The auditor is still evaluating that property at \$314,000. We had it on the market for \$295,000 and no offers came in. He also stated that he asked about doing an appraisal on the house but upon talking to several agents, they have advised that it would not be worth throwing money away to get another appraisal based on the auditor's appraisal. An appraisal would cost about \$600 or \$700. The plan now is to talk to some other agents who have made overtures to us. He asked Mr. Kerniskey to place another sign up

on the property so people know it is still for sale. His opinion is that it is better to hold on to that property.

He further scheduled a Finance Committee meeting for Monday, February 1 at 7:00 p.m. to discuss the first round of budget numbers and said he would like for council to review this.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Gargiulo commented on the following: 1) Two inquiries have been received regarding indigent cremations or burials, one from Country Place and one from Mike Coyne, a funeral director. He will get further details and report back to council. 2) The Building Department has brought to his attention that in the year 2006 council passed two ordinances, 2006-7 amending Chapter 146.04 and 2006-29 amending Chapter 1107.4. He requested that council give him the opportunity to correct this and amend Chapter 1107 to make it consistent with the other chapter.

3) This also from the Building Department and congratulations to Mr. Sack who investigated and put together a complaint and summons for the Mapledale Venture Group based on their violation of the conditional use permit. In Mr. Gargiulo's experience as a prosecuting attorney the corporation came in and were charged twice and pled guilty on the day of arraignment. In zoning cases this is usually dragged out. He pointed out that the penalty section is a special misdemeanor with a fine of \$500 and no threat of jail. Section 1337.99 deals with penalties. He requested that Section 1337.99 be placed into committee for council's review and to possibly think about adding a 30 day sentence to the penalty. Mr. Gargiulo will then draft an ordinance which will be placed on the agenda for three readings.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Krych reminded the new council members that the Keep Wickliffe Beautiful Commission is meeting this Wednesday at 7:00 p.m. and to be in attendance. We do have an Environmental Commission meeting scheduled for February 11, the second Thursday and we will also try to be there. He further referred to a brochure he received from the Fire Department regarding the Fire Prevention Program; this will be distributed to council. He placed this item into the SAFETY COMMITTEE.

ADDITIONS OR AMENDMENTS TO THE AGENDA

Mr. Matyja added under New Business, item (c) Crime prevention and Mr. Iafelice added item (d) Economic Development Coordinator.

Moved by Mr. Iafelice seconded by Mr. Bala that the Law Director be permitted to amend Ordinance No. 2006-29 to make it consistent with Ordinance No. 2006-27.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: None

Motion carried.

ADMINISTRATORS:

- A. Police Chief - Chief Ice had no report.
- B. Fire Chief - Chief Powers had no report.
- C. Finance Director - Mr. Germ had no report.
- D. Engineer - Report attached. Mr. Formica stated that the Elm Street project was started today and the residents will be kept informed regarding this. He commented on the OPWC funds in response to a question from Mr. Krych. The 290<sup>th</sup> project is on schedule and will be advertised in two weeks. Plus there is a joint repair program which will be received in June or July of this year. He, along with Mr. Kerniskey, will prepare a list of projects which we want funded for next year.
- E. Service Director - Mr. Kerniskey had no report.
- F. Building Commissioner - Mr. Sack had no report.
- G. Recreation Director - Mr. Stopp had no report but commented on the Winter Fest held this past weekend.
- H. Economic Development Coordinator - Mr. Laver excused.

THERE WAS NO AUDIENCE PARTICIPATION

THERE WERE NO COMMITTEE REPORTS

THERE WERE NO COMMISSION REPORTS

THERE WAS NO OLD BUSINESS

NEW BUSINESS

a) Mayor's appointment of Rebecca Podoba to the Keep Wickliffe Beautiful Commission for a two year term beginning January 1, 2010.

Moved by Ms. Koski seconded by Mr. Iafelice that the Mayor's appointment of Rebecca Podoba to the Keep Wickliffe Beautiful Commission for a two year term beginning January 1, 2010 be affirmed.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: None

Motion carried.

b) Mayor's appointment of Monica Beyer to the Parks and Recreation Commission for a three year term beginning January 1, 2010.

Moved by Mr. Levon seconded by Mr. Bala that the Mayor's appointment of Monica Beyer to the Parks and Recreation Commission for a three year term beginning January 1, 2010 be affirmed.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: None

Motion carried.

c) Crime Prevention - Mr. Matyja stated that there seem to be more robberies in this area and we do have an excellent police force but maybe the police chief has an idea on how to give businesses and residents tips on how to stop crime and ways to do this. He requested this be placed into committee. Mr. Krych placed this into the SAFETY COMMITTEE to make sure we are doing all we can in our city to prevent crime. The Mayor pointed out that there is an amount allocated to this and there is no way he wanted this cut. This would be a good conversation when the budget is discussed in committee. He is in support of crime prevention. Chief Ice reported on some of the incidents which occurred in the city and the areas of crime which are monitored.

d) Economic Development Coordinator - Mr. Laver excused. Mr. Iafelice scheduled a meeting for Monday, February 1<sup>st</sup> at 8:00 p.m. after the Finance Committee to go over Jason Laver's year-end report.

#### ORDINANCES

ORDINANCE NO. 2010-06 AN ORDINANCE AMENDING CHAPTER 121-COUNCIL, SECTION 121.01 - RULE 7, ORDER OF BUSINESS OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO. Read by title. SECOND READING

Ordinance No. 2010-01 placed on second reading.

ORDINANCE NO. 2010-06 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO AN AGREEMENT WITH THE LAW FIRM OF JOHNSON, MILLER & SCHMITZ, LLP FOR THE PROVISION OF MANAGEMENT CONSULTANT SERVICES AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Levon seconded by Mr. Iafelice that the rules of council be suspended and that Ordinance No. 2010-06 be placed on third and final reading.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: None

Motion carried.

Moved by Mr. Levon seconded by Mr. Iafelice that Ordinance No. 2010-06 be adopted as presented.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: No

Motion carried. Ordinance No. 2010-06 adopted.

There being no further business, it was moved by Mr. Iafelice seconded by Ms. Koski that the council meeting of January 25, 2010 be adjourned.

ROLL CALL: Yes: Bala, Ely, Iafelice, Koski, Krych, Levon, Matyja  
No: None

Motion carried. Meeting adjourned at 7:30 p.m.

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Council Clerk

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Council President and Presiding Officer