

WICKLIFFE CITY COUNCIL MEETING  
November 9, 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, November 9, 2009. The following were present at roll call:

MAYOR: Thomas W. Ruffner  
COUNCIL PRESIDENT: William Margalis  
COUNCIL: Jaworski, Koski, Krych, Luther, Matyja  
Levar, excused  
LAW DIRECTOR: William C. Gargiulo  
FINANCE DIRECTOR: Martin Germ  
ACTING SVS. 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. Krych seconded by Ms. Luther that the minutes of the council meeting held on October 26, 2009 be approved as presented.

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

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - Mayor Ruffner announced a Veterans Day ceremony will be held in front of City Hall on Wednesday, November 11<sup>th</sup> at 11:00 a.m. and City Hall will be closed on that day. Also, the annual holiday lighting ceremony will be held on Saturday, November 28<sup>th</sup> as an open house inside City Hall, the lights will be started at 6:00 p.m. so from 6:00 p.m. to 8:00 p.m. Santa Claus will be in the Victorian Room. Christmas displays will be throughout City Hall and there will also be carolers.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Gargiulo reported that as council is already aware, the loan agreement with the LTV Group, the forgivable loan, indicates that 33% of the loan will be forgiven upon demolition of all blight instructions, this happened sometime ago and he will be doing the paperwork to satisfy that portion of the agreement.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Margalis referred to three memos received from Don Kerniskey regarding street striping, Capital Sewer Accounts; and Service Department overtime. He placed these three items into the FINANCE COMMITTEE and scheduled a Finance Committee meeting for Monday, November 30<sup>th</sup> at 7:00 p.m. to discuss these. He also received a letter from Joanne Beal, Chairperson of the Wickliffe Parks and Recreation Commission submitting a list of items that they would like to see council take into consideration for 2010, some of these items are for improvements and suggestions for council's consideration. This letter was placed into the PARKS AND PROPERITES COMMITTEE.

He also referred to an assessment of Jindra Park Pool which was placed before council this evening, this was the assessment conducted by CT Consultants, he placed this report into the PARKS AND PROPERTIES COMMITTEE and also into the FINANCE COMMITTEE. There was also a copy from the Engineer's office of a news release talking about salting of mainly SR 2 and he read the paragraph from the letter pertaining to this. In summary they are saying that the high cost of salt is causing them to revise their salting and de-icing procedures. Salt will be used as a primary tool in de-icing the freeway. This year they will use salt at a reduced rate, with the priority being the slower right lane and the ramps along SR 2.

THERE WERE NO ADDITIONS OR AMENDMENTS TO THE AGENDA

ADMINISTRATORS:

A. Police Chief - Report attached. Chief Ice reported on the liquor control permit for Ultra Nightclub. There was a hearing on the advisability of the issuance of the liquor permit for Ultra. Evidence was presented by the city, also by the Rabbinical College and All Saints School. An appeal was filed by Ultra. He also reported on the Evolution Lounge and stated that he and the Mayor met with the owner and discussed the issues presented to council. This past weekend there were some problems and they were cited for operating without a nightclub license. If he operates this weekend in the same fashion he will be closed. Chief Ice further reported that Lowell LaFever has submitted his retirement letter.

B. Fire Chief - Report attached. Chief Powers reported on the flu vaccine that was started in the schools and stated that the entire community will be immunized by the first week in December.

C. Finance Director - October financial statement is attached. Mr. Germ reported on the tax collections which will finish under budget on some line items. Expense wise he has spoken to the administrators to keep expenses under control as much as possible. He has some items to be placed into committee so they can be discussed at the Finance Committee meeting on November 30<sup>th</sup>, they are the 2010 temporary budget, year-end fund transfers and any possible budget adjustments that may be necessary.

D. Engineer - Report attached. Mr. Formica added that he received good news last week from the Ohio EPA that we will be receiving approximately a \$175,000 grant of stimulus money for the Elm Street sanitary sewer lining project. With council's permission he would like to submit a resolution authorizing the Mayor to enter into that agreement and also council's permission to advertise for bids on November 20<sup>th</sup>. This project has to be out to bid and awarded but construction will not start until 2010. Mr. Margalis commented that the total estimated cost of this project was \$372,000 and the city is going to receive half of that cost or is it \$173,500. Mr. Formica replied that we will receive about \$173,500. We requested the whole project when this estimate was put together in the Spring which was \$284,000 Then when we put the estimate together we

thought the city would kick in \$37,000 and we will ask for \$347,000 in stimulus money, well they took that and gave us half. Mr. Margalis added that then our portion of this will be approximately \$200,000, Mr. Formica agreed it would be somewhere around that. Mr. Margalis also said that this money would be paid out of the 2010 capital improvement fund. This area has been identified as a major infiltration in the Elm Street area. Mr. Formica added that this will line the entire sanitary line from E. 290 to Lincoln and also another sanitary main that runs behind the south side of Elm Street that takes care of the Ridge Road properties. Mr. Formica will have the resolution ready for the next meeting.

Mr. Krych referred to the Engineer's report wherein it states that a short discussion of the funding options is needed for council to determine which version of the legislation. Mr. Formica explained the options that the EPA has set to accept the loan for 20 years. The cost of putting this application together and the savings in the long term is not really worth pursuing and on top of that there is a time crunch. EPA advises that if we could not do the loan part it would help them to do the processing quicker.

Moved by Mr. Margalis seconded by Ms. Koski that the Law Director be authorized to advertise for bids for the relining of the Elm Street Sanitary Sewer Project per specifications on file with the City Engineer.

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

Motion carried.

Mr. Margalis asked Mr. Formica for an update on the Empire Road project to which Mr. Formica replied that the asphalt paving operations were finished today and it is substantially complete. They will come in tomorrow to repair a few slabs of sidewalk that are cracked and will come back in the Spring to do the seeding and the final grading. Mr. Krych questioned the manhole covers on the south side which are an inch below grade, Mr. Formica will look into this.

E. Service Director - Mr. Kerniskey reported that they are finished with the Gateway Project and also added that the police department roofing is nearing completion. He also reported on the leaf pickup.

F. Building Commissioner - Report attached. Mr. Sack added that there have been three new housing starts making a total of seven starts this year.

G. Recreation Director - Report attached. Mr. Stopp reported on the Halloween party held.

H. Economic Development Coordinator - Mr. Laver excused.

AUDIENCE PARTICIPATION

Gar Sharma, 2213 Garden Drive, thanked everyone for their help at the rally held at Orlando Park recently.

AUDIENCE PARTICIPATION CLOSED

THERE WERE NO COMMITTEE REPORTS

Mr. Margalis reminded everyone of the Finance Committee meeting to be held on November 30<sup>th</sup> at 7:00 p.m. to discuss the items previously noted.

He added that next Monday, November 16<sup>th</sup> will be our second meeting night for the month of November at 7:00 p.m.

THERE WERE NO COMMISSION REPORTS

THERE WAS NO OLD BUSINESS

THERE WAS NO NEW BUSINESS

ORDINANCES

ORDINANCE NO. 2009-57 AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 2005-80, WHICH ESTABLISHES THE CITY OF WICKLIFFE INCENTIVE GRANT PROGRAM. Read by title. SECOND READING.

Ordinance No. 2009-57 placed on second reading.

ORDINANCE NO. 2009-58 AN ORDINANCE AMENDING ORDINANCE NO. 2009-17 PROVIDING FOR THE COMPENSATION OF CERTAIN SALARIED AND HOURLY EMPLOYEES OF THE CITY OF WICKLIFFE, OHIO, AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Krych seconded by Ms. Luther that the rules of council be suspended and that Ordinance No. 2009-58 be placed on third and final reading.

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

Motion carried.

Moved by Ms. Luther seconded by Ms. Koski that Ordinance No. 2009-58 be adopted as presented.

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

Motion carried. Ordinance No. 2009-58 adopted.

ORDINANCE NO. 2009-59 AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO (2) 'LIFEPAK 15' DEFIBRILLATOR/CARDIAC MONITORS THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES OFFICE OF STATE PURCHASING, FOR USE BY THE FIRE DEPARTMENT OF THE CITY OF WICKLIFFE, OHIO, AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Krych seconded by Mr. Jaworski that the rules of council be suspended and that Ordinance No. 2009-59 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Krych seconded by Mr. Jaworski that Ordinance No. 2009-59 be adopted as presented.

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

Motion carried. Ordinance No. 2009-59 adopted.

There being no further business, it was moved by Mr. Krych seconded by Ms. Koski that the council meeting of November 9, 2009 be adjourned.

ROLL CALL: Yes: Jaworski, Koski, Krych, Luther, Margalis, 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