

WICKLIFFE CITY COUNCIL MEETING  
February 25, 2008 - 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, February 25, 2008. 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: Pete Formica  
BUILDING COMMISSIONER: Raymond F. Sack, excused  
RECREATION DIRECTOR: Timothy E. Stopp  
POLICE CHIEF: Randy E. Ice  
FIRE CHIEF: Daniel L. Helsel  
ECONOMIC DEVELOPMENT: Not present

APPROVAL OF MINUTES:

Moved by Ms. Luther seconded by Mr. Krych that the minutes of the council meeting of February 11, 2008 be approved as presented.

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

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - Mayor Ruffner requested that Resolution No. 2008-08 be added to the agenda so that it can be presented to the Holman Family who are present this evening.

Moved by Mr. Levar seconded by Ms. Luther that Resolution No. 2008-08 be added to the agenda per the Mayor's request.

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

Motion carried.

RESOLUTION NO. 2008-08 A RESOLUTION REMEMBERING AND RECOGNIZING ALFONSO D. AND ERNESTINE J. HOLMAN AND FAMILY FOR THEIR DEDICATION TO THE RESIDENTS OF THE CITY OF WICKLIFFE, OHIO, AND DECLARING AN EMERGENCY. This Resolution was read in its entirety by the Mayor and presented to the Holman Family.

Moved by Mr. Levar seconded by Ms. Luther that the rules of council be suspended and that Resolution No. 2008-08 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Levar seconded by Ms. Luther that Resolution No. 2008-08 be adopted as presented.

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

Motion carried. Resolution No. 2008-08 adopted.

Mayor Ruffner referred to a letter from the Law Director concerning the E. 296 and Euclid Avenue traffic signal removal. He has requested that this be placed into ordinance form for three readings. To the Environmental Commission he added the problem of "coyotes." The Mayor also called for an executive session following this meeting to discuss purchase of property.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Garguilo reported on the three legal items pending in the courts and the trials that have been set. He stated that he also received a Motion by Retirement Management which is concerned with the curb cut on Bishop Road, they feel that the city is interfering with their egress and ingress of that property. He is in the process of resolving this and if it can not be resolved an opposition will be filed. He further will have some comments when Ordinance No. 2008-08 comes up on the agenda.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Margalis had no communications. There are two items which will be placed into the Finance Committee: 1) a request by the Recreation Director on the 2008 golf course capital improvement items dated 1/29/08; and 2) a letter from CT Consultants dated 2/12/08 regarding senior center soft cost update. He called for a Finance Committee meeting to be held on Monday, March 3<sup>rd</sup>, at 7:00 p.m. This meeting will be held at the Senior Center.

ADDITIONS OR AMENDMENTS TO THE AGENDA

The Mayor added Ordinance No. 2008-10 and Ordinance No. 2008-11 to the agenda and also an executive session to discuss purchase of property. Mr. Levar added under New Business item (a) Construction safety resolution.

ADMINISTRATORS:

A. Police Chief - Chief Ice had no report.

B. Fire Chief - Chief Helsel had no report.

C. Finance Director - Mr. Germ had no report.

D. Engineer - Report attached. Mr. Formica added that the Rockefeller Road Phase III Project plans are complete and bids were advertised last Friday. Mr. Margalis asked the Mayor about the senior center to which the Mayor replied that the opening date will be March 3<sup>rd</sup>.

Mr. Matyja reported that he received an e-mail today from Lenny Clark who is the maintenance man at the Holiday Inn regarding signage marking Bishop Raod from the street. He also asked about construction equipment being placed on the parking lot. Mr. Paschke replied to this.

E. Service Director - Mr. Paschke had nothing to add to his written report. He informed council that refuse collection will be started on March 1<sup>st</sup>.

F. Building Commissioner - Mr. Sack had no report.

G. Recreation Director - Mr. Stopp had no report. Mr. Margalis referred to the senior center and stated that seniors are asking about exercise equipment and that funds from the Council on Aging and from the Senior Levy will be earmarked to put towards that. Mr. Stopp stated that there are other senior centers and those requests will be reviewed as money comes in then they will decide when they will start funding the requests. A request will be made by the City for an early payment. Every community gets an initial payment. Mr. Margalis would like to get this funding as soon as possible. Mr. Levar inquired about brochures for future classes which may be offered to which Mr. Stopp replied that this is being worked on.

H, Economic Development Coordinator - Mr. Laver not present.

THERE WAS NO AUDIENCE PARTICIPATION

COMMITTEE REPORTS

Mr. Margalis read the report of the Finance Committee meeting held on February 20<sup>th</sup> which is attached. He referred to the Law Entrustment Fund and a response received from Chief Ice explaining that Fund and the possible uses for those monies and his plans for those uses.

The Mayor added the IT Program security to the Finance Committee meeting to be held on March 3<sup>rd</sup>.

Mr. Margalis further reported on the Senior Center Board meeting that he attended last week. The Board has decided that beginning July 1 they will institute a membership fee for the Senior Center, they decided on a \$5.00 yearly fee for residents and \$8.00 per year for non-residents. They would like to get some promotional material for the next Wickliffe Connection and also a membership application can be placed there.

THERE WERE NO COMMISSION REPORTS

THERE WAS NO OLD BUSINESS

NEW BUSINESS

- a) Bid Opening - Coulby Pond Improvements - March 7, 2008.
- b) Construction Safety Resolution - Mr. Levar referred to the construction cite at the senior center. There is no safety fence installed, those are types of things that should be placed in the bid package that the city puts out so that safety controls can be in there. He found a resolution from Fairfax County, Va. regarding safety and asked if the Law Director can review this and come up with some regulations to make sure we are in compliance with the public employees risk reduction program as well as OSHA to protect the residents and the safety of the workers.

ORDINANCES

ORDINANCE NO. 2008-03 AN ORDINANCE ENACTING CHAPTER 1513 OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO, REGULATING THE DRILLING OF OIL AND GAS WELLS ON ALL PROPERTIES. Read by title. SECOND READING.

Ordinance No. 2008-03 placed on second reading.

ORDINANCE NO. 2008-07 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES 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. 2008-07 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Margalis seconded by Ms. Luther that Ordinance No. 2008-07 be adopted as presented.

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

Motion carried. Ordinance No. 2008-07 adopted.

ORDINANCE NO. 2008-08 AN ORDINANCE AMENDING CHAPTER 951-PARK REGULATIONS, BY ENACTING SECTION 951.12, ANIMAL CONTROL AND SECTION 951.13 PROTECTION OF ANIMALS; HUNTING AND FISHING, AND REPEALING SUBSECTION (j) OF SECTION 951.08 AND SUBSECTION (i) OF SECTION 951.09 OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO. Read by title.

This Ordinance placed on first reading.

The Law Director pointed out the following: Out of a committee meeting there was a request about dogs in the park and bicycles in the park. After review he discovered that bicycles were not mentioned in the codified ordinances. He also reviewed the ordinance regarding dogs in the parks. The Mayor stated that the Parks and Recreation Commission has brought this item to council regarding walking dogs in the parks. Mr. Margalis placed this ordinance into the Parks and Properties Committee.

ORDINANCE NO. 2008-09 AN ORDINANCE PROVIDING FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF WICKLIFFE FOR THE PERIOD BEGINNING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2008, AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Margalis seconded by Ms. Luther that the rules of council be suspended and that Ordinance No. 2008-09 be placed on third and final reading.

Mr. Matyja asked that two points be clarified before voting is taken on this ordinance. Discussion was held regarding the police telephones and we asked how many more infrastructure or major problems are we looking at, we have had no report yet. The Mayor responded that it was brought to the attention of the administration this morning and he did not know how quickly these estimates can be obtained. We are also looking at utility improvements.

Mr. Matyja also commented on the general fund expenses for a total of \$12,781,940 and we are at \$12,777,532 losing a full time employee. Mr. Germ explained this. The Law Enforcement Trust Fund was also discussed as were the capital improvements for the Police Department.

After further discussion Mr. Margalis withdrew his motion for suspension and Ms. Luther removed her second.

Ordinance No. 2008-09 placed on first reading.

ORDINANCE NO. 2008-10 AN ORDINANCE AUTHORIZING THE CHIEF OF THE CITY OF WICKLIFFE, OHIO POLICE DEPARTMENT TO CONTRACT FOR A TELEPHONE SYSTEM WITHOUT ADVERTISING, AND DECLARING AN EMERGENCY.

Moved by Mr. Levar seconded by Mr. Krych that the rules of council be suspended and that Ordinance No. 2008-10 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Margalis seconded by Mr. Jaworski that Ordinance No. 2008-10 be adopted as presented.

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

Motion carried. Ordinance No. 2008-10 adopted.

ORDINANCE NO. 2008-11 AN ORDINANCE AMENDING ORDINANCE NO. 2007-16, AUTHORIZING THE DIRECTOR OF FINANCE TO DISBURSE FUNDS FOR THE WICKLIFFE COMMUNITY/SENIOR CENTER FROM BOTH THE SPECIAL PROJECTS FUND AND THE SENIOR CENTER FUND, AND DECLARING AN EMERGENCY.

Moved by Mr. Levar seconded by Mr. Jaworski that the rules of council be suspended and that Ordinance No. 2008-11 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Margalis seconded by Ms. Luther that Ordinance No. 2008-11 be adopted as presented.

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

Motion carried. Ordinance No. 2008-11 adopted.

RESOLUTIONS

RESOLUTION NO. 2008-07 A RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICIA A. FOWLER AS THE CITY OF WICKLIFFE, OHIO REPRESENTATIVE TO THE LAKE COUNTY BOARD OF HEALTH, AND DECLARING AN EMERGENCY. Read by title.

Moved by Ms. Luther seconded by Mr. Margalis that the rules of council be suspended and that Resolution No. 2008-07 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Krych seconded by Mr. Margalis that Resolution No. 2008-07 be adopted as presented.

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

Motion carried. Resolution No. 2008-07 adopted.

Moved by Mr. Margalis seconded by Ms. Luther that council recess into executive session to discuss purchase of property.

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

Motion carried.

Council recessed into executive session at 7:45 p.m.

Council reconvened from executive session at 8:10 p.m.

PRESENT: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja

There being no further business, it was moved by Mr. Margalis seconded by Ms. Luther that the meeting of February 25, 2008 be adjourned.

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

Motion carried. Meeting adjourned at 8:10 p.m.

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Clerk of Council

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Council President and  
Presiding Officer