

WICKLIFFE CITY COUNCIL MEETING
March 24, 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, March 24, 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
RECREATION DIRECTOR: Timothy E. Stopp
POLICE CHIEF: Randy E. Ice
FIRE CHIEF: Daniel L. Helsel
ECONOMIC DEVELOPMENT: Jason Laver, excused

APPROVAL OF MINUTES:

Moved by Ms. Luther seconded by Mr. Krych that the minutes of the council meeting of March 10, 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 read a letter from resident, Denise Nobbe, praising the City for their great services.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Gargiulo updated council on the cases pending in court. He referred to an opinion which he distributed to council concerning a Civil Service classification as a review of Section 124.57, political activities being forbidden for classified employees, if there are any questions concerning this, he asked council to call him.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Margalis referred to a letter from State Representative Lorraine M. Fende asking council to pass a resolution in support and endorsement of a passage of the Building Ohio Jobs which is something the Governor is proposing to put on the ballot in November and they are looking for endorsement. An example of a resolution in support of this is attached to the letter, copies will be distributed to council so we can see how this will benefit the state and possibly also benefit the city, there is a section concerning two million dollars which would be available for Main Street Renewal which probably would fit into our Euclid Avenue project. He requested the Law Director to prepare a resolution regarding this.

Ms. Koski reported that the Environmental Commission met last week regarding the deer in the city. There was a presentation from the Ohio Division of Wildlife and they will try to have this presentation given to the public sometime in the future. Another meeting will be held to discuss options available.

ADDITIONS OR AMENDMENTS TO THE AGENDA

Mr. Margalis added item (b) under New Business: Tax Incentive Reviews and also Resolution 2008-09, A Resolution declaring the Month of April 2008 as Child Abuse Prevention Month in the City of Wickliffe, Ohio and declaring an emergency.

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 had two items. He stated that he presented the Mayor with a preliminary master flight plan route and he requested that he meet with council to discuss the map and go over it. Mr. Margalis added that this item is in the Safety Committee. Mr. Formica added that at this time he would like to ask for authorization to advertise for bids for the 2008 road program, plans are currently at about 85% complete and his goal is to advertise for bids next Friday.

Moved by Mr. Margalis seconded by Mr. Krych that the Law Director be authorized to advertise for the 2008 road program per plans and specifications on file with the Engineer.

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

Motion carried.

Mr. Formica further referred to the Coulby Pond contract which council authorized the contract at the last meeting and stated he hoped that would be passed this evening, however, the permit has not been obtained from the Army Corps of Engineers yet, they had a couple of questions and we are hoping to have that in the next couple of weeks. We will not enter into that contract until we have this permit.

E. Service Director - Report attached. Mr. Paschke reported that interviews have been conducted concerning an Assistant Service Director and a person from within has been appointed. The Mayor and he have appointed Mr. Ken Kirchner to serve as Assistant Service Director and he will be starting on Monday, March 31st.

F. Building Commissioner - Mr. Sack reported that the Board of Zoning Appeals is meeting to discuss blighting of properties. Mr. Matyja commented that he received a call from a resident on Johnson Drive inquiring about the property which is in Willoughby Hills and has access from Wickliffe. Mr. Sack replied that there is a gas well there but they have not gone to the Planning Commission for the senior adult living that was proposed.

G. Recreation Director - Mr. Stopp referred to the last ordinance on the agenda regarding the new vehicle and stated this will be replacing the rusted station wagon.

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

AUDIENCE PARTICIPATION OPENED

Mr. Collier, 30024 Truman Avenue, inquired about the recycling bins which were placed at the Senior/Community Center. He was informed that these have been removed.

AUDIENCE PARTICIPATION CLOSED

COMMITTEE REPORTS

Mr. Margalis read the report of the Finance Committee meeting held on March 17th which is attached.

Ms. Luther read the report of the Legislation and Welfare Committee meeting held on March 17th which is also attached.

Mr. Jaworski stated that he was remiss to report on the Parks and Properties Committee who also met on that same Monday and reviewed Ordinance No. 2008-08.

Mr. Levar scheduled an economic development meeting for April 7th.

THERE WERE NO COMMISSION REPORTS

THERE WAS NO OLD BUSINESS

NEW BUSINESS

a) Bid Opening - Stripe sundry streets, Pool chemicals, and furnishing of fireworks display - March 26, 2008.

b) Tax Incentive Reviews - Mr. Margalis reported that during this past week he distributed a report to council that came back from the Economic Development Center as a result of the meeting we had on our Enterprise Zone Agreement with Hall Chemical and the three CRA's that are pending. The Hall Chemical Enterprise Zone Agreement indicates that they have been meeting their payroll quotas and they have been a good neighbor to the city so that has been recommended to continued. The CRA agreement with Dr. Goldstein also seems to be progressing well. That one was also recommended to continue. However, the last two, one for JRF Properties which is actually the Sunoco gas station, Mr. Sack has reported that there are some issues we have had with them which are still continuing and they are not complying with everything to complete that part of the agreement. Also the Fire Department and the Finance Department have both had some issues with them. So the committee has recommended that this agreement be discontinued. The same holds true for the Arabica Coffee House, the property has been sold and these CRA agreements are not automatically transferable they would have to be reapplied for from the new landlord and no one from these companies were represented, so that agreement with Arabica also has to end. Out of the four, two are recommended to continue and two are recommended to be discontinued. He recommended that the Law Director be authorized to prepare the proper legislation that these two CRA agreements be continued, the one with JRF Properties, LLC and Arabica Coffee House be discontinued.

Moved by Mr. Margalis seconded by Mr. Jaworski that the Law Director be authorized to prepare legislation to discontinue the CRA agreements with JRF Properties, LLC and Arabica Coffee House.

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

Motion carried.

ORDINANCES

AMENDED 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. SECOND READING

This Ordinance placed on second reading.

ORDINANCE NO. 2008-12 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OF THE CITY OF WICKLIFFE, OHIO TO REMOVE A TRAFFIC-CONTROL DEVICE AND ALL APPURTENANCES THERETO LOCATED AT EAST 296 STREET AND EUCLID AVENUE. Read by title. SECOND READING.

Ordinance No. 2008-12 placed on second reading.

ORDINANCE NO. 2008-13 AN ORDINANCE REPEALING CHAPTER 961 OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO, ENTITLED "REFUSE COLLECTION" AND CREATING NEW CHAPTER 961 OF THE CODIFIED ORDINANCES ENTITLED "GARBAGE, RUBBISH, AND REFUSE COLLECTION", AND DECLARING AN EMERGENCY. Read by title. SECOND READING.

Ordinance No. 2008-13 placed on second reading.

ORDINANCE NO. 2008-16 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH HARTFORD LIFE INSURANCE COMPANY FOR THE PROVISION OF LIFE INSURANCE COVERAGE FOR THE CITY, 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. 2008-16 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. 2008-16 be adopted as presented.

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

Motion carried. Ordinance No. 2008-16 adopted.

ORDINANCE NO. 2008-17 AN ORDINANCE CREATING CHAPTER 953 MUNICIPAL FACILITIES, OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO. Read by title.

This Ordinance placed on first reading.

ORDINANCE NO. 2008-18 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) NEW CHEVROLET UPLANDER PASSENGER VAN WITH REQUESTED EQUIPMENT, THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OFFICE OF STATE PURCHASING, FOR USE BY THE RECREATION DEPARTMENT OF THE CITY OF WICKLIFFE, 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. 2008-18 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. Koski that Ordinance No. 2008-18 be adopted as presented.

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

Motion carried. Ordinance No. 2008-18 adopted.

RESOLUTIONS

RESOLUTION NO. 2008-09 A RESOLUTION DECLARING THE MONTH OF APRIL, 2008 AS CHILD ABUSE PREVENTION MONTH IN THE CITY OF WICKLIFFE, OHIO, AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Krych seconded by Ms. Koski that the rules of council be suspended and that Resolution No. 2008-09 be place 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. Koski that Resolution No. 2008-09 be adopted as presented.

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

Motion carried. Resolution No. 2008-09 adopted.

MISCELLANEOUS

The Mayor requested that the subject of street striping also be discussed on the scheduled April 7th meeting of the Economic Development meeting.

There being no further business, it was moved by Ms. Luther seconded by Ms. Koski that the council meeting of March 24th be adjourned.

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

Motion carried. Meeting adjourned at 7:35 p.m.

Council Clerk

Council President and
Presiding Officer