

WICKLIFFE CITY COUNCIL MEETING
June 8, 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, June 8, 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
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: Daniel L. Helsel
ECONOMIC DEVELOPMENT: Jason Laver, excused

APPROVAL OF MINUTES:

Moved by Mr. Krych seconded by Ms. Luther that the minutes of the council meeting of May 18, 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 on the following items: 1) He has been noticing the deterioration of the handicapped ramp at City Hall and he requested that this be looked into by the City Engineer to see what it would take to make that more handicapped accessible. Mr. Formica stated that he did look at the handicapped legalities and it was found that the slope was okay but the landing area was the issue. 2) CT is looking into Jindra Pool itself but our recommendation from the Acting Service Director is that there are some issues with the pool building and seeing that this is an old pool it seems the pumps and equipment should also be checked. He requested that the Engineer do a complete assessment of the pool, the pool building and the pumps. The Mayor further requested an executive session at the end of this meeting to discuss personnel.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Gargiulo reported that the Collinwood Shale vs. A&J Cement and the City of Wickliffe has been concluded and there was no expenditure on the part of the city. Regarding the Vitantonio properties, we should have the final Entry from the Judge this coming week. He commended Sue Iafelice, Secretary to the Mayor and Law Director, for her assistance in preparing the memo to the Judge.

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

ADDITIONS OR AMENDMENTS TO THE AGENDA

Mr. Margalis switched items (a) and (b) under Old Business regarding the two bid acceptances.

ADMINISTRATORS:

A. Police Chief - Report attached. Chief Ice added that Lt. Jim Akers will be retiring on June 14th.

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

C. Finance Director - Mr. Germ had nothing to add to his monthly financial report attached. Mr. Margalis added that looking at the report it seems that we are almost back to the correct budget number of 43%. Mr. Germ replied that we normally get a greater percentage of our income tax in the first several months of the year so we are behind about 10%.

D. Engineer - Report attached. Mr. Formica added that a pre-construction meeting was held with the contractor for Empire Road and they are planning on starting work in June, a letter to all residents was sent. Also, this evening the new EPA list came out for the AARA funds which is the funding in line for the Elm Street sewer line. He will find out if we are still on the list. Mr. Margalis asked if there was any engineering that needs to be approved. Mr. Formica replied that about 75% of the engineering has been done and a bid will be out as soon as we know if we can get the money. We need to be on the contract by the end of the year. Mr. Krych asked about the Empire Road project and the waterline going in under the sidewalks, will they be tearing out and replacing the treelawns trees too. Mr. Formica answered that there are only two or three selected to be removed. The waterline is going under the sidewalk.

Mr. Matyja inquired about the punch list for Johnson Dr. and Cabin Dr. to which Mr. Formica replied that the contractor will be calling him back tomorrow regarding a puzzle on Johnson Drive which needs to be addressed.

E. Service Director - Report attached. Mr. Kerniskey added that replacement of the roof at Nehls Park will be starting tomorrow. He reported to council that the dye testing has been done at Regent, where there were four residents that had problems there with flooding in the past. There were no cross connection problems found. Dye testing was done from the house to the street on all four houses. We are now waiting for a heavy rain so we can put some dye into the line and also check the manhole covers down the street. He further asked council if CT can be used to write bid specifications for the police department roof replacement and also an alternate bid for other methods at the same time.

Moved by Ms. Luther seconded by Ms. Koski that council authorizes the Engineer to prepare plans and specifications for the replacement of the Police Department roof with the alternate methods available.

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

Motion carried.

Mr. Levar further asked about the tentative plans for the scheduling of the replacement of the roof to which Mr. Kerniskey informed him that he hopes it will be done by October.

F. Building Commissioner - Mr. Sack had nothing to add to his report which is attached.

G. Recreation Director - Mr. Stopp had nothing to add to his report which is attached. He reported on the golf outing which was held recently.

H. Economic Development Coordinator - Mr. Laver excused.

AUDIENCE PARTICIPATION

Ronald Ely, 29786 Arthur Avenue, referred to flooding at Regent Road where the water was above the road. He is of the opinion that this water comes from the top of the hill and goes down to the lake. He asked if the pipes could be enlarged so that maybe this will help the problem.

Ted Vanilli, Wickliffe Reserve, presented the first brick from the Ponderosa demolition to council. He then reported on the progress of the demolition and the plans for the property.

COMMITTEE REPORTS

Mr. Margalis read the report of the Committee of the Whole meeting held on June 1st. Then he read the report of the Finance Committee meeting held on June 1. Mr. Matyja read the report of the Improvement Committee held on June 1. Ms. Luther read the report of the Legislation and Welfare Committee meeting held on June 1. All these reports are attached hereto.

COMMISSION REPORTS

Mr. Jaworski reminded everyone that the annual Parks and Recreation Commission tour will be held this Thursday at 6:05 p.m. and all of council is invited to join them. Mr. Levar also planned an Economic Development Committee meeting to prepare a job description for the planner regarding the master plan.

OLD BUSINESS

a) Bid acceptance - Single axle truck chassis with requested equipment. Mr. Kerniskey reviewed the bids which were received and are attached. He recommends the bid of Valley Freightliner, Sterling & Western Star in the amount of \$62,986.00 with options for a total amount of \$65,386.00 as being the most responsive.

Moved by Mr. Krych seconded by Mr. Jaworski that council accept the bid from Valley Freightliner, Sterling & Western Star, 4985 West 105 St., Brookpark, Ohio 44135 for a model type 2010 Freightliner M2-106V, with all the options in the specs for a total bid price of \$65,386.00 as being the lowest and most responsive bidder and that all other bids be rejected.

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

Motion carried.

b) Bid Acceptance - Stainless steel ten foot hopper spreader with deicer and requested equipment - Mr. Kerniskey reviewed the bids which were received and are attached. He recommends the bid of Concord Road Equipment for a Swenson Model EVA-100 in the amount of \$15,509.37.

Moved by Ms. Luther seconded by Ms. Koski that council accept the bid from Concord Road Equipment, 348 Chester St., Painesville, Ohio 44077 for one current model stainless steel ten foot hopper spreader with deicer and requested equipment for a bid price of \$15,509.37 as being the lowest and most responsive bidder and that all other bids be rejected.

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

Motion carried.

NEW BUSINESS

a) Civil Service Commission - Testing for Fire Department positions - Mayor Ruffner stated that with the pending retirement of Chief Helsel in July, we are starting the process with the Civil Service Commission, a memo was distributed to council regarding the cost for the several tests that need to be taken. These are mostly promotional tests and the City Charter requires an approval if the cost is over \$12,500, the estimated cost will be \$19,000 and he suggested that council approve the cost at \$20,000 in order to go ahead with the testing.

Moved by Mr. Levar seconded by Mr. Jaworski that council authorizes the Mayor to spend an amount not to exceed \$20,000.00 for the testing for the Fire Department positions through the Civil Service Commission.

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

Motion carried.

ORDINANCE NO. 2009-30 AN ORDINANCE CREATING CHAPTER 1103 - UNFAIR HOUSING PRACTICES PROHIBITED OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE. THIRD READING.

Moved by Ms. Luther seconded by Mr. Margalis that Ordinance No. 2009-30 be adopted as presented.

Mr. Levar had some question with regard to this issue and the definition of what "source of income" really meant.

ROLL CALL: Yes: Jaworski, Koski, Krych, Luther, Margalis, Matyja
No: Levar

Motion carried. Ordinance No. 2009-30 adopted.

ORDINANCE NO. 2009-32 AN ORDINANCE REVISING CHAPTER 739 SOLICITORS AND CANVASSERS OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO, AND DECLARING AN EMERGENCY.

Moved by Ms. Luther seconded by Mr. Krych that the rules of council be suspended and that Ordinance No. 2009-32 be placed on third and final reading.

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

Motion carried.

Moved by Ms. Luther seconded by Ms. Koski that Ordinance No. 2009-32 be adopted as presented.

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

Motion carried. Ordinance No. 2009-32 adopted.

ORDINANCE NO. 2009-33 AN ORDINANCE AMENDING CHAPTER 951-PARK REGULATIONS BY REPEALING SECTION 591.07 'PARKING WINDSHIELD STICKER; NON-RESIDENT PARKING FEE' AND DECLARING AN EMERGENCY.

Moved by Ms. Luther seconded by Mr. Margalis that Ordinance No. 2009-33 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Krych seconded by Ms. Koski that Ordinance No. 2009-33 be adopted as presented.

ROLL CALL: Yes: Jaworski, Koski, Krych, Levar, Luther, Margalis, Matyja
No: Yes

Motion carried. Ordinance No. 2009-33 adopted.

ORDINANCE NO. 2009-34 AN ORDINANCE CREATING CHAPTER 735-SALE OF VEHICLES OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO. Read by title.

Ordinance No. 2009-34 placed on first reading.

ORDINANCE NO. 2009-35 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) NEW MODEL YEAR FORD ELDORADO PASSENGER BUS WITH REQUESTED EQUIPMENT, THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION COOPEATIVE PURCHASING PROGRAM, 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. Koski that the rules of council be suspended and that Ordinance No. 2009-35 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Krych seconded by Ms. Luther that Ordinance No. 2009-35 be adopted as presented.

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

Motion carried. Ordinance No. 2009-35 adopted.

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

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

Motion carried. Council recessed into executive session at 7:30 p.m.

Council reconvened from executive session at 8:30 p.m.

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

Moved by Ms. Luther seconded by Ms. Koski that the meeting of June 8, 2009 be adjourned.

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

Motion carried. Meeting adjourned at 8:30 p.m.

Council Clerk

Council President and
Presiding Officer