

WICKLIFFE CITY COUNCIL MEETING
September 22, 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, September 22, 2008. The following were present at roll call:

MAYOR: Thomas W. Ruffner
COUNCIL PRESIDENT: William Margalis
COUNCIL: Jaworski, Koski, Krych, Levar, Luther
Matyja, excused
LAW DIRECTOR: William C. Gargiulo
FINANCE DIRECTOR: Martin Germ
SERVICE DIRECTOR: Daniel C. Paschke
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. Margalis seconded by Mr. Levar that Mr. Krych be permitted to abstain from approval of the council meeting minutes of September 8, 2008.

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

Motion carried.

Moved by Ms. Luther seconded by Mr. Margalis that the minutes of the special council meeting of September 8, 2008 be approved as presented.

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

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - Mayor Ruffner Informed council that he has instructed the Recreation Director to prepare a survey on the recreation facilities within the city for next year's budget. With reference to Jindra Park, if council members have a specific question for this survey regarding Jindra Park and any ideas about the park they should contact Tim Stopp. This will be out in the next issue of the Connection. The main goal is to see what the residents want in their neighborhood parks that they plan to use and any other recreation ideas. We want to complete the master plan for Jindra Park.

REPORTS AND COMMUNICATIONS FROM LAW DIRECTOR - Mr. Gargiulo referred to a memorandum concerning a noise ordinance and noise problems. He requested this placed into committee. Mr. Margalis placed this into the LEGISLATION AND WELFARE COMMITTEE. There was also a memo concerning land use enforcement and he commented that there will be another memo concerning land usage. He further reported that the City was named a defendant in a foreclosure case and an answer and cross claim were filed, the cross claim is for income tax due to the city. The tax department should be commended

for having the foresight to get a judgment lien for our taxes. This person owned property and lived in Wickliffe, the foreclosure is in Madison.

He also stated that he got the finalization of the Fair Labor Standard Act decision and that figure came out to \$10,339.93 which is the same as was discussed before. The ordinance for the Green Ridge house is ready all that is needed is the contract and the down payment of \$28,500.00. Mr. Margalis added that an auction was held and there was one bidder on the house, the minimum bid was \$285,000.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Margalis referred to a letter from Chagrin River Watershed Partners regarding the City of Wickliffe and the Chagrin River balance growth plan. He placed this into the COMMITTEE OF THE WHOLE. He further made reference to a letter from the Building Commissioner asking to update changes of the grade set fees, this is something we did not address last year. He placed this into the LEGISLATION AND WELFARE COMMITTEE.

THERE WERE NO ADDITIONS OR AMENDMENTS TO THE AGENDA

ADMINISTRATORS:

A. Police Chief - Chief Ice referred to Mr. Matyja's request concerning sex offenders. He explained the three tier system that the County runs in Ohio. He referred to Ohio Revised Code Section 2950. Anyone wishing more information regarding this should go to the Lake County web site, www.lakecountyohio.org/Sheriff, which will direct viewers to the Attorney General's web page.

B. Fire Chief - Chief Helsel had no report.

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

D. Engineer - Mr. Formica had nothing to add to his report which is attached.

E. Service Director - Report attached. Mr. Paschke asked council to authorize the Law Director to advertise for crushed rock salt for the 2008-2009 snow and ice control season.

Moved by Mr. Krych seconded by Mr. Jaworski that council authorize the Law Director to advertise for bids for crushed rock salt for the 2008-2009 winter season per specifications on file with the Service Director.

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

Motion carried.

Mr. Levar referred to the Rockefeller Road project and the problems with the tree lawns. Mr. Paschke responded that the contractor will address this issue. Mr. Levar further commented on the salt bids and the price going up will there be any changes to our salting program to which Mr. Paschke replied in the affirmative, these will be adjusted according to the length of the season and the fuel charges. Mr. Jaworski referred to the loop at Lloyd Road at SR2, there are still some spots that have not been addressed. Mr. Paschke will check into this.

F. Building Commissioner - Mr. Sack referred to the asbestos report given to council and once that is finalized bids will go out for the demolition of the Denny's building.

G. Recreation Director - Mr. Stopp reported that work at the pole barn at the Green Ridge golf course is proceeding along.

H. Economic Development Coordinator - Mr. Laver excused.

THERE WAS NO AUDIENCE PARTICIPATION

COMMITTEE REPORTS

Mr. Margalis read the report of the Finance Committee meeting held on September 15th which is attached.

THERE WERE NO COMMISSION REPORTS

THERE WAS NO OLD BUSINESS

NEW BUSINESS

a) Appointment of Ronald Ely as Resident Representative to the City of Wickliffe Public Records Commission - Mayor Ruffner explained that this Commission is relatively new and allows a resident to review our records and how we post them and how they are made available to the public. There will be meetings two or four times a year to clarify complying with the Records Law. The makeup of this Commission is the Law Director, Mr. Germ and Patty Fowler.

Moved by Mr. Margalis seconded by Mr. Levar that the appointment of Ronald Ely as Resident Representative to the City of Wickliffe Public Records Commission be affirmed.

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

Motion carried.

b) Appointment of Carole Zalokar to the Parks and Recreation Commission through December 31, 2008 to fill the unexpired term of Richard Wilson - Mayor.

Moved by Mr. Levar seconded by Mr. Jaworski that the Mayor's appointment of Carole Zalokar to the Parks and Recreation Commission through December 31, 2008 to fill the unexpired term of Richard Wilson be affirmed.

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

Motion carried.

ORDINANCES

ORDINANCE NO. 2008-68 AN ORDINANCE AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH THE K COMPANY, INC. FOR THE WICKLIFFE COMMUNITY/SENIOR CENTER PROJECT, AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Levar seconded by Mr. Jaworski that the rules or council be suspended and that Ordinance No. 2008-66 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Margalis seconded by Mr. Krych that Ordinance No. 2008-66 be adopted as presented.

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

Motion carried. Ordinance No. 2008-66 adopted.

ORDINANCE NO. 2008-67 AN ORDINANCE AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH COLD HARBOR BUILDING COMPANY FOR THE WICKLIFFE COMMUNITY/SENIOR CENTER PROJECT, AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Levar seconded by Mr. Jaworski that the rules of council be suspended and that Ordinance No. 2008-67 be placed on third and final reading.

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

Motion carried.

Moved by Mr. Margalis seconded by Mr. Jaworski that Ordinance No. 2008-67 be adopted as amended.

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

Motion carried. Ordinance No. 2008-67 adopted.

ORDINANCE NO. 2008-68 AN ORDINANCE AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MR. EXCAVATOR FOR THE WICKLIFFE COMMUNITY/SENIOR CENTER PROJECT, 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. 2008-68 be placed on third and final reading.

Mr. Levar added that this is a result of the work council requested to be done re the widening plus the materials.

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

Motion carried.

Moved by Mr. Margalis seconded by Mr. Jaworski that Ordinance No. 2008-68 be adopted as presented.

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

Motion carried. Ordinance No. 2008-68 adopted.

RESOLUTIONS

RESOLUTION NO. 2008-25 A RESOLUTION EXPANDING THE COMMUNITY REINVESTMENT AREA ALREADY ESTABLISHED IN THE CITY OF WICKLIFFE, OHIO, WHICH INCLUDES RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PROPERTIES ON EUCLID AVENUE EXTENDING FROM THE EASTERN CORPORATION LIMITS TO THE WESTERN CORPORATION LIMITS, TO FURTHER INCLUDE ADDRESSES ON LAKELAND BLVD., LLOYD ROAD, ANDERSON ROAD, CLAYTON AVENUE, AND THOSE ADDRESSES NORTH OF EUCLID AVENUE ON EAST 289 STREET, SILVER STREET, ROCKEFELLER ROAD WITHIN THE CORPORATION LIMITS OF THE CITY; AND AMENDING THE FINANCIAL ALLOWANCES FOR SAID COMMUNITY REINVESTMENT AREAS. Read by title.

Resolution No. 2008-25 placed on second reading.

MISCELLANEOUS

Mr. Levar called an Economic Development Committee on October 6th at 7:00 p.m. to discuss HWZ Environmental and items in committee.

Moved by Mr. Krych seconded by Ms. Koski that the council meeting of September 22, 2008 be adjourned.

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

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

Council Clerk

Council President and
Presiding Officer