

Wickliffe City Council Meeting
May 18, 2015

A regular meeting of Wickliffe City Council was called to order by Council President David Krych at 7:00 p.m. on Monday, May 18, 2015. The following were present at roll call

MAYOR:	William Margalis
COUNCIL PRESIDENT:	David Krych,
COUNCIL:	Bala, Ely, Jaworski, Koski, Levon, Matyja
LAW DIRECTOR:	William Gargiulo
FINANCE DIRECTOR:	Martin Germ
SERVICE DIRECTOR:	Joseph D'Ambrosio
ENGINEER:	Peter J. Formica
BUILDING COMMISSIONER:	Raymond F. Sack
RECREATION DIRECTOR:	Timothy E. Stopp
POLICE CHIEF:	Randy E. Ice, Lt. Jon Bush in attendance
FIRE CHIEF:	James G. Powers
ECONOMIC DEVELOPMENT:	Jason Laver, not present

APPROVAL OF MINUTES

Moved by Mr. Levon seconded by Mr. Bala that the minutes of the council meeting of May 11, 2015 be approved as presented.

ROLL CALL: Yes: Bala, Ely, Jaworski, Koski, Krych, Levon, Matyja
No: None

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - The Mayor had no communications but asked that an executive session be added to the end of this meeting to discuss personnel.

REPORTS AND COMMUNICATIONS FROM THE LAW DIRECTOR: Mr. Gargiulo had no report, all legal action is plodding along.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Krych reported that he and Ms. Koski attended the Cleveland Health ordinance program that the Humane Society and ASPCA put on at the library this afternoon, Cleveland has a shelter ordinance and wants us to place this in our community so he added the shelter ordinance into the LEGISLATION AND WELFARE COMMITTEE.

ADDITIONS OR AMENDMENTS TO THE AGENDA

Mr. Matya added under New Business, item (a) Civil Service Commission rules. Mr. Jaworwski added under Old Business (a) Kimble and Mr. Ely added under New Business (b) pay raises.

ADMINISTRATORS:

A. Police Chief – Lt. Bush had no report.

B. Fire Chief – Chief Powers had no report.

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

D. Engineer – Mr. Formica had nothing to report from his previous report. He stated he is ready to advertise this Friday for Grand Blvd. Phase II and the Empire Road program package. In response to a question from Mr. Krych Mr. Formica added that he has had a pre construction meeting and he has sked them to not start until after the Memorial Day holiday.

E. Service Director – Mr. D'Ambrosio remarked that at the last council meeting we had discussions regarding the salt situation. After checking information from the past we decided that we would place the order of 200 tons that will satisfy the ninety per cent of the contract. We did place an order of 22 to 25 and 2750, right now there is about 1100 tons in the salt bin, the additional 200 will add about around 12 to 14 tons. He compared last season's snow fall to this past season. We may be able to get additional tons when we work out the details. He also commented about the pool and the work done on that.

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

G. Recreation Director – Mr. Stopp had no report.

H. Economic Development Coordinator – Mr. Laver not present. The Mayor added that he talked to Jason today and he gave him a report concerning the Signature Health Group that was looking at the Mosely hotel and they had a purchase agreement with Julius Mosely and in there was a sixty day window where they can do their due diligence on it, they didn't complete everything they wanted to do in those sixty days and they asked Mr. Mosely for an extension and he would only give them an extension with some money involved with it so right now they backed off of that project, the property is back on the market but Signature is still going ahead doing their research and what they will do with that property.

Another topic, ABB, we were hoping we would have some answers in May but it looks like things have changed and the property they were looking at in Mayfield Village has been leased to another company which makes that site not enough square footage for ABB so that property is off of their short list. They are taking their time now and looking at our offer much more closely but we don't think we will get an answer this month, their time line for them is getting shorter so we are waiting to hear from them. Some promising news is that the Eaton Corporation has toured the back building on the ABB property and the tour went very well, they are interested in moving a group which is currently in an old industrial facility on the Cleveland-Euclid border, they currently have 200 employees that work out of that facility but this is more than a year ago based on their lease that they have.

THERE WAS NO AUDIENCE PARTICIPATION

THERE WERE NO COMMITTEE REPORTS

COMMISSION REPORTS

Ms. Koski read the report of the Keep Wickliffe Beautiful meeting regarding the flowers on the Avenue, the EPA Grant, the 2015 Great American Cleanup Results and coming events, which is attached.

OLD BUSINESS

a) Kimble – Mr. Jaworski reported that he received a complaint from a property owner on a house that has been vacant since Christmas and Kimble continues to sell her bills and she is trying to work with them but they are being extremely rude. They took the trash dumpsters away but they are still billing her and now

they sent her a bill for \$8.50 for the month of August and another bill for May through July 31st period. She is confused as to why they are doing this and they are not giving her any explanation why they told her she just has to go to pay it. The Mayor requested all this information and will talk to Kimble because we have been able to help these problems.

NEW BUSINESS

a) Civil Service Commission – Mr Matyja referred to the retirement of civil service employees. **He stated that since this issue of 2015 -26, mandatory retirement age came up, he probably talked about six or seven safety forces of other communities and the first thing that everyone asks is what are the rules of your Civil Service Commission for eligibility to be hired and also for retirement. He thinks that this is a really good point that our Commission should look at this ordinance and also make recommendations. He said that he has a problem with four, five six or seven council people telling employees they must retire. He thinks retirement is a personal decision to be made and there are questions that he has, do you retire at 65 on that date if able and he thinks that again our Commission had rules when they hired employees, it should be either in their by-laws or they should have some type of input when a person is forced to retire, he is asking that Ordinance No. should be amended. Mr. Krych added that he can refer this to the Civil Service Commission. Mr. Matyja also commented that he should ask Mr. Garguilo whether this is proper or not. Mr. Ely added that he would like to ask the administrators some questions in regards to this item.**

b) Pay raises – Mr. Ely asked if this was proper because there is an item on the table that we will vote on tonight and he would like to ask the administrators a question in regards to this item, is this permissible? Mr. Garguilo responded that it is permissible. He stated that three years ago council had to vote on a recommendation whether we should give ourselves pay raises and we were talking at that time about 2 two and a half percent. We never did that, consequently for eight years now we will be going eight years without a pay raise. This year we won't give ourselves a pay raise either so that would be twelve years and council certainly showed how they feel, we see the waste the city was going and the finances and we put ourselves forward to say no we cannot do this in good faith. We passed on \$80,00 the city cost to the residents, that was a hard decision for council. When you think that a resident with a \$100,000 home has about actually \$450 come to the city on their property taxes. That \$43.00 a month is about \$172.00 per year of the \$600, so they have certainly done their share. People voted when they decided to move from one fund to another fund they put the trust in council and the administration to do right by their money. That money should not be used for pay raises but they were trustworthy enough to make sure that that money was spent the way it should. Looking at these ordinances we have to decide tonight we still don't know what ABB is going to do and that will have an effect on us. He has questions to ask under the ordinance.

ORDINANCES

ORDINANCE NO. 2015-12 AN ORDINANCE PROVIDING FOR THE COMPENSATION OF APPOINTED OFFICIALS OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Ms. Koski seconded by Mr. Ely that Ordinance No. 2015-12 be adopted as presented.

Mr. Ely said in view of what he stated earlier he would like to poll a question to all the, all of the administrators here tonight that are here on this ordinance, he would like to pose the question do they feel that they could give up under the circumstances of Wickliffe today that they would vote themselves for a

pay raise of 2%. So he asked for a show of hands as to who feels that this council should vote for a pay raise for them. Mr. Ambrosia stated that he had a raise because he is the new Service Director, other administrators commented that they could use a raise. Chief Powers added that his employees work very hard to try to accomplish the service they provide to the city. Mr. Ely added that probably in December when this comes up, council will not vote for a pay raise, Chief Powers explained the contract with the union. Mr. Ely asked the Chief what he would tell his people when they ask you about their earnings, you never make a comment, Chief Powers replied that this would be an unfair labor practice. Ms. Koski commented on the safety forces and their raises. Mr. Ely added that when people take 230 hours of sick time in a month as read in the last report, to him that probably cost us some overtime and he had the same issue at Lubrizol. These people got as much overtime as they could get, but they gave up their holidays so to make the that money so that is not an argument with him. Mr. Levon commented that in his opinion and the other nine ordinances is that we are asking these departments to cut five per cent of the budget and then we are going to give people two per cent raises, to him that makes no sense at all, we are cutting the budget and adding more raises. He understands the contract with the unions, do these people deserve a raise, probably, should the employees get a raise at this time, no.

Mr. Matyja added that Mr. Levon is correct, he cannot remember the last time he voted down a salary ordinance, we are going to give raises out and then cut people, this is not the time. He said he voted very strongly for the employees of the City all the time, but times are bad but giving a 5% cut and then giving raises, those are my comments on every single one, everybody deserves a raise, there is no money, the city people you are giving raises to he cannot vote for that.

Mr. Bala asked Mr. Germ if you take out all of these raises would you know how much it would be to the city. Mr. Germ replied that this year it's about 27,500 for this year and we will already have paid out 14 pays and would have 13 more to go. Next year this would cost approximately \$55,000.00. The Mayor added all these ordinances are taking effect June 27, where all the other employees are union contractual. He commented further on the union employee raises. We decided to cut this back to half year raises so our budget was calculated on that full twelve month of two per cent raises. He further commented on the differential between police and fire. Mr. Krych also added that he has been going over this for many weeks and the more time we were faced with the reality of having to go back to the ballot but with the information we will have to add certain levies if things don't change.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-12 defeated.

ORDINANCE NO. 2015-13 AN ORDINANCE PROVIDING FOR THE COMPENSATION OF CERTAIN SALARIED AND HOURLY EMPLOYEES OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Levon seconded by Mr. Bala that Ordinance No. 2013 be adopted as presented.

ROLL CALL: Yes: Koski, Ely
No: Bala, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-12 defeated.

ORDINANCE NO. 2015-15 AN ORDINANCE PROVIDING FOR THE COMPENSATION ASND OTHER EMPLOYMENT PROVISIONS FOR THE PUBLIC SAFETY DISPATCHERS OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHE ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING.

Moved by Mr. Bala seconded by Mr. Ely that Ordinance No. 2015 be adopted as presented.

ROLL CALL: Yes: Koski, Ely
No: Bala, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-12 defeated.

ORDINANCE NO. 2015-16 AN ORDINANCE PROVIDING FOIR THE COMPENSATION AND OTHER EMPLOYMENT PROVISIONS FOR SPECIAL POLICE OFFICERS OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Ely seconded by Mr. Bala that Ordinance No. 2015 be adopted as presented.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-16 defeated.

Mr. Ely interjected to ask the administrators if they were in our position do they feel they can vote themselves for a pay raise. He asked for a show of hands regarding this.

ORDINANCE NO. 2015-17 AN ORDINANCE PROVIDING FOR THE COMPENSATION AND OTHER EMPLOYMENT PROVISIONS OF PART-TIME FIREFIGHTERS IN THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Ely seconded by Mr. Levon that Ordinance No. 2015-17 be adopted as presented.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-17 defeated.

ORDINANCE NO. 2015-18 AN ORDINANCE PROVIDING FOR THE COMPENSATION OF CERTAIN HOURLY EMPLOYEES OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Bala seconded by Mr. Ely that Ordinance No. 2015-18 be adopted as presented.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-18 defeated.

ORDINANCE NO. 2015-19 AN ORDINANCE PROVIDING FOR THE COMPENSATION OF CERTAIN HOURLY EMPLOYEES OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Bala seconded by Mr. Ely that Ordinance No. 2015-19 be adopted as presented.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-18 defeated.

ORDINANCE NO. 2015-20 AN ORDINANCE PROVIDING FOR THE COMPENSATION OF CERTAIN HOURLY EMPLOYEES OF THE CITY OF WICKLIFFE, OHIO AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Bala seconded by Mr. Ely that Ordinance No. 2015-20 be adopted as presented.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-20 defeated.

ORDINANCE NO. 2015-21 AN ORDINANCE PROVIDING FOR THE COMPENSATION OF CERTAIN SALARIED AND HOURLY EMPLOYEES OF THE CITY OF WICKLIFFE, OHIO, AND REPEALING ANY AND ALL OTHER ORDINANCES OR PARTS THEREOF THAT MAY BE INCONSISTENT WITH THIS ORDINANCE. Read by title. THIRD READING

Moved by Mr. Ely seconded by Mr. Blala that Ordinance No. 2015-21 be adopted as presented.

ROLL CALL: Yes: Koski
No: Bala, Ely, Jaworski, Krych, Levon, Matyja

Ordinance No. 2015-21 defeated.

ORDINANCE NO. 2015-26 AN ORDINANCE AMENDING CHAPTER 171-EMPLOYMENT PROVISIONS OF THE CODIFIED ORDINANCES OF THE CITY OF WICKLIFFE, OHIO BY SUPPLEMENTING SAID CHAPTER 171 WITH SECTION 171.111 POLICE AND FIRE DIVISIONS MANDATORY RETIREMENT. Read by title.

Ordinance No. 2015-26 placed on second reading.

ORDINANCE NO. 2015-27 AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF A PROPOSED AMENDMENT TO ARTICLE IX OF THE CHARTER OF THE CITY OF WICKLIFFE, OHIO, TO AUTHORIZE THE COUNCIL TO PASS ORDINANCES ALLOCATING THE ANNUAL PROCEEDS OF THE MUNICIPAL INCOME TAX. Read by title.

Ordinance No. 2015-27 placed on second reading.

MISCELLANEOUS

Mr. Ely referred to an article in the newspaper regarding Josh Mandel, the Treasurer of the State of Ohio, and read the letter about the opportunity to launch a new web site that allows Ohioans to search and share check book level standing in the past seven years. Comments were made on this subject.

Moved by Mr. Levon seconded by Mr. Jaworski that council recess into executive session to discuss personnel.

ROLL CALL: Yes: Bala, Ely, Jaworski, Koski, Krych, Levon, Matyja
No: None

Council recessed into executive session at 8:05 p.m. to discuss personnel.

Council convened from executive session at 8:37 p.m.

PRESENT: Bala, Ely, Jaworski, Koski, Krych, Levon, Matyja

There being no further business it was moved by Mr. Jaworski seconded by Mr. Bala that the council meeting of May 18, 2015 be adjourned.

ROLL CALL: Yes: Bala, Ely, Jaworski, Koski, Krych, Levon, Matyja
No: None

Motion carried. Meeting adjourned at 8:38 p.m.

Clerk of Council

Council President and Presiding Officer