

Wickliffe City Council Meeting
June 22, 2015

A regular meeting of Wickliffe City Council was called to order by Council President David Krych at 7:00 p.m. on Monday, June 22, 2015. The following were present at roll call

MAYOR:	William Margalis
COUNCIL PRESIDENT:	David Krych
COUNCIL:	Ely, Koski, Levon, Matyja Bala, excused. Jaworski not present at roll call
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
FIRE CHIEF:	James G. Powers
ECONOMIC DEVELOPMENT:	Jason Laver

APPROVAL OF MINUTES

Moved by Mr. Levon seconded by Ms. Koski that the minutes of the council meeting of May 18, 2015 be accepted as presented.

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

Motion carried.

Moved by Mr. Levon seconded by Ms. Koski that the minutes of the council meeting of June 8, 2015 be accepted as presented.

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

Motion carried.

Moved by Ms. Koski seconded by Mr. Levon that Ms. Koski, and Mr. Matyja be permitted to abstain from approval of the minutes of the special council meeting held on June 19, 2015.

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

Motion carried.

Moved by Mr. Ely seconded by Mr. Levon that the minutes of the special council meeting of June 19, 2015 be accepted as presented.

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

Motion carried.

REPORTS AND COMMUNICATIONS FROM MAYOR/SAFETY DIRECTOR - The Mayor reported regarding the bulletin from the Ohio Municipal League which was sent out last Friday, June 19. He read part of the article concerning attacking local communities like Wickliffe and this letter was sent to the State Senate Conference Committee stating that with great regret that we must share with our neighbors of Ohio cities and villages again of taking the brunt of additional cuts in financial assistance by the State through more residency being withheld to be redirected to municipal local government fund distribution and additional threats to the constitutionality granted home rule provisions of government. They have attached a letter that was sent to the Conference Committee Chairman and he read the paragraph concerning this. The following provisions are included In House Bill 64 will take more local government fund revenue from service providing in its valley and there are three areas of concern that are covered which will affect us if this happens. 25 million dollars over the minimum redirected from the local government fund municipal distribution for townships and small villages general funds so they are suggesting that they send less monies to municipalities and send more to villages and townships. The Mayor read the rest of the article regarding police training including state highway patrol, etc. This means that 41 million dollars which will be re-directed. This will go into a conference committee which is made up of five members of the House and the Senate to sit down and negotiate numbers between the difference of the bills. We don't know if our local government fund is going to be hit again, we only have 850,000 left coming back to us from the State, we used to have 1.6 million. We hope they will work out something that leaves us alone, it is unfair to municipalities and to us and everyone that is being affected by this. These are our tax dollars being sent to Columbus and they are deciding not to redirect it back to the communities but to do it for their own special interest.

Mr. Jaworski entered the meeting at this point.

REPORTS AND COMMUNICATIONS FROM THE LAW DIRECTOR: Mr. Gargiulo had no report.

COMMUNICATIONS FROM COUNCIL PRESIDENT - Mr. Krych stated that a request from the Department of Liquor Control for a new liquor permit for Richard Hayden doing business at 28932 Euclid Avenue and this was passed on to the councilman for that ward. He also set the date of June 29, 2015 for tabled Ordinance No. 2015-27 to Monday, June 29, 2015 at 7:00 p.m. in council chambers.

THERE WERE NO ADDITIONS OR AMENDMENTS TO THE AGENDA

ADMINISTRATORS:

A. Police Chief – Chief Ice had no report.

B. Fire Chief – Chief Powers had no report. In response to a question from Mr. Krych regarding a FEMA grant, was there a reason why we were denied. The Chief stated that these awards are awarded every Friday through FEMA from a grant and this will be continued in the fall. We do qualify for this and need every aspect. The grant is for \$200,000.

C. Finance Director – Mr. Germ updated council on the Rocksalt settlement of 25 million dollars.. We received a letter dated June 19 and they would like this information for the periods of July 1, 2008 through June 30, 2011 for purchases made during that period, they prefer this information be submitted on line, that is for total tons and dollars and this information has to be in by August 7 and they will use the submitted purchase information to determine for each entity's of the settlement and will begin the distribution process.

D. Engineer – Report attached. Mr. Formica added that they have done their preliminary review of the Nehls Park drainage and flood plain and it was very favorable that if we were to provide calculations that we could have the flood plain greatly reduced. He gave a report on the other projects being worked on.

E. Service Director – Mr. D'Ambrosio had no report.

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

G. Recreation Director – Mr. Stopp reported on the success of movie night and the sponsors who made it possible.

H. Economic Development Coordinator – Mr. Laver had no update to report.

AUDIENCE PARTICIPATION OPENED

Ed Kowaluk, 29831 Phillips Avenue, requested more police presence on Worden Road and Rockefeller Road because a beer truck barreled through the red light and he asked if there could be red light cameras there.

Bill Kendra, 3041 Ridge Road, has lived in Wickliffe for 47 years and said he is not very happy about what he has been reading and what he heard about more cuts. He does not like paying for his garbage pickup and the levy by the school board but by the times and you can only cut so much and things are changing and he appreciates the transparency when somebody tells us like it is. He wants to see Wickliffe hiring three new patrolmen or the fire department. We have to ask for more money and people do not understand that, if we have to go for more money it's better than letting the city slip as it will. He implored council to think of asking for more money and the general public understands you cannot let things slip and hope because we all know the problem is in Columbus.

Melissa Coates, 301 E. 288 Street, said she was concerned about comments by the police chief and the mayor were uncalled for. All the cities are in the same position.

Louise Seifert, 1845 Rockefeller Road, commented that she has seen a lot of changes go on. She works for a real estate company and has seen a lot of changes. She does not like what is going on in the city and wants to know what we can do to get it back to how it was.

AUDIENCE PARTICIPATION CLOSED

COMMITTEE REPORTS

Mr. Krych read the report of the Finance Committee meeting held on June 15, 2015 which is attached.

Moved by Mr. Ely seconded by Ms. Koski to authorize the Law Director to create legislation for advertising on city property specifically as relates to the Service Garage property located at 30020 Lakeland Blvd.

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

Motion carried.

THERE WERE NO COMMISSION REPORTSTHERE WAS NO OLD BUSINESSNEW BUSINESS

a) Memo from Building Commissioner re part time position – Mr. Sack referred to his memo which was distributed to council. He asked council to consider using a part time inspector position which has not been filled due to a lack of certified personnel and/or experience. He asked council to have Dave Hocer as his back-up for the rest of the year. We have an in-line item for \$19,500 for a part time inspector. The Mayor added that the reason we are doing this is because instead of having a full time inspector on board so when Mr. Sack is off the work is still being done, this person would get paid just for doing an inspection and does not get paid for anything else. Mr. Sack is able to take care of all the work now, this person will fill in when Mr. Sack is not here.

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

Motion carried.

ORDINANCES

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. THIRD READING AMENDED

Moved by Mr. Jaworski seconded by Mr. Ely that Ordinance No. 2015-26, as amended, be adopted as presented.

Mr. Matyja injected that by giving these people by October 1st might be a compromise and he has talked to a number of safety force people and it reaffirms his first commitment that it is unfair to target two individuals that have been here for so long, retirement is a personal decision that we all have to make and to target two people that have been here for a long time, they are dedicated and have never been disciplined and he cannot support this. When they were hired they were never told that they had to retire at a certain time, for any one being hired he can see legislation then but to make legislation to tell somebody you are no longer valuable or no longer needed by the city and he was wrong to vote on this amendment it's not a good thing to give them two or three more months, he cannot do it and cannot support this legislation. Mr. Jaworski also agreed that we have to do what is best for the safety of the residents. Mr. Levon agrees that this is a life changing event but this has to be done. Mr. Ely added that he understands Mr. Matyja's feeling on this legislation and he agrees that it is tough to make these kind of decisions but the cost of employing these two people to do tickets when most of our issues are crime in the city.

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

Motion carried.

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.

The Law Director stated that this ordinance has been tabled to June 29 at 7:00 p.m. under Chapter 121, Council Rule 26.

ORDINANCE NO. 2015-28 AN ORDINANCE CONFIRMING THE APPOINTMENT OF SCOTT J. ZELE AS DIRECTOR OF LAW/POLICE PROSECUTOR OF THE CITY OF WICKLIFFE, OHIO; AUTHORIZING COMPENSATION THEREFOR AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Levon seconded by Mr. Ely that the rules of council be suspended and that Ordinance No. 2015-28 be placed on third and final reading.

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

Motion carried

Moved by Mr. Levon seconded by Mr. Ely that Ordinance No. 2015-28 be adopted as presented.

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

Motion carried. Ordinance adopted as presented.

ORDINANCE NO. 2015-29 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2015 PAVEMENT REPAIR PROGRAM, CONTRACT B CRACK SEALING; AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Ely seconded by Mr. Jaworski that the rules of council be suspended and that Ordinance No. 2015-29 be placed on third and final reading.

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

Motion carried

Moved by Mr. Jaworski seconded by Mr. Ely that Ordinance No. 2015-29 be adopted as presented.

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

Motion carried. Ordinance adopted as presented.

ORDINANCE NO. 2015-30 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH RONYAK PAVING, INC. FOR THE 2015 PAVEMENT REPAIR PROGRAM, CONTRACT A-ASPHALT REPLACEMENT; AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Levon seconded by Mr. Ely that the rules of council be suspended and that Ordinance No. 2015-30 be placed on third and final reading.

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

Motion carried

Moved by Mr. Jaworski seconded by Mr. Ely that Ordinance No. 2015-30 be adopted as presented.

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

Motion carried. Ordinance adopted as presented.

ORDINANCE NO. 2015-31 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WICKLIFFE, OHIO TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING & PAVING CO., INC. FOR THE GRAND BLVD. WATERLINE AND PAVEMENT IMPROVEMENTS PROJECT-PHASE II; AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Jaworski seconded by Mr. Ely that the rules of council be suspended and that Ordinance No. 2015-31 be placed on third and final reading.

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

Motion carried

Moved by Mr. Jaworski seconded by Mr. Levon that Ordinance No. 2015-31 be adopted as presented.

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

Motion carried . Ordinance adopted as presented.

ORDINANCE NO. 2015-32 AN ORDINANCE LEVYING AN ASSESSMENT FOR UMNPAID BILLS AND COST OF CUTTING NOXIOUS OR POISONOUS WEEDS, VINES, TREE LIMBS OR GRASSES GROWING UPON PARCELS OF LAND IN THE CITY OF WICKLIFFE, OHIO AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Ely seconded by Ms. Koski that the rules of council be suspended and that Ordinance No. 2015-32 be placed on third and final reading.

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

Motion carried

Moved by Mr. Jaworski seconded by Mr. Levon that Ordinance No. 2015-32 be adopted as presented.

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

Motion carried. Ordinance adopted as presented.

ORDINANCE NO. 2015-33 AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) NEW 2016 MODEL YEAR INTERNATIONAL SINGLE-AXLE CHASSIS WITH REQUESTED EQUIPMENT, THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR USE BY THE SERVICE DEPARTMENT OF THE CITY OF WICKLIFFE, OHIO; AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Ely seconded by Ms. Koski that the rules of council be suspended and that Ordinance No. 2015-33 be placed on third and final reading.

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

Motion carried

Moved by Mr. Jaworski seconded by Mr. Levon that Ordinance No. 2015-33 be adopted as presented.

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

Motion carried. Ordinance adopted as presented.

RESOLUTIONS

RESOLUTION NO. 2015-08 A RESOLUTION RECOGNIZING AND THANKING WILLIAM C. GARGIULO FOR HIS YEARS OF SERVICE AND WISHING HIM ALL THE BEST THROUGH HIS RETIRMENT YEARS; AND DECLARING AN EMERGENCY. This Resolution was read in its entirety by the Mayor

Moved by Mr. Levon seconded by Ms. Koski that the rules of council be suspended and that Resolution No. 2015-08 be placed on third and final reading.

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

Motion carried

Moved by Mr. Krych seconded by Ms. Koski that Resolution No. 2015-08 be adopted as presented.

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

Motion carried. Resolution No. 2015-08 adopted.

RESOLUTION NO. 2015-09 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF WICKLIFFE FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2016, SUBMITTING SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY. Read by title

Moved by Mr. Ely seconded by Ms. Koski that the rules of council be suspended and that Resolution No. 2015-09 be placed on third and final reading.

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

Motion carried

Moved by Ms. Koski seconded by Mr. Ely that Resolution No. 2015-09 be adopted as presented.

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

Motion carried. Resolution No. 2015-09 adopted.

RESOLUTION NO. 2015-10 A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ISSUE THE SECOND PAYMENT OF NON-TAX REVENUE TO PARKER HANNIFIN CORPORATION PURSUANT TO ORDINANCE NO. 2012-07; AND DECLARING AN EMERGENCY. Read by title.

Moved by Mr. Ely seconded by Mr. Jaworski that the rules of council be suspended and that Resolution No. 2015-10 be placed on third and final reading.

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

Motion carried

Moved by Mr. Ely seconded by Mr. Levon that Resolution No. 2015-10 be adopted as presented.

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

Motion carried. Resolution No. 2015-10 adopted.

There being no further business it was moved by Mr. Jaworski seconded by Mr. Ely that the council meeting of June 22, 2015 be adjourned.

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

Motion carried. Meeting adjourned at 8:05 p.m.

Clerk of Council

Council President and Presiding Officer