

**Village of Wadsworth
Minutes of the Regular Village Board Meeting
Held at the Village Hall
March 7, 2006**

- Call to Order:** President Furlan called the meeting of the Village Board of Trustees to order at 7:30 P.M.
- Pledge of Allegiance:** President Furlan led the Pledge of Allegiance.
- Roll Call:** In attendance were Village President Ken Furlan, Village Trustees Mike DeMarco, Candy Nannini, John Nordigian, Glenn Ryback, Debbie Spurgeon and Lynn Schlosser, Village Clerk Christine Stickler and Attorney William Stanczak. All present.
- Approval of Agenda:** A motion was made by Ryback and seconded by Spurgeon to approve the agenda for the 3/7/06 meeting as presented.

Voice vote: Ayes all; Nays none. Motion carried.
- Approval of the Minutes of the Meeting Held 2/21/06:** The minutes of the regular Village Board meeting held 2/21/06, as presented by the clerk to all Board members, were approved on a motion by Ryback, seconded by Nannini.

Voice vote: Ayes all; Nays none. Motion carried.
- Correspondence:** Stickler reported that all correspondence received at the Village Hall from 2/22/06 through 3/7/06 was reviewed and placed on file.
- Public Comment:** Dale Nagel, 13153 21st Street, addressed the Board regarding excessive speeding, no passing violations and the quantity of commercial truck traffic on 21st Street and speeding on Delany Road. Mr. Nagel noted that he has reported this issue several times to the board, both in writing and at previous Board meetings, and there is still no traffic enforcement in the area. President Furlan assured Mr. Nagel that an effort would be made during the next month to provide extra patrols on 21st Street to monitor speed and other traffic violations.
- Ordinances/Resolutions:**
**Ordinance 2006-686
Pond View Estates:** A motion was made by Ryback and seconded by DeMarco to adopt Ordinance 2006-686 Granting Final Approval for The Pond View Estates Planned Unit Development.

Adopted: Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Spurgeon and Nannini. Nays - Schlosser. Motion carried.
- Resolution 2006-182
Forest View:** A motion was made by Nannini and seconded by DeMarco to approve Resolution 2006-182 Granting General Development Plan Approval for the Forest View Planned Unit Development.

Approved: Roll Call Vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.
- Old Business:** None.

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New Business:

Fence Repairs:

Spurgeon reported that a comprehensive quote was received for all fence repairs at the park, including the damage from the snowmobile and some work to correct problems from the original installation of the fence approximately 14 years ago. Fence repairs in the tennis court and basketball court areas will be completed when the courts are repaired. A motion was made by Spurgeon and seconded by DeMarco to award a contract to Masterbilt Fence and Supplies, Inc. to complete the repairs listed as numbers 2 through 4 inclusive on their quote dated 1/10/06 in the amount of \$4,450.00.

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

Door & Window Repairs:

Spurgeon also reported that a quote was received to repair the doors and windows on the Village Hall. The replacement of the service garage door was removed from the quote pending more details. A motion was made by Spurgeon and seconded by Ryback to award a contract to Ames Construction per the quote dated 12/30/05 in the amount of \$7,110.00 to repair the main entrance door, the exterior basement door, the upper exterior door, 14 first floor windows and 16 basement windows.

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

Audit Engagement:

A motion was made by Nannini and seconded by Spurgeon to approve the engagement of Milburn Cain & Co. to perform the 2005-2006 audit for the Village of Wadsworth. Cost for the audit will not exceed \$5,000.00 with an additional \$1,000.00 if preparation of the annual Treasurer's Report is requested.

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

Mayor's Report:

**Ordinance
Section 10-5-10(E):**

Furlan requested that the Board review Ordinance section 10-5-10 (E) that regulates signage for home occupations operating in a business zone and consider a change that would make it more restrictive. After discussion, it was agreed that no sign should be allowed if the building is being used as a residence. A motion was made by Nannini and seconded by Spurgeon to authorize the Village Attorney to prepare an amendment to the ordinance to strike the words "except a sign as regulated by Section 10-5-8 of this Chapter" from section 10-5-10 (E). The Village Attorney was also instructed to make sure no other area of the ordinances will be affected by this change. A concern was expressed that this change would conflict with allowable signs for home occupations in residentially zoned areas. A motion was made by DeMarco and seconded by Spurgeon to postpone a vote on the ordinance amendment for 10 minutes until the sign regulation for residentially zoned home businesses could be reviewed.

Voice vote: Ayes all; Nays none. Motion carried.

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- Development Covenants:** Furlan also reported that he spoke with Attorney John Mullen regarding the Village review of development covenants. Mullen advised that the Village should not concern themselves with the covenants, other than to review them for grossly misleading information and to ensure that they state that the Village has the right to enforce their ordinances, noting that the more stringent ruling between the covenants and the ordinances will prevail. Any special restrictions should be filed on the final plat. Village Attorney Stanczak concurred with Mullen's advice that the covenants are not the responsibility of this Board. Nordigian suggested that the Board should consider preparing a list of standards that the Board expects to be included in the covenants for distribution to developers before they submit their covenants.
- Wood Chips:** The maintenance staff cleaned up wood chips that were dumped on 9th Street. Some of them were brought back to the Village Hall to be used and the rest were pushed to the side of the road. The garbage problem on 9th Street and 21st Street is starting to be costly as the Village is charged a fee when it is taken to the dump.
- 173 Corridor Council:** The 173 Corridor Council will meet on 3/8/06. Furlan agreed to discuss with Old Mill Creek and Lake County the possibility of filing an injunction to stop the Wadsworth Road Tollway Project until the fire protection issue is resolved as was promised before the project began. With additional road and bridge repair projects scheduled for Milburn Road and Sterns School the area west of the tollway is going to be a quagmire.
- Citgo LED Signs:** Tri-Star requested permission to change their two entryway signs to include a LED display. Although the Board prefers no flashing signs, they agreed to consider a change if the two new sign and the existing one were programmed to change no less than every 40 seconds and if a green or earth tone color could be used as opposed to red.
- SE Corner of Wadsworth Road & Route 41:** A sewage treatment system is to be installed on the property located at the SE corner of Wadsworth Road and Route 41, as the septic issue must be resolved before that corner can engage in additional business or be sold.
- Furlan requested to convene to Executive Session at this meeting to discuss past litigation.
- Postponed Vote on Ordinance Amendment:** The vote, postponed earlier in the meeting, was taken on the motion to authorize the Village Attorney to prepare an amendment to Section 10-5-10(e) of the ordinances to strike the words "except a sign as regulated by Section 10-5-8 of this Chapter".
- Voice Vote: Ayes all; Nays none. Motion carried.
- Attorney's Report:** None.

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Trustees' Comments:

Nordigian noted the return of Village Attorney William Stanczak after a short absence due to illness.

Nannini presented a cost comparison, broken down by general ledger income and expense accounts, for the fiscal years 5/04-4/05 and 5/03-4/04. Discussion was held on how this type of financial information would be more beneficial in making budget decisions. A monthly comparative income and expense report would provide better information than the current reports that are simply lists of checks issued or invoices paid. Trustees were asked to perform a cursory review of the reports and comment to Nannini by the next meeting. If it is agreed to proceed in this direction, Furlan and Nannini will work together to implement the change. Attorney Stanczak was instructed to check the State statues on the treasurer's job in the municipal handbook to determine if the Treasurer can be directed to change the format of reports or if the information could be accessed by a Trustee in order to prepare the reports. In preparing the comparison, Nannini noted that the consolidated accounts noted in Milburn & Cain's last audit report are broken down. She will contact them for further explanation of their comments.

DeMarco inquired on the best direction to make the current staff aware of the job posting for a Village Manager. Due to the small number of staff, it was agreed that a memo posted in the office should be sufficient.

Schlosser compared the snow removal costs from the 2004-2005 season with the 2005-2006 season. The cost for this year to date is just under \$50,000, which represents a savings of about \$30,000 from the previous year. In addition to the cost savings, the new company has done a better job.

Ryback noted that the fence at the Tri-Star Citgo station on Wadsworth Road and Route 41 has been completed, but the landscaping cannot be completed until spring. Overnight truck parking is being reported and the police were asked to check out the situation. Tickets cannot be issued on private property; however, the police will monitor overnight parking at the Citgo station and at Lou Perrine's on Routes 41 & 173.

Executive Session:

A motion was made by Ryback and seconded by Spurgeon to convene to Executive Session at 9:11 P.M. to discuss past litigation.

Roll call vote: Ayes – Ryback, Nordigian, DeMarco, Schlosser, Spurgeon and Nannini. Nays none. Motion carried.

Return to Open Session:

The meeting returned to open session at 9:35 P.M.

Adjourn:

There being no further business, the meeting adjourned at 9:36 P.M. on a motion by Nannini and seconded by DeMarco.

Voice vote: Ayes all; Nays none. Motion carried.

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Christine E. Stickler, Village Clerk