



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, April 18, 2023 at 7:30 PM
City Council Chambers

ADA NOTICE

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City of Willowick at 440-585-3700 at least three working days before the meeting.

MINUTES

CALL MEETING TO ORDER

1. The Eighth Meeting of Council

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

PRESENT

Council President Robert Patton
Ward 1 Councilwoman Monica Koudela
Ward 1 Councilman Patrick Mohorcic
Ward 2 Councilwoman Natalie Antosh
Ward 3 Councilman Charles Malta
Ward 3 Councilman David Phares

ABSENT: Ward 2 Councilwoman Theresa Bisbee

Also Present: Service Director Shannon; Engineer McLaughlin; Finance Director Benedict; Law Director Landgraf; Police Chief Turner; Fire Chief Malovhr; Chief Housing Director Brennan and Council Clerk Morgan.

ABSENT: Recreation Director Kless

APPROVAL OF MINUTES

2. Motion to Approve the Minutes of April 4, 2023, Regular Council Meeting

Motion made by Councilman Malta; Seconded by Councilwoman Antosh.

Voting Yea: President Patton, Councilwoman Koudela, Councilman Mohorcic, Councilwoman Antosh, Councilman Malta, Councilman Phares

Motion Carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

None

ADMINISTRATIVE APPEALS**3. Administrative Appeal Order No. 2023-5 (MAZZOLA)**

An Order Granting a Variance and Exception of 1330 Sq. Ft. to Construct an Office Building that has 200 Sq. Ft. Floor Areas in the Application of Section 1163.03(c) of the Codified Ordinances in Board of Zoning Appeals

Discussion: Mr. Mazzola appeared before Council and explained the structure as wooded building (shed) that will be a non-permanent structure with phone and electric. No running water nor or staff.

Motion made by Ward 2 Councilwoman Antosh, Seconded by Ward 1 Councilman Mohorcic.

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion Carried.

4. Administrative Appeal Order No. 2023-6 (CUMMINGS)

An Order Granting a Variance and Exceptions of 42 Linear Feet of Double Fencing in the Rear Property in the Application of Section 1163.06 (b) of the Codified Ordinances in Board of Zoning Appeals

Discussion: President Patton asked if Mr. Cummings would like to speak but was too far from the microphone to record his comments. Opposed to the proposed 42 linear feet of double fencing was Councilwoman Natalie Antosh who spoke as a resident, not a member of Council and owner of property at 30420 Vineyard in which her property line is adjacent to Mason Cummings' property at 30421 Oakdale. Mrs. Antosh stated Mr. Cummings removed her chain link fence without her permission to erect a 'board on board' fence and presented pictures to Council. Mrs. Antosh sought legal advice regarding the matter, and she asked for replacement of the fence. President Patton inquired why a double fence and Law Director explained the chain link fence was permitted and for Mr. Cummings to have a fence there needs to be a variance for a double fence. BZA denied said variance. Councilwoman Koudela stated the resident of the property granted permission for the removal of the fence, but Mrs. Antosh denied that. President Patton addressed Mr. Cummings for any response, and he had none. Councilwoman Koudela and Councilman Mohorcic would like the resident to have his fence but were against a double fencing. The vote is whether to grant the variance and not the BZA decision.

Motion made by Ward 3 Councilman Malta, Seconded by Ward 3 Councilman Phares.

Voting Yea: Council President Patton

Voting Nay: Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Voting Abstaining: Ward 2 Councilwoman Antosh

Motion Failed.

5. Administrative Appeals Order No. 2023-7 (POLITO)

An Order Granting a Variance and Exception of 8 Parking Spaces for a Restaurant with 70 Seats in the Application of Section 1145.05 (b)(3) of the Codified Ordinances in Board of Zoning Appeals

Discussion: Domenic Polito discussed the history of the property, plans for the Willowick Café and the need for the variance of the parking space.

Motion made by Ward 2 Councilwoman Antosh, Seconded by Ward 1 Councilman Mohorcic.

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion Carried.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

Mayor provided update on the stolen vehicle, chase and collision with Willowick Officer Cook along with an update on his recovery process. Officer Cook apprehended the suspect. NOPEC is back and letters sent to residents. There has been information that First Energy is doubling their rates in June to 12.3¢ kWh effective June 1, while NOPEC will offer 6.45¢ kWh. Residents automatically enrolled but will have to sign and return form to opt-out. Appropriations for Euclid Avenue happening in 2024 for resurfacing in 2026. In addition, Willowick, Wickliffe and Willoughby applied for funding from Congressman Joyce's office and all three cities were slated for \$4.6 million. New employee to begin May 1, 2023, in the Finance Department.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

None

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Service Director – Todd Shannon

Report emailed. Work is being done on the ballfields and repairs will be made. The road program is taking off and updates added to website.

Recreation Director – Julie Kless

Director Kless-Absent

City Engineer – Tim McLaughlin

More on the road program as signs are out. Work will begin at Manry and completed by Memorial Day weekend. Repair by Mr. Level at 511 Fairway was completed last week.

Finance Director – Cheryl Benedict

No report

Law Director – Stephanie Landgraf

There is to be another revision to the fireworks ordinance coming from the planning commission for the next agenda. *(Email received the day after council meeting that Law Director Landgraf misspoke and requested correction of her statement to show the fireworks ordinance changes will be coming from the safety committee and not the planning commission).*

Police Chief – Brian Turner

No report.

Questions from Councilwoman Antosh and Councilman Mohorcic regarding Officer Cook and coverage in his absence.

Fire Chief – Bill Malovrh

No report.

Councilwoman Antosh inquired about the many calls recently and the outcomes.

Chief Housing/Zoning Inspector – Sean Brennan

No report

WARD MATTERS

None

PUBLIC PARTICIPATION

a) Public statement (1 minute maximum)

b) Council response to the public

c) Public clarification (30 seconds to 1 minute for the purpose of restating or rearticulating an original question, concern, suggestion or idea)

***Rose M. Allen from U.S. Department of Commerce and the Census Bureau** requested Council to encourage residents to participate in a survey for the purpose in aiding Congress and other elected official what allocations are needed in the City for roads, fire, safety, recreation, seniors, housing, etc. This survey takes place every 2 years and begins with the mailing of letters to targeted homes. Ms. Allen will be visiting these targeted homes beginning in May. Mayor Vanni addressed Ms. Allen and requested her information be sent to the Council Clerk to publish to the residents. Mr. Malta explained the ‘Do Not Knock’ sticker and asked that she does not get discouraged. Ms. Allen replied that even if homes are showing ‘private’ or ‘do not solicit,’ she is not soliciting and has been trained to approach all homes on the target list since a letter was sent to expect this. Councilwoman Antosh asked if she needed a permit and Chief Turner replied that her letter should negate any sign so no permit required.

***Dan Bennett 31617 North Road** spoke of cameras and recording devices for council meetings. Even if not live, the published meeting would show the nuance and character which are missing in the meeting minutes. Mr. Bennet stated it was disheartening with all the COVID money coming to the City that no one has looked to see how much this would cost. President Patton replied all meetings are recorded and it is a public record for anyone who wants to listen. Mr. Bennett asked if the recording was publicized and President Patton stated it was not actively published. There is nothing in the Ohio Revised Code (ORC) that requires the municipality to publicized recordings. Mr. Bennett has applied to be part of Council and is active in the City, which Mr. Bennett stated had nothing to do with this. President Patton explained that the City has to respond with what they believe is the requests of the residents. The City of Willowick has to allocate the COVID money. Mr. Bennett asked what money and how much money. President Patton asked to allow it to make his point by stating budget hearings are the first week in February and Council goes line by line within the budget. This meeting was advertised and President Patton, to his knowledge, was not aware of any requests for the City to invest in recording equipment, devices, etc. He further explained

that in addition to the budget hearing, there are three readings of the budget where it is available for anyone to review for a total of 7 weeks. Mr. Bennett accused the President of 'walking around the point' that it is 2023 and there should be recordings for residents to view from home. Councilman Phares stated that he brought this up last year and liked the idea of recording the meetings as every Lake County community does it with the exception of Kirtland. Mr. Phares continued by noting former Mayor Regovich acknowledged the wiring as outdated but the City could control it instead of the residents (referred to issues in 2019). President Patton ended by stating the City has had its budget.

***Bill Savocan 30412 Oakdale Road** provided belated congratulations to Mayor Vanni. He noted that his address is famous for getting candidates elected and requested yard signs for this year's election. He noted his disappointment for the elimination of the rides with the festival at St. Mary Magdalene due to the incidents from last year's event and hopeful the rides will return.

Mayor Vanni addressed the rides by mentioning that with the elimination of the bigger rides, it would deter any bad elements from attending. He stated it would be reviewed every year because they did not want to get rid of the festival completely. Other events are planned. Chief Turner piggybacked to Mayor's comment noting that the elimination of the rides and the increased open area will allow police officers to keep an eye on the event each night.

***Michael Cock 32309 Noble Road** regarding the patch where the water main break occurred. The asphalt is beginning to crack and sink, so hoping there will be repairs to come. He also inquired about considering the closing of Noble Road to festival traffic as it would be impossible for emergency vehicles to travel with the number of cars packed on the street.

Director Shannon addressed the comment by saying they would have someone out there to look at the street the next day. In regards to closing Noble Road to festival traffic, Mayor Vanni stated Noble Road will close to local traffic and monitored.

***Jean Bowen 472 E. 319th Street** asked Council to consider making 319th Street one way for festival traffic.

Chief Turner mentioned that 319th Street would be as is, and they would close 321st Street, and monitored. Mrs. Bowen requested it closed to 2-way traffic from Willowick Drive. President Patton stated there would be further discussion on the matter.

***Joy Masetic (sp) 32017 Dickerson Road** requested permission to park on the road for 5 days while she had a new concrete driveway poured.

President Patton recommended the Ms. Masetic contact the police department to make arrangements.

REPORTS OF STANDING COMMITTEES

Finance – Bisbee, Koudela, Mohorcic

None

Safety – Phares, Malta, Bisbee

Safety meeting held on April 5, 2023 to discuss open burning changing the penalty beginning with a warning, and then progress to misdemeanor with each offense fine

increasing \$250. In addition, a flyer posted on the website supplying the requirements for open burning. Fireworks to have a graduated penalty scale with first offense becoming a minor misdemeanor and citing the homeowner. There will be a further review of the criminal nuisance ordinance in the future.

Service, Utilities & Public Lands – Malta, Phares, Bisbee

None

Streets, Sidewalks & Sewers – Malta, Antosh, Mohorcic

None

Tax Compliance – Koudela, Antosh, Patton

None

Moral Claims – Antosh, Phares, Patton

None

Budget – Koudela, Bisbee, Mohorcic

None

LIAISON REPORTS

Planning – Phares/Alternate Koudela

None

Board of Zoning Appeals – Koudela/Alternate Mohorcic

None

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

None

Recreation Board – Bisbee/Alternate Phares

None

Plan Review Board – Antosh

New businesses applied which include a laundromat (Modern Suds Laundromat). Also, a landscaping company in which the storefront will rent to a party supply company (Luxury Brand Party Company). Both located on Euclid Ave. In addition, a Tesla electric charging station at GetGo in Shoregate Shopping Center.

Hearts & Hammers – Malta

Reminder of clean up May 6, 2023, and meeting at Manry at 7:45am. Thank you to Commissioner Regovich, Mayor Vanni and Councilman Mohorcic for attending the Broadmoor game in addition to a thank you to resident Jean Bowen for the daffodils.

FUND TRANSFERS & BID AUTHORIZATIONS

None

CONTRACT APPROVALS

None

INTRODUCTION & CONSIDERATION OF LEGISLATION**6. Amended Ordinance No. 2023-13**

An Ordinance Amending Ordinance No. 2005-64 Establishing the Compensation for the Position of Mayor of the City of Willowick, Repealing Certain Ordinances and Declaring an Emergency

1st Reading 4/18/2023

7. Amended Ordinance No. 2023-14

An Ordinance Amending Ordinance No. 2023-3 Providing for the Compensation of the Appointed Officials and Certain Other Employees of the City, Repealing Certain Ordinances and Declaring an Emergency

1st Reading 4/18/2023

8. Resolution 2023-16

A Resolution to Approve Authorizations (Then and Now Certificate) to Active Networking, Inc., in the Amount of \$3,750.00 for the City of Willowick and Declaring an Emergency

Motion to suspend the rules made by Councilman Malta; Seconded by Councilwoman Antosh

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion to approve by Councilwoman Antosh; Seconded by Councilman Phares

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Both Motions Carried

9. Resolution 2023-17

A Resolution to Approve Authorizations (Then and Now Certificate) to Sundance Systems, Inc., in the Amount of \$6,750.00 for the City of Willowick and Declaring an Emergency

Motion to suspend the rules made by Councilwoman Antosh; Seconded by Councilman Phares

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion to approve by Councilman Malta; Seconded by Councilwoman Antosh

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward

3 Councilman Phares**Both Motions Carried****10. Resolution 2023-18**

A Resolution to Approve Authorizations (Then and Now Certificate) to Squires Patton Boggs, LLP., in the Amount of \$3,750.00 for the City of Willowick and Declaring an Emergency

Motion to suspend the rules made by Councilwoman Antosh; Seconded by Councilman Mohorcic

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion to approve made by Councilwoman Antosh; Seconded by Councilman Malta

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Both Motions Carried**11. Resolution No. 2023-19**

A Resolution to Approve Authorizations (Then and Now Certificate) to CommServ Communications Service, in the Amount of \$4,809.00 for the City of Willowick and Declaring an Emergency

Motion to suspend the rules made by Councilman Phares; Seconded by Councilwoman Antosh

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion to approve made by Councilwoman Antosh; Seconded by Councilman Phares

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Both Motions Carried.

12. Resolution No. 2023-20

A Resolution Authorizing the City of Willowick, Ohio, to Proceed with the Demolition of an Unsafe Structure at 30417 Lakeshore Blvd. in the City of Willowick, Lake County, Ohio, and to Request the Assistance of the Lake County Land Reutilization Corporation in Effecting the Same and Declaring an Emergency

Motion to suspend the rules made by Councilman Mohorcic; Seconded by Councilwoman Antosh

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion to adopt made by Councilwoman Antosh; Seconded by Councilman Mohorcic

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Both Motions Carried

MISCELLANEOUS

13. Motion Authorizing CT Consultants to Prepare Specifications, Details, and Bid Documents, Advertise and Obtain Bids, and Provide Construction Administration Services for the Fairway Storm Sewer Repair Project for a Fee of \$75,000 in Accordance with the Agreement for Engineering Services

TABLED 3/21/2023, 4/4/2023, 4/18/2023

14. Motion to Authorize the Mayor to Approve and Execute the Eaton Service 1 Year Agreement to Service the UPS System for the Police Department

Motion to approve by Councilwoman Antosh; Seconded by Councilman Mohorcic

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

Motion Carried

PUBLIC PARTICIPATION

- a) Public statement (1 minute maximum)*
b) Council response to the public
c) Public clarification (30 seconds to 1 minute for the purpose of restating or rearticulating an original question, concern, suggestion or idea)

None

EXECUTIVE SESSION

15. To discuss the sale or purchase of real property.

Motion made by Ward 1 Councilman Mohorcic, Seconded by Ward 2 Councilwoman Antosh.

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

ADJOURNED TO EXECUTIVE SESSION @ 8:44pm

CLOSE EXECUTIVE SESSION

Motion made by Ward 2 Councilwoman Antosh, Seconded by Ward 1 Councilman Mohorcic.

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

RETURNED from Executive Session @ 9:03pm

ADJOURNMENT

Motion to approve by Councilman Mohorcic; Seconded by Councilwoman Antosh

Voting Yea: Council President Patton, Ward 1 Councilwoman Koudela, Ward 1 Councilman Mohorcic, Ward 2 Councilwoman Antosh, Ward 3 Councilman Malta, Ward 3 Councilman Phares

ADJOURNED @ 9:04pm

Robert Patton, President of Council

ATTEST:

Christine Morgan, Clerk of Council