



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, September 07, 2021 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

(Total meetings to date - 13)

The fourteenth meeting of Council was called to order at 7:29 p.m. by Council President Patton.

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

PRESENT

Council President Robert Patton
Ward 1 Councilwoman Monica Koudela
Ward 1 Councilman Michael Vanni
Ward 2 Councilwoman Natalie Antosh
Ward 2 Councilwoman Theresa Bisbee
Ward 3 Councilman Charles Malta
Ward 3 Councilman David Phares

ALSO PRESENT

Mayor Regovich, Finance Director Benedict, Law Director Landgraf, Fire Chief Tennyson, Police Chief Turner, Road Foreman Shannon, Recreation Director Kless, City Engineer McLaughlin and Economic Manager Drake.

APPROVAL OF MINUTES

1. Motion made by Ms. Antosh, seconded by Ms. Bisbee to approve the minutes of the Regular City Council Meeting of August 3rd, 2021.
Discussion: None.
Vote: Ayes: Phares, Patton, Antosh, Bisbee, Koudela and Vanni.
Abstain: Malta.
2. Motion made by Mr. Malta, seconded by Ms. Antosh to approve the minutes of the Special Meeting of City Council of August 11th, 2021.
Discussion: None.
Vote: Ayes: Malta, Phares, Antosh, Bisbee, Koudela and Vanni.
Abstain: Patton

Council President Patton introduced special guest, Commissioner John Plecnik.

Commissioner John Plecnik presented on behalf of the Lake County Board of Commissioners a certificate to Councilman Charlie Malta for all of his help with the Free Kids Lunch Program run through Willow Praise Church.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

3. The Oath of Office was administered by Mayor Regovich to Cody Bendlock as a Firefighter for the Willowick Fire Department.
4. The Oath of Office was administered by Mayor Regovich to Connor Kaucic as a Firefighter for the Willowick Fire Department.
5. The Oath of Office was administered by Mayor Regovich to Anthony Kukwa as a Firefighter for the Willowick Fire Department.
6. The Oath of Office was administered by Mayor Regovich to Timothy Zdesar as a Firefighter for the Willowick Fire Department.

ADMINISTRATIVE APPEALS

7. Appeal Order No. 2021-25 Finish Line Car Wash

An Order granting a variance and exception of 8 ft. to allow a ground sign already installed to remain 2' from the sidewalk in the application of section 1349.08(d)(4) of the Codified Ordinances in Board of Zoning Appeals.

Tabled 8-3-21 Tabled 9-7-21

8. Administrative Appeal Order No. 2021-26 DeRosa

An Order granting a variance and exception to front yard parking to install a new driveway in the front yard in the application of Section 1163.105(a) of the Codified Ordinances in Board of Zoning Appeals.

The applicant Mr. Christopher DeRosa was present and stated there were no objections from his neighbor's.

Motion made by Mr. Phares, seconded by Ms. Antosh to grant Administrative Appeal Order No. 2021-26.

Discussion: None.

Vote: All ayes. Motion carried.

9. Administrative Appeal Order No. 2021-27 Bogenrief 2nd #1

An Order granting a variance and exception to allow a second accessory building in the application of Section 1163.105(g) of the Codified Ordinances in Board of Zoning Appeals.

Present was Mr. John Denholm on behalf of Larry Bogenrief of Willow Praise Church. Mr. Denholm stated the first appeal was denied due the request to have the accessory building put on the side of the church. The current appeal will now have the accessory building (storage container) located in the rear of the building. Mr. Denholm is not aware of any objections from the neighbor's.

Motion made by Mr. Malta, seconded by Ms. Antosh to grant Administrative Appeal Order No. 2021-27.

Discussion: None.

Vote: Ayes: Malta, Phares, Patton, Antosh and Bisbee.
Nays: Koudela and Vanni. Motion approved (5-2)

Due to a scrivener's error the following motions are to correct and grant Administrative Appeal Order No. 2021-27.

Motion made by Mr. Malta, seconded by Ms. Bisbee to waive the three day rule on Administrative Appeal Order No. 2021-27.

Discussion: None.

Vote: Ayes: Malta, Phares, Patton, Antosh, Bisbee.
Nays: Koudela, Vanni. Motion granted (5-2)

Motion made by Mr. Vanni, seconded by Ms. Antosh to waive the three readings of Administrative Appeal Order No. 2021-27.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Vanni, seconded by Ms. Antosh to correct and grant Administrative Appeal Order No. 2021-27 granting variance and exception of 520 sq. ft. in the application of Section 1171.02(c) of the Codified Ordinance of the City of Willowick.

Discussion: None.

Vote: Ayes: Malta, Phares, Patton, Antosh, Bisbee.
Nays: Koudela, Vanni. Motion granted (5-2)

10. Administrative Appeal Order No. 2021-28 Bogenreif 2nd #2

An Order granting a variance and exception to allow a second accessory building in the application 1171.02(g) of the Codified Ordinances in Board of Zoning Appeals.

Mr. John Denholm stated this appeal is a request for a second accessory building (storage unit) to be placed in the rear of the building.

Motion made by Mr. Malta, seconded by Ms. Bisbee to grant Administrative Appeal Order No. 2021-28.

Discussion: Mr. Phares inquired as to why the Ordinance No. was different from Administrative Appeal Order No. 2021-27. It was determined that there was a scrivener's error in the caption of Administrative Appeal Order No. 2021-27 which will be corrected by a motion.

Vote: Ayes: Malta, Phares, Patton, Antosh, Bisbee.
Nays: Koudela, Vanni. Motion granted (5-2).

11. Administrative Appeal Order No. 2021-29 Bogenrief 2nd #3

An Order granting a variance and exception to allow 2 accessory buildings on a lot with no habitable home in the application 1171.02(h) of the Codified Ordinances in Board of Zoning Appeals.

Motion made by Mr. Malta, seconded by Ms. Antosh to grant Administrative Appeal Order No. 2021-29.

Discussion: None.

Vote: Ayes: Malta, Phares, Patton, Antosh, Bisbee.
Nays: Koudela, Vanni. Motion granted (5-2)

12. Administrative Appeal Order No. 2021-30 Drum

An Order granting a variance and exception of 2' for a pool that was installed 6' from the property line. in the application of Section 1339.13(d) of the Codified Ordinances in Board of Zoning Appeals.

The applicant Ms. Patricia Drum was present and stated the installation company had installed the pool incorrectly and she was not aware until the Building Inspector made her aware of it. There are no objections from the neighbor's for leaving the pool as is.

Motion made by Ms. Antosh, seconded by Mr. Vanni to grant Administrative Appeal Order No. 2021-30.

Discussion: None.

Vote: All ayes. Motion carried.

13. Administrative Appeal Order No. 2021-31 Trost

An Order granting a variance and exception of 4' to place a tool shed at rear yard property line 6' from neighbor's garage in the application of Section 1171.02(e) of the Codified Ordinances in Board of Zoning Appeals.

The applicant Mr. Thomas Trost was present and stated that he would like to place the new storage shed on the opposite side of his yard. There are no objections from the neighbor's.

Motion made by Mr. Malta, seconded by Ms. Antosh to grant Administrative Appeal Order No. 2021-31.

Discussion: None.

Vote: All ayes. Motion carried.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

On Friday, September 10th the schools will have their heroes walk in honor of the twentieth anniversary of 9/11. Chipolte is close to completion at the new building in Shoregate Shopping Center and Starbucks is still moving forward.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

None.

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Acting Service Director – Rich Regovich

The Service Department building will be having some repairs and maintenance work done. The drainage around the swing set area at Manry should be done prior to snowfall. The Road Program will be starting on Willowick Dr. this week working from E 305. St. to Bayridge.

Recreation Director – Julie Kless

The Fall/Winter Program Guide is on the website and hard copies are available at the Recreation Center. Sunday, September 19th is the Butterfly Garden ceremony at Manry Park.

City Engineer – Tim McLaughlin

No written report. Four applications have been submitted for loan funding to WPCLF. These projects are the E 327th E 328th area as well as the Fairway storm sewer project. An application was submitted

for the HB168 Grant Program which is through the state. Two of the city's projects are on the counties top ten list which will award more points in the scoring process.

Finance Director – Cheryl Benedict

Ordinance No. 2021-40 for depositories is a five year agreement that the banks will comply with Section 135 of the Ohio Revised Code. The second item is for the tax rates which is per the Tax Budget that was submitted in July.

Law Director – Stephanie Landgraf

No written report. The first three pieces of legislation on the agenda have been set up by the Safety Committee and are recommended for three readings.

Police Chief – Brian Turner

Written report submitted electronically.

Fire Chief – Joe Tennyson

Written report submitted electronically. Fire Chief Tennyson does not believe item no. 27 on the agenda could be declared as surplus yet. Council President Patton stated the item would be tabled until it could be looked into further.

Chief Housing/Zoning Inspector – Sean Brennan

Written report submitted electronically.

Economic Development Manager – Monica Drake

New business has been consistently coming into the city and the leasing manager for Shoregate has numerous showings at the new buildings. There is a Community Re-investment Application on the agenda tonight for the old Walker Hardware to re-purpose it and expand business.

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)

None.

REPORTS OF STANDING COMMITTEES

Finance – Vanni, Bisbee, Koudela

No report.

Safety – Phares, Malta, Bisbee

Mr. Phares stated at the Safety Committee meeting this evening there were seven agenda items discussed. Discussion was on deer in the city, fire department staffing, traffic at Gilchrist and E. 288 St., road access behind the new retail building at Shoregate, shrubs blocking the view at E 291st St. and Lakeshore Blvd., which have been cut back already, vehicles turning left out of Shoregate and the two lanes turning right onto Lakeshore Blvd. from E 305th St.

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

No report.

Streets, Sidewalks & Sewers – Vanni, Malta, Antosh

No report.

Tax Compliance – Koudela, Antosh, Patton

No report.

Moral Claims – Antosh, Phares, Patton

No report.

Budget – Vanni, Koudela, Patton

No report.

LIAISON REPORTS**Planning** – Phares/Alternate Koudela

No report.

Board of Zoning Appeals – Koudela/Alternate Vanni

No report.

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

No report.

Recreation Board – Bisbee/Alternate Phares

No report.

Plan Review Board – Antosh

Trippy's Smoke Shop applied to open a business in Shoregate Shopping Center.

Hearts & Hammers – Malta

Tuesday nights are project nights. Mr. Malta stated that they are in need of volunteers to help out and to please contact him or Ms. Antosh.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

ADJOURN TO EXECUTIVE SESSION

Motion made by Mr. Phares, seconded by Ms. Antosh to adjourn to Executive Session.

Discussion: None.

Vote: All ayes. Motion carried.

14. To discuss the compensation and employment of a public employee.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

Motion made by Mr. Malta, seconded by Ms. Bisbee to return to the table from Executive Session.

Discussion: None.

Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

15. Ordinance No. 2021-37 (Safety Committee)

An Ordinance enacting Codified Ordinance 505.121 titled “wild, dangerous, exotic, endangered or undomesticated animals.”

Ordinance No. 2021-37 placed on first reading.

16. Ordinance No. 2021-38 (Safety Committee)

An Ordinance enacting Codified Ordinance 505.131 titled “harboring and/or keeping of farm animals.”

Ordinance No. 2021-38 placed on first reading.

17. Ordinance No. 2021-39 (Safety Committee)

An Ordinance amending Chapter 1145 of the Codified Ordinances of the City of Willowick, Ohio, titled, “Retail District”; specifically, Section 1145.03, titled “uses.”

Ordinance No. 2021-39 placed on first reading.

18. Ordinance No. 2021-40 (Finance Director)

An Ordinance designating depositories for all active, inactive and interim funds of the city for the period from August 2, 2021 and ending on August 1, 2026 and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2021-40.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Bisbee to adopt Ordinance No. 2021-40.

Discussion: None.

Vote: All ayes. Motion carried.

19. Ordinance No. 2021- 41 (Finance Director)

An Ordinance confirming the Mayoral appointment of Todd Shannon to the position of Director of Public Service, providing for the compensation of the Director of Public Service, repealing certain Ordinances and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-41.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Bisbee to adopt Ordinance No. 2021-41.

Discussion: None.

Vote: All ayes. Motion carried.

Oath of office delivered by Mayor Regovich to Todd Shannon as Director of Public Service.

20. Ordinance No. 2021-42 (Finance Director)

An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-42.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2021-42.

Discussion: None.

Vote: All ayes. Motion carried.

21. Ordinance No. 2021-43 (Law Director)

An Ordinance amending Ordinance No. 2021-3 providing for the compensation of appointed officials and certain other employees of the City, repealing certain Ordinances and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-43.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2021-43.

Discussion: None.

Vote: All ayes. Motion carried.

22. Resolution No. 2021-25 (Finance)

A Resolution accepting the rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Malta to waive the three readings on Resolution No. 2021-25.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to approve Resolution No. 2021-25.

Discussion: None.

Vote: All ayes. Motion carried.

23. Resolution No. 2021-26 (Law Director)

A Resolution authorizing the Mayor to accept and execute a Community Reinvestment Area Agreement with Lucid Investments, Inc. DBA Cleveland Pizza, Co. and 31222 Vine, LLC, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three readings on Resolution No. 2021-26.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Antosh to approve Resolution No. 2021-26.

Discussion: Mayor Regovich is excited for this opportunity to revitalize an old structure and turn it into a bar and restaurant and feels it will be very successful.

Vote: All ayes. Motion carried.

24. Ordinance No. 2021-44 (Law Director)

An Ordinance amending Ordinance No. 2021-5 providing for the compensation of seasonal and part-time employees of the City of Willowick Recreation Department for year 2021, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Malta to waive the three day rule on Ordinance No. 2021-44.

Discussion: None.

Vote: All. Ayes. Motion carried.

Motion made by Mr. Vanni, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-44.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2021-44.

Discussion: None.

Vote: All ayes. Motion carried.

MISCELLANEOUS

25. Motion made by Mr. Malta, seconded by Ms. Antosh to declare a 2010 Crown Victoria, VIN 2FABP7BV6AX136504 and City Tag No. 1963, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

26. Motion made by Mr. Vanni, seconded by Mr. Malta to declare a 2008 Crown Victoria, VIN 2FAHP71V08X164658 and City Tag No. 1927, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: all Ayes. Motion carried.

27. Motion to declare a 1993 International Ambulance, VIN 1HTSLPHM6PH473559 and City Tag No. 920-01, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Tabled 9-7-21

28. Motion made by Ms. Bisbee, seconded by Ms. Antosh to declare a Miller Curb Builder, Serial No. JL3386 and City Tag No. 1777, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

29. Motion made by Mr. Malta, seconded by Ms. Antosh to declare a Manitowoc Ice Maker, Serial No. 010521219 and City Tag No. 1316, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

30. Motion made by Ms. Antosh, seconded by Mr. Malta to declare a Shark Pressure Washer, Serial No. H0106-115685 and Model No. HPB-4020A, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

31. Motion made by Ms. Antosh, seconded by Mr. Vanni to declare a Vulcan Refrigerator/Freezer, Serial No. 82975 and Model No. QR44, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

32. Motion made by Ms. Antosh, seconded by Mr. Phares to declare a M3 Turbo Air Freezer, Serial No. M3F2LB3014 and Model No. M3F24-1, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

33. Motion made by Ms. Antosh, seconded by Mr. Malta to declare a Vulcan Super Scrub 2601 Floor Scrubber, Serial No. 5526010000351JI and Model No. 602813, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. Motion carried.

34. Motion made by Ms. Antosh, seconded by Mr. Phares to declare a Fang Floor Scrubber, Serial No. 201687, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

Discussion: None.

Vote: All ayes. 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.

OTHER BUSINESS

Mr. Phares referred to the online map Ms. Drake mentioned, as a map he created showing all of the businesses in Willowick and also the zoning districts which are overlaid on it. It will be updated for easier tracking of businesses in the city.

Mayor Regovich stated that all of the surplus items will go on GovDeals first.

ADJOURNMENT

Motion made by Ms. Antosh, seconded by Mr. Phares to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

Meeting was adjourned at 9:01 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL