



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, March 15, 2022 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 - 5)

The sixth meeting of Council was called to order at 7:30 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, Service Director Shannon, Chief Housing & Zoning Inspector Brennan, Recreation Director Kless, City Engineer McLaughlin, Economic Director Drake and Council Clerk Trend.

APPROVAL OF MINUTES

1. Motion made by Mr. Malta, seconded by Ms. Antosh to approve the minutes of the Regular City Council Meeting of March 1, 2022.

Discussion: None.

Vote: All ayes. Motion carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

2. Motion to appoint Kira Shannon to the Civil Service Commission for a term of 6 years commencing March 15, 2022.

Tabled 3-1-22/Tabled 3-15-22

3. Motion made by Mr. Malta, seconded by Ms. Antosh declaring the month of April as Child Abuse Prevention Month in the City of Willowick.

Discussion: None.

Vote: All ayes. Motion carried.

ADMINISTRATIVE APPEALS

4. Administrative Appeal Order No. 2022-1 Parsons (Recommended by BZA)

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

Allen Parsons, 360 East 305th St.: Mr. Parsons is in front of Council seeking their approval for a variance on front yard parking. This is due to a driveway extension he installed in front of his house without a permit in July of 2020. BZA approved the initial request for the variance but Council denied it. He has been issued two (2) citations for continuing to park on the extension without a permit. The reason he continued to park on the extension is that he has a single car driveway to accommodate his pick up truck and work van with no safe way to switch his cars around being that he lives on E. 305th St. He stated there are at least thirteen other houses on E. 305th St. with driveway extensions.

Mr. Patton inquired of the thirteen other extensions if Mr. Parsons knew if permits were obtained. Mr. Parsons did not.

Mr. Malta inquired what type of trucks Mr. Parsons would be parking in the drive. Mr. Parsons stated currently only his pick up truck and sometimes a guest vehicle.

Ms. Antosh inquired why Mr. Parsons did not obtain a permit. Mr. Parsons stated an opportunity was presented to have the extension installed over a particular weekend prior to pulling a permit. He admits he is at fault for not obtaining the permit first.

Ms. Koudela stated that Mr. Parsons has admitted to his mistake and inquired if a different decision would be made if he had pulled a permit a week ago. Ms. Antosh is concerned that people would do work without obtaining a permit first if they were to see that there were no consequences.

Mr. Brennan stated the court date for Mr. Parsons sentencing on his second violation is on March 29th. Mr. Patton inquired if the sentencing date was set in accordance with the Council meeting tonight. Mr. Brennan stated it was.

Mr. Vanni has a concern that if Council grants the variance that the court will dismiss the issue. Mr. Parsons has been in violation of the Ordinance for the last year by continuing to park on the extension after Council denied the variance.

Mr. Patton's concerns are that Mr. Parsons continued to park on the extension over the last year and his details have changed over time as to who actually installed the extension.

Ms. Antosh inquired of Mr. Parsons why he continued to park on the extension after being told not to. Mr. Parsons stated it was a long process and he wanted to park on the new driveway.

Mr. Vanni feels that Mr. Parsons should go to his court date, come back in six months reapply and not park on the extension during that time.

Motion made by Mr. Malta, seconded by Mr. Phares granting a variance and exception to allow front yard parking in the application of Section 1163.105(a) of the Codified Ordinances in Board of Zoning Appeals.

Discussion: None.

Vote: Ayes: Koudela, Bisebee.

Nays: Vanni, Malta, Phares, Patton and Antosh. The variance was denied (5-2).

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

On Friday, March 11th the Fire Department, Ohio EPA and the Lake County Health Department were called to Cresthaven for a reported odor coming from the sewer. It was determined that there was fuel in the storm drain which was traced back to one of the new houses being built. An old fuel tank was located under ground and has since been removed. The Lake County Health Department will have all of their programs back up and running and there are currently no mask mandates or restrictions in affect in Lake County.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

Mr. Malta inquired as to which outfall was near the fuel incident on Cresthaven. Mayor Regovich stated the one at East 284th and Lakeshore Blvd.

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials**Service Director – Todd Shannon**

Report submitted electronically. The lights in Shoreland Crossing are currently working. The hot mix plant will start making asphalt on March 28th allowing for a more permanent fix for the potholes.

Recreation Director – Julie Kless

Breakfast with the Bunny will be on April 10th at the Willowick Community Center from 8:30 a.m. to 12:30 p.m. The Easter Egg Hunt will be on April 16th at Dudley Park starting at noon and registrations are currently being taken.

City Engineer – Tim McLaughlin

Lake County Utilities has no plan yet for the rebid on the water line replacement on Vine St. and will be resubmitting a new set of plans. One of the concerns at this time is about pavement repair and the cost. The bids for the Lateral Program are in and should be in front of Council at the next meeting.

Finance Director – Cheryl Benedict

Legislation is on the agenda for a new Sutphen Pumper for the Fire Department which the City will not take delivery of for approximately two (2) years. The budget has been amended to include the Sutphen Pumper and the City will be able to use ARPA funds for the purchase of a new sewer camera truck. Street Improvement has also been amended to include some change orders.

Law Director – Stephanie Landgraf

The City has received a settlement offer on the case of Concrete Inc. vs. City of Willowick.

Police Chief – Brian Turner

Report submitted electronically. Mr. Patton inquired about the Flock Camera System previously discussed. Chief Turner stated they are still looking into other options.

Fire Chief – Joe Tennyson

Report submitted electronically. The current pumper is sixteen (16) years old.

Chief Housing/Zoning Inspector – Sean Brennan

No written report.

Economic Development Manager – Monica Drake

Beaute Boutique, a full-service beauty salon will be opening up in Shoregate. An application has been submitted to Plan Review for a new business in the space next to Starbucks. This is a membership based business focused on providing members with office space, recording studio for pod casts etc. and also entrepreneur mentorship opportunities, with a focus on start-ups.

WARD MATTERS

Mr. Phares stated that a no parking sign has been installed near the entrance of Legend Trails.

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

No report.

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

Mr. Phares stated the Planning Commission met last night and will be sending Ordinance 2022-12 through 2022-14 back to Council with their report and recommendations.

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

No report.

Hearts & Hammers – Malta

Please contact Charlie Malta at 440-488-1757 to help with Spring cleanup.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION**5. Ordinance No. 2022-8 (As Amended) (Finance Director)**

An Ordinance to make appropriations for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2022, and declaring an emergency.

1st Reading 2-15-22/2nd Reading 3-1-22/3rd Reading 3-15-22

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2022-8 as amended.

Discussion: None.

Vote: All ayes. Motion carried.

6. Ordinance No. 2022-12 (Law Director)

An Ordinance enacting Chapter 788 of the Codified Ordinances titled “Medical Marijuana Licensure,” and declaring an emergency.

Tabled on 3-1-22 & 3-15-22 pending report and recommendation from Planning Commission.

7. Ordinance No. 2022-13 as amended (Law Director)

An Ordinance enacting Chapter 789 of the Codified Ordinances titled “Party Centers,” and declaring an emergency.

Tabled on 3-1-15 & 3-15-22 pending report and recommendation from Planning Commission.

Discussion: Mr. Phares stated the two recommendations from the Planning Commission are: removing the limit of five (5) permitted "Party Centers" and renaming the Chapter to "Event Centers" instead of "Party Centers".

8. Ordinance No. 2022-14 (Law Director)

An Ordinance adopting a moratorium on applications for, and the granting of, zoning permits for any building, structure, use or change of use that would enable the adult use cultivation, processing, distribution or sale of marijuana for non-medical purposes for a period not to exceed twelve (12) months in order to allow the city to review applicable state and local laws, to plan for regulations relating to such uses, and declaring an emergency.

Tabled on 3-1-22 & 3-15-22 pending report and recommendation from Planning Commission.

9. Ordinance No. 2022-15 (Law Director)

An Ordinance authorizing the purchase of a 2022 Sutphen Pumper with custom Monarch Chassis with necessary accessories, through the Ohio Department of Administrative Services, Office of State Purchasing; and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Ordinance No. 2022-15.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2022-15.

Discussion: None.

Vote: All ayes. Motion carried.

10. Resolution No. 2022-4 (Law Director)

A Resolution adopting federal grant compliance policies for the City of Willowick, Ohio and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Resolution No. 2022-4.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2022-4.

Discussion: None.

Vote: All ayes. Motion carried.

11. Resolution No. 2022-5 (Law Director)

A Resolution authorizing the Mayor of the City of Willowick to enter into a contract with Huntington National Bank, or a related subsidiary, for seven (7) years in the principal amount of Four Hundred Eighty Thousand, One Hundred Thirty-One Dollars and Twenty-Two Cents (\$480,131.22) at an interest rate not to exceed 2.58% for the purpose of financing the purchase of a Sutphen Pumper with custom Monarch Chassis and necessary accessories, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Malta to waive the three readings on Resolution No. 2022-5.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2022-5.

Discussion: None.

Vote: All ayes. Motion carried.

MISCELLANEOUS

Mr. Phares inquired about streaming the Council meetings. Mr. Patton stated the discussion would be revisited to give the Council members an opportunity to consider it. Mr. Malta offered condolences from City Council to the Ertter family as Joe Ertter has passed away.

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.

ADJOURN TO EXECUTIVE SESSION

12. Motion made by Mr. Malta, seconded by Ms. Antosh to adjourn to Executive Session to discuss contract negotiations and pending litigation at 8:33 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

Motion made by Mr. Malta, seconded by Ms. Antosh to return to the table from Executive Session at 9:15 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

Offers were presented to the City in reference to two (2) cases that are pending in court with the City of Willowick being the defendant: Concrete Inc. v. The City of Willowick and Concrete Inc. v. Kurtz Brothers Inc., et al.

Motion made by Mr. Phares, seconded by Ms. Antosh to authorize the Mayor to accept the material terms of the offers to resolve both cases.

Discussion: None.

Vote: All ayes. Motion carried.

ADJOURNMENT

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

Discussion: None.

Vote: All ayes. Motion carried.

Meeting adjourned at 9:17 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL