



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, July 05, 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 - 12)

The thirteenth 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, City Prosecutor Mandy Gwartz, Fire Chief Tennyson, Police Lieutenant Mastroianni, Service Director Shannon, Chief Housing & Zoning Inspector Brennan, Recreation Director Kless, City Engineer McLaughlin, Economic Manager Drake and Council Clerk Trend.

Absent

Law Director Landgraf and Police Chief Turner.

APPROVAL OF MINUTES

1. Motion made by Mr. Malta, seconded by Ms. Bisbee to approve the minutes of the Regular City Council Meeting of June 21, 2022.

Discussion: None.

Vote: Ayes: Bisbee, Koudela, Vanni, Malta, Phares, Patton
Abstain: Antosh

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

None.

ADMINISTRATIVE APPEALS

None.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

The Lakeland property that the City now controls has been cleaned up and the City is working on the lease with Kurtz Bros. Willowick's Aquatics Director, Marty Guzauskas, who was with the City for forty six (46) years recently passed away after a short illness.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

Mr. Phares inquired how much of the Lakeland Blvd. property Kurtz Bros. will be using. Mayor Regovich stated eventually they would like to utilize all of the property.

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

No written report. Lake County Water has contracted a company for the Water Line Project and they will be working in sections between Vine St. and Willowick Dr. in the next few weeks. The traffic light at Gilchrist has a short and replacing it with a camera system is being discussed.

Recreation Director – Julie Kless

No written report. The Tuesday, August 2nd Willowick Water Show will be the sixtieth (60) anniversary and will be in honor of Marty Guzauskas.

City Engineer – Tim McLaughlin

No written report. The Community Center HVAC rebid will be on July 8th. The Stormwater Funds from Lake County will be deposited this week.

Finance Director – Cheryl Benedict

No written report. The appropriations legislation on the agenda is mainly for wages and benefits associated with the negotiated CBA's.

Law Director – Stephanie Landgraf

No written report. City Prosecutor Mandy Gwartz sitting in for Law Director Landgraf.

Police Chief – Brian Turner

Written report submitted electronically. Lt. Mastroianni sitting in for Chief Turner. Ms. Antosh inquired if any tickets were written for fireworks. Lt. Mastroianni was not certain.

Fire Chief – Joe Tennyson

Written report submitted electronically. There is a budgeted item on the agenda tonight for turnout gear for the Fire Department.

Chief Housing/Zoning Inspector – Sean Brennan

Written report submitted. Mr. Vanni inquired about the signs at Northshore Mall being updated for the new businesses. Mr. Brennan stated the signs should be changed out in the next month.

Economic Development Manager – Monica Drake

Property Assessed Clean Energy (PACE) is a financing program to help with energy efficiency and renewable energy improvements for businesses and residential property. Mr. Vanni inquired if there is any more information on the old Taco Bell building. Ms. Drake stated there is no new information.

WARD MATTERS

Ms. Antosh stated the Willowick City Wide Garage Sale is July 14th - 17th starting at 9:00 a.m. There are currently 185 people registered and the last day for sign up will be July 8th.

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)

Cindy Deighton, W. Willowick Dr. expressed her concerns about the legalization of fireworks in the City.

Janet Trem, E. 328th St., expressed her concerns about the legalization of fireworks in the City.

Al Riddle, Oakdale Rd., expressed his concerns about the legalization of fireworks in the City.

Mr. Patton stated current Willowick legislation makes it illegal to discharge, possess or sell fireworks in the City. The new state law, H.B. 172, allows the discharge, possession and sale of fireworks on certain days throughout the year however there is a provision in H.B. 172 allowing municipalities to opt-out. Law Director Landgraf has provided the opt-out legislation which is on the agenda as Ordinance No. 2022-33 and opting-out will reaffirm the City's ban on fireworks.

Mr. Phares wants to make sure that the residents are made aware of the continued ban on fireworks should Council pass the opt-out Ordinance.

Ms. Antosh stated that commercial fireworks were blown off several nights in a row next to her house which caused concern for her house, garage and woods potentially being caught on fire and also the amount of debris that had to be cleaned up from her property and the traffic jam that it caused on her street.

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 is in the process of obtaining information on design standards in the retail districts of the City.

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

Contact Charlie Malta at 440-488-1757 to volunteer on Tuesday nights.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION**2. Ordinance No. 2022-29 (Law Director)**

An Ordinance amending Chapter 549.10 of the Codified Ordinances of the City of Willowick, Ohio, titled "Weapons and Explosives;" specifically Section 549.10 titled "Fireworks," and declaring an emergency.

1st Reading 6-21-22/2nd Reading 7-5-22

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2022-29.

Discussion: None.

Vote: Ayes: Antosh, Vanni, Phares, Patton

Nays: Bisbee, Koudela, Malta

Motion passed 4-3.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2022-29.

Discussion: Mr. Patton stated this Ordinance is not a full opt-out of the state law and feels there

should be a complete ban on fireworks in the City for safety reasons.

Vote: All nays. Motion failed 7-0.

3. Ordinance No. 2022-30 (Finance Director)

An Ordinance amending Ordinance 2022- 8 to provide for additional appropriations from the General Fund (101); Street Construction Maintenance and Repair Fund (202); Sewer Revenue Fund (205); Fire Emergency Rescue Fund (208); Senior Citizens Fund (220); E. 327th Street Sewer Improvement Phase 2 Fund (431); and the Donations and Bequest Fund (803) 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.

Motion made by Ms. Antosh, seconded by Mr. Malta to waive the three readings on Ordinance No. 2022-30.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Malta to adopt Ordinance No. 2022-30.

Discussion: None.

Vote: All ayes. Motion carried.

4. Ordinance No. 2022-31 (Law Director)

An Ordinance establishing the E. 327th Street Sewer Improvement Phase 2 Fund, under Fund Number 431, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Ordinance No. 2022-31.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2022-31.

Discussion: None.

Vote: All ayes. Motion carried.

5. Ordinance No. 2022-32 (Law Director)

An Ordinance approving the editing and inclusion of certain Ordinances as parts of the various component codes of the Codified Ordinances; approving, adopting and enacting new matter in the updated and revised Codified Ordinances; and repealing Ordinances and Resolutions in conflict therewith, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2022-32.

Discussion: Mr. Phares inquired if this Ordinance was for editing text. Ms. Gwartz confirmed this Ordinance is to add legislation to the Codified Ordinances of Willowick that Council has previously approved in 2021.

Vote: All ayes. Motion carried.

6. Resolution No. 2022-18 (Finance Director)

A Resolution adopting the Tax Budget for the fiscal year beginning January 1, 2023 and declaring an emergency.

TAX BUDGET HEARING

The tax Budget hearing was called to order at 8:22 p.m.

Finance Director Benedict explained the Tax Budget is prepared for all funds receiving property tax revenue. The purpose is to re-certify to the county budget commission the millage allowed to be assessed under current legislation. The proposed tax budget for 2023 represents no change to our current millage that is being assessed.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2022-18.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to approve Resolution No. 2022-18.

Discussion: None.

Vote: All ayes. Motion carried.

7. Ordinance No. 2022-33 (Law Director)

An Ordinance opting-out of H.B. 172 and reaffirming the City's ban on the discharge, igniting or exploding of fireworks within the City of Willowick, as set forth in Chapter 549 of the Codified Ordinances of the City of Willowick, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three day rule on Ordinance No. 2022-33.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Vanni, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2022-33.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2022-33.

Discussion: Mr. Phares inquired if this would change the current Ordinance. Mr. Patton stated this Ordinance is a complete opt-out from H.B. 172 and reaffirms the City's ban on the discharge, igniting and sale of fireworks within the City of Willowick. The current Ordinance will remain the same.

Vote: All ayes. Motion carried.

MISCELLANEOUS

8. Motion made by Mr. Malta, seconded by Ms. Antosh authorizing the expenditure to The Fire House in the amount of \$25,288.30 for turnout gear for the Fire Department.

Discussion: None.

Vote: All ayes. Motion carried.

ADD-ON

Motion authorizing a liquor permit to Tobacco & Beverage LLC DBA Tobacco Express, 30740 Lakeshore Blvd., Willowick, OH 44095.

Motion made by Ms. Antosh, seconded by Mr. Vanni authorizing a liquor permit to Tobacco & Beverage LLC DBA Tobacco Express, 30740 Lakeshore Blvd., Willowick, OH 44095.

Discussion: No objection from the Police Department.

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)

Mike Bowen, 472 E. 319 St., expressed his gratitude for all of the City employees.

Phil Detering, 469 Bayridge Blvd., feels that the fireworks issue is something that the state has allowed the people to do and should not be taken away.

Jean Bowen, 472 E 319. St., requested to hear the Lakeland property information again and inquired about Cleveland Pizza taking over Walker Hardware.

Mr. Patton stated that City Council is paid and elected to represent the people and the overwhelming response he has received from the residents is to keep the fireworks banned in the City. Mayor Regovich stated the City owns a piece of property on Lakeland just west of Lake County Sewer that was leased to a concrete company in 1987 for a dollar a year. The company sold the lease off fifteen years later to another concrete company who subleased it out to Kurtz's Bros. the City was not making any money from the property and won a lawsuit giving the control of the property back to City. Cleveland Pizza does own the old Walker Hardware property and due to the supply chain, labor and finance issues things are moving slowly.

ADJOURNMENT

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

Discussion: None.

Vote: All ayes. Motion carried.

Meeting adjourned at 8:39 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL