



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, April 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 - 6)

The seventh 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 Theresa Bisbee
Ward 3 Councilman Charles Malta
Ward 3 Councilman David Phares

ABSENT

Ward 2 Councilwoman Natalie Antosh

ALSO PRESENT

Mayor Regovich, Finance Director Benedict, Law Director Landgraf, Fire Chief Tennyson, Police Chief Turner, Service Director Shannon, Chief Housing and Zoning Inspector Brennan, Recreation Director Kless, City Engineer McLaughlin, Economic Manager Drake and Council Clerk Trend.

APPROVAL OF MINUTES

1. Motion made by Mr. Malta, seconded by Ms. Bisbee to approve the minutes of the Regular City Council Meeting of March 15, 2022.

Discussion: None.

Vote: all ayes. Motion carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

None.

ADMINISTRATIVE APPEALS

None.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

The EPA is continuing work on Cresthaven to clean up contamination from an underground fuel tank that leaked. Kimble started yard waste pick up on Monday, April 4th. The new trucks for the Service Department are in the process of being delivered and the old trucks will be turned in. Classic Park in Eastlake will be having their free July 4th fireworks event sponsored by the cities of Eastlake, Wickliffe and Willowick. Mayor Regovich expressed his condolences on the passing of Gary Augustine a former Willowick resident and Army Veteran.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

None.

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

Report submitted electronically. The EPA located a cracked tee on Cresthaven which was allowing fuel to leak into the sewer and the tee has been replaced. The hot patch plant has opened therefore the potholes will now have a more permanent fill. Mr. Phares inquired about a time frame for painting the light poles in Shoreland Crossing. Mr. Shannon stated that it is on their list of things to be done but does not have a time frame on it. Mr. Malta reported that there were some potholes on E. 310 St. that need attention.

Recreation Director – Julie Kless

The Easter Egg Hunt will be on Saturday, April 16 at Dudley.

City Engineer – Tim McLaughlin

Two items on the agenda are for the United Survey 2022 Lateral Program and Broadway Excavating for the Forestgrove Road and Fairway Boulevard emergency repair of the storm sewer. There is a pre-con next week to set a schedule and public notification for the 2022 Road Program. Mr. Phares inquired if the Fairway Project would start immediately if the legislation were approved tonight. Mr. McLaughlin stated that it would start quickly. Mr. Malta inquired if the \$50,000.00 was only for the intersection of Fairway and Forestgrove. Mr. McLaughlin stated that yes it was and the cost is due to the catch basin being in the middle of the intersection as well as some conflicts with water and utility lines. Mayor Regovich stated there will be a meeting with the City of Wickliffe to determine sharing of costs for the repairs.

Finance Director – Cheryl Benedict

Ordinance No. 2022-19 was amended to include \$50,000 from the Lake County Senior Citizen Levy Fund. This is a one time contingency fund for this year only.

Law Director – Stephanie Landgraf

No report.

Police Chief – Brian Turner

Report submitted electronically.

Fire Chief – Joe Tennyson

Report submitted electronically. The motion on the agenda for All American Fire Equipment is for the purchase of updated extrication equipment.

Chief Housing/Zoning Inspector – Sean Brennan

Report submitted.

Economic Development Manager – Monica Drake

There are five commercial properties for sale in the City. Cleveland Pizza is continuing to work on their design and plans before they start construction.

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)

Mike Bowen, 472 E. 319 St., the Army figures he received for the Nike Site Memorial were not to scale for the project but offered them up for viewing.

Frank McCarty, 468 E. 328 St., requested the City remove a dead tree from his tree lawn. Mr. Patton stated that he would discuss the situation with the Mayor and someone from the City would be in touch with him.

REPORTS OF STANDING COMMITTEES**Finance – Vanni, Bisbee, Koudela**

No report.

Safety – Phares, Malta, Bisbee

Mr. Phares reported that discussion at the Safety Committee meeting tonight was on fireworks. The committee has decided to follow the state law that goes into effect in July. The committee would like to see stricter penalties for anyone who violates the new state law and this will be addressed with the Law Director.

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

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

2. Motion made by Mr. Phares, seconded by Mr. Vanni authorizing the Mayor to enter into a contract with CIVICA North America for software and implementation fees to upgrade to Authority Finance, Authority Requisition Routing and Authority Fixed Assets in the amount of \$49,910.
Discussion: None.
Vote: All ayes. Motion carried.
3. Motion made by Mr. Malta, seconded by Ms. Bisbee authorizing the Mayor to enter into a contract with Sunset Cinema LLC for the purpose of the Outdoor Family Movie Night at Dudley Park scheduled for July 23, 2022 at a cost of \$1400.00.
Discussion: None.
Vote: all ayes. Motion carried.
4. Motion made by Mr. Phares, seconded by Mr. Vanni authorizing the Mayor to enter into a contract with United Survey, Inc for the 2022 Lateral Program in the amount of \$198,400.00.
Discussion: None.
Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

5. Report and recommendation from the Planning Commission on Ordinance No. 2022-12, 2022-13 and 2022-14.
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 3-1-22 and 3-15-22 pending report and recommendation from Planning Commission.

Motion made by Mr. Malta, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2022-12.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Phares to adopt Ordinance No. 2022-12.

Discussion: Mr. Phares stated that this Ordinance is similar to what the cities of Mentor on the Lake and Wickliffe have.

Vote: All ayes. Motion carried.

7. Ordinance No. 2022-13 (Amended) (Law Director)

An Ordinance enacting Chapter 789 of the Codified Ordinances titled "party event centers," and declaring an emergency.

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

Motion made by Mr. Phares, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2022-13.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Phares to adopt Ordinance No. 2022-13.

Discussion: Ms. Landgraf stated the report from the Planning Commission was for certain modifications to be made. The recommendation was to strike the limitation for how many centers were in the City and to change the chapter name from "Party Centers" to "Event Centers". Mr. Vanni, Mr. Phares and Mr. Malta are in agreeance with the recommendations from the Planning Commission.

Motion made by Mr. Malta, seconded by Mr. Phares to adopt Ordinance No. 2022-13 as amended and consistent with the recommendation from the Planning Commission.

Discussion: None.

Vote: All ayes. Motion carried.

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 3-15-22 pending report and recommendation from Planning Commission.

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

Motion made by Mr. Phares, seconded by Ms. Bisbee to waive the three readings on Ordinance No. 2022-14.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Mr. Malta to adopt Ordinance No. 2022-14.

Discussion: Mr. Phares stated the State of Ohio is looking into making recreational marijuana use legal. This moratorium is temporary and will be able to be amended as changes take place. Mayor Regovich stated that marijuana use is currently illegal in the state. The moratorium is good for twelve months and is in place in case the state makes a change during

that time.

Vote: All ayes. Motion carried.

9. Ordinance No. 2022-16 (Finance Director)

An Ordinance 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. Phares, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2022-16.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Phares to adopt Ordinance No. 2022-16.

Discussion: None.

Vote: All ayes. Motion carried.

10. Ordinance No. 2022-17 (Law Director)

An Ordinance authorizing the approval of the Collective Bargaining Agreement between the City of Willowick and the American Federation of State, County, and Municipal Employees, Ohio Council 8, AFL-CIO and AFSCME Local 688 (Service Unit), and declaring an emergency.

Motion made by Mr. Phares, seconded by Ms. Bisbee to waive the three readings on Ordinance No. 2022-17.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Phares to adopt Ordinance No. 2022-17.

Discussion: None.

Vote: All ayes. Motion carried.

11. Ordinance No. 2022-18 (Law Director)

An Ordinance authorizing the approval of the Collective Bargaining Agreement between the City of Willowick and the American Federation of State, County, and Municipal Employees, Ohio Council 8, AFL-CIO and AFSCME Local 688 (Secretarial Unit), and declaring an emergency.

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

Discussion: None.

Vote: All ayes, Motion carried.

Motion made by Mr. Phares, seconded by Ms. Bisbee to adopt Ordinance No. 2022-18.

Discussion: None.

Vote: All ayes. Motion carried.

12. Ordinance No. 2022-19 (As amended) (Finance Director)

An Ordinance amending Ordinance 2022-8 to provide for additional appropriations from the General Fund (101) 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 Mr. Malta, seconded by Mr. Phares to waive the three readings on Ordinance No. 2022-19 as amended.

Discussion: None.

Vote: All ayes, Motion carried.

Motion made by Mr. Phares, seconded by Ms. Bisbee to adopt Ordinance No. 2022-19 as amended.

Discussion: None.

Vote: All ayes. Motion carried.

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

A Resolution to approve authorizations (Then and Now Certificate) to Aladtec in the amount of \$4,295.00, for the City of Willowick, and declaring an emergency.

Motion made by Mr. Phares, seconded by Mr. Vanni to waive the three readings on Resolution No. 2022-6.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Phares to approve Resolution No. 2022-6.

Discussion: None.

Vote: All ayes. Motion carried.

14. Resolution No. 2022-7 (Law Director)

A Resolution authorizing the City of Willowick to participate in the Ohio Department of Transportation Contract (2022-2023) for the purchase of road salt, and declaring an emergency.

Motion made by Mr. Phares, seconded by Mr. Malta to waive the three readings on Resolution No. 2022-7.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Mr. Vanni to approve Resolution No. 2022-7.

Discussion: None.

Vote: All ayes. Motion carried.

15. Resolution No. 2022-8 (Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to Sherman Valuation & Review, LLC in the amount of \$4,835.32, for the City of Willowick, and declaring an emergency.

Motion made by Mr. Phares, seconded by Mr. Malta to waive the three readings on Resolution No. 2022-8.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Mr. Vanni to approve Resolution No. 2022-8.

Discussion: None.

Vote: All ayes. Motion carried.

16. Resolution No. 2022-9 (Law Director)

A Resolution authorizing the Mayor to enter into a contract with Broadway Excavating in an amount not to exceed \$55,000 for the emergency repair of the storm sewer at the intersection of Forestgrove Road and Fairway Boulevard, and declaring an emergency.

Motion made by Mr. Malta, seconded by Mr. Phares to waive the three readings on Resolution No. 2022-9.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Vanni, seconded by Mr. Phares to approve Resolution No. 2022-9.

Discussion: None.

Vote: All ayes. Motion carried.

MISCELLANEOUS

17. Motion made by Mr. Phares, seconded by Mr. Vanni to authorize the Mayor to sign the service agreement with Municode for an initial term of four (4) years.

Discussion: None.

Vote: All ayes. Motion carried.

18. Motion made by Mr. Malta, seconded by Mr. Phares to declare all items listed on Exhibit "A" as surplus, obsolete, unneeded, unfit for public use, and authorizing its sale or subsequent disposal.

Discussion: None.

Vote: All ayes. Motion carried.

19. Motion made by Mr. Vanni, seconded by Mr. Phares authorizing the purchase of extrication equipment for the Fire Department from All American Fire Equipment in the amount of \$34,885.

Discussion: None.

Vote: All ayes. Motion carried.

20. Motion made by Mr. Vanni, seconded by Mr. Malta authorizing the purchase of new hardware and software from SHI in an amount not to exceed \$20,000. The hardware and software is required to support the upgraded financial software from CIVICA International.

Discussion: None.

Vote: All ayes. Motion carried.

Mr. Malta added that a poll on social media named the Willowick Aldi and Alecis as one of the top five grocery stores in Lake County.

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

21. Motion made by Mr. Phares, seconded by Mr. Malta to adjourn to Executive Session to discuss contract negotiations at 8:15 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

Motion made by Mr. Malta, seconded by Ms. Bisbee to return to the table from Executive Session at 9:30 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Vanni to table the tentative agreement that was presented by the Willowick Firefighters Association.

Discussion: None.

Vote: All ayes. Motion carried.


ADJOURNMENT

Motion made by Mr. Phares, seconded by Mr. Vanni to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

Meeting adjourned at 9:32 p.m.



PRESIDENT OF COUNCIL Pro-Tem

ATTEST:



CLERK OF COUNCIL

To: Council President Patton
From: Chairman Mark Carden, Planning Commission
Date: March 17, 2022

Re:

Public Hearing on Ord. No. 2022-12: Enacting Chapter 788 of Codified Ordinances titled "Medical Marijuana Licensure;"

Public Hearing on Ord. No. 2022-13 (as amended): Enacting Chapter 789 of the Codified Ordinances titled "Party Centers;"

Public Hearing on Ord. No. 2022-14: Adopting Moratorium on Applications/Permitting the Adult Use of Marijuana for Non-Medical Purposes

At the Planning Commission Meeting on March 14, 2022, the above-referenced public hearings were held. At the conclusion of the public hearings, the Planning Commission submits the following report and recommendation to City Council:

1) Enacting Chapter 788 of Codified Ordinances titled "Medical Marijuana Licensure"

Recommendation: Adoption as drafted.
Ayes: 4
Opposed: 0

2) Enacting Chapter 789 of the Codified Ordinances titled "Party Centers," as amended:

Recommendation: Adoption with the following revisions:

- 1) Rename chapter "Event Centers," instead of "Party Centers;"
- 2) Strike the limitation of five (5) permitted Event Centers within 3 square miles.

Ayes: 4
Opposed: 0

3) Adopting Moratorium on Applications/Permitting the Adult Use of Marijuana for Non-Medical Purposes

Recommendation: Adoption as drafted.
Ayes: 4
Opposed: 0

Due to the fact that there were not five (5) members present at the meeting necessary to issue an affirmative recommendation on the legislation presented, the above report is provided to Council for reference and reporting purposes, in accordance with the City Charter.

Respectfully,



Mark Carden, Chairman - City of Willowick Planning Commission

Frank McCarty
468 E. 328 St.
Willowick, OH.
March 22, 2022

Mayor Richard Regovich
Council President:
Robert Patton &
Members of Council

Dear Sirs and Ma'ams;

It has come to my attention of a situation which exists at the above address on city owned property (tree-lawn) that concerns me for the safety of our fellow residents.

I believe it was 2008 when the city hired an arborist who determined that the tree in question was diseased. Over the past dozen or more years her findings proved accurate and slowly but surely termites have infested a number of both upper and lower branches. On more than just a few occasions large branches have fallen onto the main lawn without warning and most recently (in late February) punctured a partition in a cross-plank fencing closer to our porch. Very little damage was done so I will incur the cost of material repair when the weather warms up in May or so.

Specifically, I'm asking for the city to remove this 95% per cent 'dead' tree at its earliest convenience along with grinding up its stump and its residue removal. Two fair words of warning exist here in that there is a high-tension utility wire that runs through both trees connecting 2 utility poles on the same side of the street. So please be advised of this beforehand. Secondly, in 2010 I removed with ladder a limb protruding 12 to 15 feet above ground covered a rotted opening with fresh cement at its cut between 18 and 24 inches. Care should be used below and above these points when using a chain-saw with necessary precautions.

Lastly, we have a neighbor, an elderly woman suffering from a terminal illness at the address of 474. While her grown children are taking care of her, they often park in her driveway near the decaying tree in front of our house. Please feel free to notify me with any questions, comments, or concerns. Thank you very much!

Sincerely,

P.S: I can be reached at 440-537-7767

