



**City of Willowick**  
**CITY COUNCIL REGULAR MEETING**

Tuesday, June 15, 2021 at 7:30 PM  
City Council Chambers/ Webex

**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.

**AGENDA(AMENDED)**

**CALL MEETING TO ORDER**

**PLEDGE ALLEGIANCE**

**INVOCATION**

**ROLL CALL OF COUNCIL**

**APPROVAL OF MINUTES**

- [1.](#) Motion to approve the minutes of the Regular City Council Meeting of June 1st, 2021.

**APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS**

**ADMINISTRATIVE APPEALS**

- [2.](#) Administrative Appeal Order No. 2021-16 Moore #1

An order granting a variance and exception to install an air conditioning unit in the side yard in the application of Section 1167.01(c)(i) of the Codified Ordinances in Board of Zoning Appeals.

- [3.](#) Administrative Appeal Order No. 2021-17 Moore #2

An order granting a variance and exception of 37' from rear property line for an a/c unit in the application of Section 1167.01(c)(ii) of the Codified Ordinances in Board of Zoning Appeals.

- [4.](#) Administrative Appeal Order No. 2021-18 Moore #3

An order granting a variance and exception to allow side yard fencing in the application of Section 1165.07(b) of the Codified Ordinances in Board of Zoning Appeals.

- [5.](#) Administrative Appeal Order No. 2021-19 Kaminsky

An order granting a variance and exception of 483 sq. ft. to construct a 1059 sq. ft. garage in the application of Section 1337.01(c)(5)(b) of the Codified Ordinances in Board of Zoning Appeals.

- [6.](#) Administrative Appeal Order No. 2021-20 Rigotti

An order granting a variance and exception of 46' 3" height to construct a garage 21'3" in height in the application of Section 1337.01(c)(5)(b) of the Codified Ordinances in Board of Zoning Appeals.

7. Administrative Appeal Order No. 2021-21 Hitzel

An order granting a variance and exception of 144 sq. ft. to construct a 720 sq. ft. garage in the application of Section 1337.01(c)(5)(b) of the Codified Ordinances in Board of Zoning Appeals.

## **REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR**

### **COUNCIL DISCUSSION OF THE MAYOR'S REPORT**

#### **GENERAL COMMUNICATIONS & REPORTS – Directors & Officials**

**Acting Service Director** – Rich Regovich

**Recreation Director** – Julie Kless

**City Engineer** – Tim McLaughlin

**Finance Director** – Cheryl Benedict

**Law Director** – Stephanie Landgraf

**Police Chief** – Brian Turner

**Fire Chief** – Joe Tennyson

**Chief Housing/Zoning Inspector** – Sean Brennan

**Economic Development Manager** – Monica Drake

#### **WARD MATTERS**

#### **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)*

#### **REPORTS OF STANDING COMMITTEES**

**Finance** – Vanni, Bisbee, Koudela

**Safety** – Phares, Malta, Bisbee

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

**Streets, Sidewalks & Sewers** – Vanni, Malta, Antosh

**Tax Compliance** – Koudela, Antosh, Patton

**Moral Claims** – Antosh, Phares, Patton

**Budget** – Vanni, Koudela, Patton

#### **LIAISON REPORTS**

**Planning** – Phares/Alternate Koudela

**Board of Zoning Appeals** – Koudela/Alternate Vanni

**Volunteer Fire Fighters' Dependents Fund Board** – Antosh, Phares

**Recreation Board** – Bisbee/Alternate Phares

**Plan Review Board** – Antosh

**Hearts & Hammers** – Malta

## **FUND TRANSFERS & BID AUTHORIZATIONS**

## **CONTRACT APPROVALS**

## **INTRODUCTION & CONSIDERATION OF LEGISLATION**

8. Ordinance No. 2021-25 (Finance Director)

An Ordinance amending chapter 133 of the Codified Ordinances of the City of Willowick, Ohio, titled, "Department of Finance"; and specifically establishing Section 133.45, titled "East 328 Street Phase 2 Sewer Improvement Fund," and declaring an emergency.

9. Ordinance No. 2021-26 (Finance Director)

An Ordinance amending Ordinance 2021-9 to provide for additional appropriations from the General Fund (101); Sewer Revenue Fund (205); Senior Citizens Center Fund (220); and the E. 328th St. Phase 2 Sewer Improvement Fund (430) for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2021, and declaring an emergency.

10. Ordinance No. 2021-27 (Finance Director)

An Ordinance authorizing the Finance Director of the City to temporarily advance funds from the Sewer Revenue Fund (205) to the East 328 Street Phase 2 Sewer Improvement Fund (430), and declaring an emergency.

11. Resolution No. 2021-12 (Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to City of Wickliffe in the amount of \$7,500.00, for the City of Willowick, and declaring an emergency.

## **MISCELLANEOUS**

12. Motion authorizing the Mayor to enter into a contract with Joey Tomsick for the concert entertainment on Sunday, July 18, 2021 for a fee of \$550.00 as part of the Summer Concert Series at Lakefront Park.

13. Motion authorizing the Mayor to enter into a contract with Vandra Brothers for the 2021 Road Program in the amount of \$649,429.00.

14. Motion authorizing CT Consultants to perform final engineering and construction services for the 2021 Road Program for a fee not to exceed \$40,000 in accordance with the Agreement for engineering services.

## **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)*

**ADJOURN TO EXECUTIVE SESSION**

To discuss the appointment of the Service Director and the compensation of the Economic Development Manager.

**RETURN TO THE TABLE FROM EXECUTIVE SESSION**

**ADJOURNMENT**



**City of Willowick**  
**CITY COUNCIL REGULAR MEETING**

Tuesday, June 01, 2021 at 7:30 PM  
 City Council Chambers/ Webex

**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 - 10)

The eleventh meeting of Council was called to order at 7:30 p.m. by Council President Patton.

**PLEDGE ALLEGIANCE**

**INVOCATION**

**ROLL CALL OF COUNCIL**

**PRESENT**

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

**ABSENT**

Ward 1 Councilman Michael Vanni

**ALSO PRESENT**

Mayor Regovich, Police Lieutenant Mastroianni, Fire Chief Tennyson, Finance Director Benedict, City Engineer McLaughlin, Recreation Director Kless, Law Director Landgraf, Chief Housing and Zoning Inspector Brennan, Sewer Foreman Gross, 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 May 18th, 2021.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

**APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS**

None.

**ADMINISTRATIVE APPEALS**

None.

**REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR**

COVID restrictions will be lifted on June 2, 2021 by the Governor. All City buildings in Willowick will be following the new guidelines. The Parks and Recreation renewal levy will be on the ballot this Fall.

**COUNCIL DISCUSSION OF THE MAYOR'S REPORT**

None.

**GENERAL COMMUNICATIONS & REPORTS – Directors & Officials****Acting Service Director – Rich Regovich**

Preparations are being made to get the sidewalk re-opened on Lakeshore at the new construction site. We are still experiencing delays with Kimble due to their manpower shortage. Item No. 7, 1990 Case 1845C Skid Steer Loader, will be traded in for \$10,000 to help with the purchase of a new Steer Skid Loader in Item No. 8.

**Discussion:**

1. Mr. Malta inquired about a broken curb in front of 29408 Fairway that was possibly caused by a City snowplow.
2. Ms. Bisbee inquired about Kimble's service.
3. Ms. Koudela inquired about a timeline on fixing two areas of roadway on Lakeshore Blvd. near the new construction site and another one across from Northshore Mall. A resident emailed a complaint about obstructed views at the intersection of E. 319 St/Vine St. due to the Mr. Hero sign and E. 319 St/Willowick Dr. due to a telephone pole on the right and overgrown bushes on the left.

Mayor Regovich stated that the curb on Fairway would be fixed. Kimble is diligently working to fill vacant positions and residents are being asked to be patient. The excavation areas on Lakeshore Blvd. will be looked at and the appropriate people contacted for repair.

Mr. Brennan responded to the intersection complaint stating the bushes at E. 319 St. /Willowick Dr. are being cut back. He will also see about the bushes being trimmed by the telephone pole and will look back through the Ordinance for pole signs to see if anything can be done about the Mr. Hero sign.

**Recreation Director – Julie Kless**

The pools and camps will be open on Monday, June 7th. The Senior Center will opening on the June 15th.

**City Engineer – Tim McLaughlin**

Written report submitted electronically. Eight bids were received on Friday, May 28th for the Road Program. OPWC pre-apps for Round 36 have been submitted. The first one was for the Fairway Storm Sewer Project and the second for E. 327 St. north of Parkland. The first motion on the agenda is for the Lateral Program which is done every two years. The second is for E. 328 St. Phase II. One motion is for construction and the other motion is for engineering. This project is partially funded by OPWC through the state and \$100,000 comes from Lake County Storm Water Management. The remaining is funded by the City.

**Finance Director – Cheryl Benedict**

The local share for the E. 328 St. project is \$300,000.00 the City currently has \$448,000.00 in the Sewer

Fund. To be able to apply for additional funding, the engineering and design would need to be completed first. Should Council approve the motion for the engineering and design fees tonight, the next Council meeting would need to have authorization for an advance out of the Sewer Fund to the Project Fund. If the City is unable to get the additional money from other sources the project would have to wait until next year as the City has already done the borrowing for the Sewer Improvement Note. The \$70,500.00 would still be able to come out of the Sewer Fund this year. There are two pieces of legislation that Council needs to pass in order to get the Recreation renewal levy on the ballot in the fall.

**Law Director** – Stephanie Landgraf

No report.

**Police Chief** – Brian Turner

No report. Lt. Mastroianni is sitting in for Police Chief Turner.

**Fire Chief** – Joe Tennyson

Written report submitted electronically.

**Chief Housing/Zoning Inspector** – Sean Brennan

No report.

**Economic Development Manager** – Monica Drake

Excalibur Auto Body would like to make improvements to their building. The CRA draft agreement is still in process.

## **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

In Mr. Vanni's absence Council president Patton reminded everyone of the joint Budget/Finance Committee meeting on Tuesday, June 15th at 6:30 p.m.

**Safety** – Phares, Malta, Bisbee

No report. Mr. Phares would like to tentatively schedule a Safety Committee meeting for June 8<sup>th</sup> at 6:30 p.m.

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

No report.

**Streets, Sidewalks & Sewers** – Vanni, Malta, Antosh

No report.

**Tax Compliance** – Koudela, Antosh, Patton

No report. There will be a Tax Compliance meeting on Tuesday, June 8th at 5:30 p.m.

**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

Discussion for the next fundraiser event will be discussed at the next meeting.

## **FUND TRANSFERS & BID AUTHORIZATIONS**

None.

## **CONTRACT APPROVALS**

2. Motion made by Ms. Antosh, seconded by Mr. Malta authorizing the Mayor to enter into a lease agreement/contract with Enterprise Fleet Management for nine (9) vehicles at a total annual cost of \$48,609.00.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

## **INTRODUCTION & CONSIDERATION OF LEGISLATION**

3. Ordinance No. 2021-23 (Law Director)

An Ordinance authorizing the Mayor to take all actions necessary to accept the Northeast Ohio Public Energy Council ("NOPEC") Energized Community Grant Program Funds, and declaring an emergency.

Motion made by Mr. Malta, seconded by Mr. Phares to waive the three readings of Ordinance No. 2021-23.



**Discussion:** None.

**Vote:** All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2021-23.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

4. Ordinance No. 2021-24 (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 Mr. Phares to waive the three readings of Ordinance No. 2021-24.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2021-24.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

5. Resolution No. 2021-11 (Finance Director)

A Resolution by the City of Willowick, Lake County, Ohio, declaring it necessary to renew an existing .50 mill tax levy for the purpose of providing sufficient funding for parks and recreational purposes in the City of Willowick and requesting that the County Auditor certify the total current tax valuation of the City of Willowick and the dollar amount of revenue that would be generated by that .50 mill tax levy, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings of Resolution No. 2021-11.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

Motion made by Ms. Bisbee, seconded by Ms. Antosh to approve Resolution No. 2021-11.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

## MISCELLANEOUS

6. Motion made by Ms. Antosh, seconded by Mr. Phares authorizing the expenditure to Comfort Control Systems in the amount of \$14,480.00 for the purchase and installation of two OEM compressors at City Hall.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

7. Motion made by Mr. Phares, seconded by Ms. Antosh to declare a 1990 Case 1845C Skid Steer Loader with a bucket, VIN/JAF0041908 and City Tag No. 900-20, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

**Discussion:** None.

**Vote:** All ayes. Motion carried.

8. Motion made by Ms. Antosh, seconded by Mr. Phares authorizing a Purchase Order Requisition to Middlefield Farm and Garden for a 2020 Kubota Skid Steer Loader for the Service Department in the amount of \$30,414.48.  
**Discussion:** None.  
**Vote:** All ayes. Motion carried.
9. Motion made by Mr. Phares, seconded by Ms. Antosh authorizing CT Consultants to perform preliminary engineering, prepare final plans and bid documents, obtain bids and provide construction engineering services for the E. 328th Street Sewer Rehabilitation project for a fee not to exceed \$70,500 in accordance with the Agreement for engineering services.  
**Discussion:** None.  
**Vote:** All ayes. Motion carried.
10. Motion made by Ms. Antosh, seconded by Mr. Phares authorizing CT Consultants to perform preliminary engineering, prepare final plans and bid documents, obtain bids and provide construction engineering services for the 2021 Lateral Program for a fee not to exceed \$30,000 in accordance with the Agreement for engineering services.  
**Discussion:** None.  
**Vote:** All ayes. Motion carried.
11. Motion made by Ms. Antosh, seconded by Mr. Malta authorizing the hiring of Brian Regovich as a lifeguard in the Recreation Department.  
**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.

## ADJOURN TO EXECUTIVE SESSION

To discuss the purchase or sale of property.

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

**Discussion:** None.

**Vote:** All ayes. Motion carried.

## RETURN TO THE TABLE FROM EXECUTIVE SESSION

Motion authorizing the Mayor enter into a purchase agreement for the real property at 30625 Lakeshore Blvd. for the sum of \$150,000.00 contingent on said property appraising for that value that is \$150,000.00 or more.

**Discussion:** None

**Vote:** Ayes: Mr. Malta, Mr. Phares, Mr. Patton, Ms. Antosh, Ms. Koudela. Nays: Ms. Bisbee. Motion approved.

## ADJOURNMENT

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

**Discussion:** None.

**Vote:** All ayes. Motion carried.

Meeting adjourned at 8:36 p.m.

---

PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

## ADMINISTRATIVE APPEAL ORDER NO. 2021-16

AN ORDER GRANTING A VARIANCE AND EXCEPTION TO INSTALL AN AIR  
CONDITIONING UNIT IN THE SIDE YARD IN THE APPLICATION OF SECTION  
1167.01(c)(i) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-515  
CHRIS MOORE  
28908 UXBRIDGE

WHEREAS, the Board of Zoning Appeals, in Case No. 21-515 has recommended to Council that variance and exception in the application of Section 1167.01(c)(i) of the Codified Ordinances of the City of Willowick be granted; and

WHEREAS, the Council finds and determines that said variance and exception be granted

NOW, THEREFORE BE IT ORDERED, BY THE COUNCIL OF THE CITY OF  
WILLOWICK, STATE OF OHIO:

SECTION 1. That a variance and exception to install an air conditioning unit in the side yard be granted in the application of Section 1167.01(c)(i) of the Codified Ordinances.

SECTION 2. This order shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_ 2021 \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

## ADMINISTRATIVE APPEAL ORDER NO. 2021-17

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 37' FROM REAR  
PROPERTY LINE FOR AN A/C UNIT IN THE APPLICATION OF SECTION 1167.01(c)(ii)  
OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-515  
CHRIS MOORE  
28908 UXBRIDGE

WHEREAS, the Board of Zoning Appeals, in Case No. 21-515 has recommended to Council that variance and exception in the application of Section 1167.01(c)(ii) of the Codified Ordinances of the City of Willowick be granted; and

WHEREAS, the Council finds and determines that said variance and exception be granted

NOW, THEREFORE BE IT ORDERED, BY THE COUNCIL OF THE CITY OF WILLOWICK, STATE OF OHIO:

SECTION 1. That a variance and exception of 37' from rear property line or 6' from side property line for an a/c unit in the application of Section 1167.01(c)(ii) of the Codified Ordinances.

SECTION 2. This order shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_ 2021 \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

## ADMINISTRATIVE APPEAL ORDER NO. 2021-18

AN ORDER GRANTING A VARIANCE AND EXCEPTION TO ALLOW SIDE YARD  
FENCING IN THE APPLICATION OF SECTION 1165.07(b) OF THE CODIFIED  
ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-515  
CHRIS MOORE  
28908 UXBRIDGE

WHEREAS, the Board of Zoning Appeals, in Case No. 21-515 has recommended to Council that variance and exception in the application of Section 1165.07(b) of the Codified Ordinances of the City of Willowick be granted; and

WHEREAS, the Council finds and determines that said variance and exception be granted

NOW, THEREFORE BE IT ORDERED, BY THE COUNCIL OF THE CITY OF WILLOWICK, STATE OF OHIO:

SECTION 1. That a variance and exception to allow side yard fencing be granted in the application of Section 1165.07(b) of the Codified Ordinances.

SECTION 2. This order shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_ 2021 \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

## ADMINISTRATIVE APPEAL ORDER NO. 2021-19

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 483 SQ. FT. TO  
CONSTRUCT A 1059 SQ. FT. GARAGE IN THE APPLICATION OF SECTION  
1337.01(c)(5)(B) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-516  
JORDAN KAMINSKY  
29403 CRESTHAVEN

WHEREAS, the Board of Zoning Appeals, in Case No. 21-516 has recommended to Council that variance and exception in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances of the City of Willowick be granted; and

WHEREAS, the Council finds and determines that said variance and exception be granted

NOW, THEREFORE BE IT ORDERED, BY THE COUNCIL OF THE CITY OF WILLOWICK, STATE OF OHIO:

SECTION 1. That a variance and exception of 483 sq. ft. to construct a 1059 sq. ft. garage in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances.

SECTION 2. This order shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_ 2021 \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

## ADMINISTRATIVE APPEAL ORDER NO. 2021-20

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 46' 3" HEIGHT TO  
CONSTRUCT A GARAGE 21' 3" IN HEIGHT IN THE APPLICATION OF SECTION  
1337.01(c)(5)(B) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-517  
NICK RIGOTTI  
30851 BAYRIDGE BLVD.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-517 has recommended to Council that variance and exception in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances of the City of Willowick be granted; and

WHEREAS, the Council finds and determines that said variance and exception be granted

NOW, THEREFORE BE IT ORDERED, BY THE COUNCIL OF THE CITY OF WILLOWICK, STATE OF OHIO:

SECTION 1. That a variance and exception of 6' 3" to construct a garage 21' 3" in height in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances.

SECTION 2. This order shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_ 2021 \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council



## ADMINISTRATIVE APPEAL ORDER NO. 2021-21

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 144 SQ. FT. TO  
CONSTRUCT A 720 SQ. FT. GARAGE IN THE APPLICATION OF SECTION  
1337.01(c)(5)(B) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-518  
TOM HITZEL  
319 E. 309 ST.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-518 has recommended to Council that variance and exception in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances of the City of Willowick be granted; and

WHEREAS, the Council finds and determines that said variance and exception be granted

NOW, THEREFORE BE IT ORDERED, BY THE COUNCIL OF THE CITY OF WILLOWICK, STATE OF OHIO:

SECTION 1. That a variance and exception of 144 sq. ft. to construct a 720 sq. ft. garage in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances.

SECTION 2. This order shall take effect and be in force from and after its passage.

PASSED: \_\_\_\_\_ 2021 \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

## ORDINANCE NO. 2021-25

### AN ORDINANCE AMENDING CHAPTER 133 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED, “DEPARTMENT OF FINANCE”; AND SPECIFICALLY ESTABLISHING SECTION 133.45, TITLED “EAST 328 STREET PHASE 2 SEWER IMPROVEMENT FUND,” AND DECLARING AN EMERGENCY.

**WHEREAS**, Section 5705.13(C) of the Ohio Revised Code provides that the taxing authority of a subdivision may establish a capital projects fund for the purpose of accumulating resources for the acquisition, construction, or improvement of fixed assets of the subdivision; and

**WHEREAS**, the Council and Administration of the City of Willowick believe it to be necessary to establish the East 328 Street Phase 2 Sewer Improvement Fund to receipt contributions from such sources and funds as allowed by law, for the purpose of expending the funds necessary to ensure the infrastructure improvements necessary for sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation, and all other necessary appurtenances thereto in the East 328 Street area.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOWICK, COUNTY OF LAKE, AND STATE OF OHIO:**

**Section 1.** That Chapter 133 of the Codified Ordinances of the City of Willowick, Ohio, titled “Department of Finance”; is hereby amended to specifically establish Section 133.45, titled “East 328 Street Phase 2 Sewer Improvement Fund,” to read and provide as follows:

#### **SECTION 133.45 EAST 328 PHASE 2 STREET PHASE 2 SEWER IMPROVEMENT FUND.**

(a) That there is hereby established Fund 430 in the approximate amount of seven hundred sixty eight thousand dollars (\$768,000), which shall be identified as the East 328 Street Phase 2 Sewer Improvement Fund. This Fund shall be utilized for the deposit of receipts from the contributions from such other sources and funds as allowed by law, for the purpose of providing the funding necessary for infrastructure improvements to the City of Willowick’s East 328 Street to include, sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation and all other necessary appurtenances thereto in the East 328 Street area, and to further ensure and maintain compliance with any and all State and Federal regulatory agencies.

(b) Council may transfer, deposit, or appropriate funds from the General Fund, Sewer Revenue Fund, from grants obtained from other public or private entities, and such other sources as specified by an affirmative vote of Council to be used to fund the sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation and all other necessary appurtenances thereto in the East 328 Street area, and to maintain compliance with any and all State and Federal regulatory agencies.

(c) Upon approval by Council, this Fund shall be used solely to pay for the infrastructure improvements to the City of Willowick's East 328 Street to include sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation and all other necessary appurtenances thereto in the East 328 Street area, and to maintain compliance with any and all State and Federal regulatory requirements.

**Section 2.** All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

**Section 3.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare and dignity of the residents of the City of Willowick and therefore shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

Adopted by Council:\_\_\_\_\_

\_\_\_\_\_  
Robert Patton, Council President

Attest:\_\_\_\_\_  
Clerk of Council

Approved by Mayor:\_\_\_\_\_

\_\_\_\_\_  
Richard J. Regovich, Mayor

## ORDINANCE NO. 2021 - 26

**AN ORDINANCE AMENDING ORDINANCE 2021-9 TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND (101); SEWER REVENUE FUND (205); SENIOR CITIZENS CENTER FUND (220); AND THE E. 328TH ST. PHASE 2 SEWER IMPROVEMENT FUND (430) FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF WILLOWICK, STATE OF OHIO, DURING THE CALENDAR YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.**

**SECTION 1.** Be it ordained by the Council of the City of Willowick, State of Ohio, that to provide for the current expenses and other expenditures of said City of Willowick during the calendar year ending December 31, 2021, that the following sums be and they are hereby set aside and appropriated as follows:

**SECTION 2.** That there be appropriated from the General Fund:

**GENERAL FUND****Recreation Programs (including Camp)****Other**

Contract Umpires	101.303.5350	(1,000.00)
Youth Baseball Expenses	101.303.5459	1,000.00
<b>Total Other Expense</b>		-
<b>Total Recreation</b>		-

**Lands & Buildings****Personal Services****Other**

Hospitalization	101.708.5210	6,200.00
<b>Total Other Expense</b>		6,200.00
<b>Total Lands &amp; Buildings</b>		<b>6,200.00</b>

**Administrative Support****Other**

Land Acquisitions	101.711.5375	160,000.00
<b>Total Other Expense</b>		160,000.00
<b>Total Administrative Support</b>		<b>160,000.00</b>

**TOTAL GENERAL FUND: 166,200.00**

**SECTION 3.** That there be appropriated from the Sewer Disposal Water Pollution Control Fund (Sewer Revenue):

**SEWER REVENUE FUND****Other**

Advance to Fund 430	205.915.5994	70,500.00
<b>Total Other Expense</b>		70,500.00
<b>TOTAL SEWER REVENUE FUND</b>		<b>70,500.00</b>

**SECTION 4.** That there be appropriated from the Senior Citizens Center Fund:

**SENIOR CITIZENS CENTER FUND**

**Other**

Hospitalization	220.304.5210	5,500.00
<b>Total Other Expense</b>		<b>5,500.00</b>
<b>TOTAL SENIOR CITIZENS CENTER FUND</b>		<b>5,500.00</b>

**SECTION 5.** That there be appropriated from the E. 328th St. Phase 2 Sewer Improvement Fund:

**E. 328th St. Phase 2 SEWER IMPROVEMENT FUND**

**Other**

Engineering Fees	430.915.5360	70,500.00
<b>Total Other Expense</b>		<b>70,500.00</b>
<b>TOTAL E. 328th ST. PHASE 2 SEWER IMPROVEMENT FUND</b>		<b>70,500.00</b>

<b>TOTAL ALL FUNDS</b>	<b>312,700.00</b>
------------------------	-------------------

**SECTION 6.** That the Finance Director is hereby authorized to make expenditures or payments from any of the foregoing appropriations upon receiving proper certification and vouchers therefore, approved by the Board of Officers authorized by law to approve the same, or an Ordinance or Resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

**SECTION 7.** All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 3.12 of the Charter of the City of Willowick and Section 121.22 of the Ohio Revised Code.

**SECTION 8.** That the Clerk of Council be and she is hereby requested to deliver a certified copy of this Ordinance to the Lake County Auditor.

**SECTION 9.** That this Ordinance is hereby declared and determined to be an emergency measure necessary for the preservation of the public peace, health and safety of said City for the reason that immediate provision must be made for the appropriation herein provided for and it shall, therefore, be in effect immediately upon its approval by the Mayor of the City.

**PASSED:** \_\_\_\_\_, 2021

**Submitted to the Mayor for his approval**  
**on** \_\_\_\_\_, 2021

**ATTEST:**

\_\_\_\_\_  
**Council President**

**Approved by the Mayor on**  
\_\_\_\_\_, 2021

\_\_\_\_\_  
**Clerk of Council**

\_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 2021-27****AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR OF THE CITY TO TEMPORARILY ADVANCE FUNDS FROM THE SEWER REVENUE FUND (205) TO THE EAST 328 STREET PHASE 2 SEWER IMPROVEMENT FUND (430), AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Willowick has now established the East 328th Street Phase 2 Sewer Improvement Fund, Fund No. 430, for the purpose of accumulating resources for the acquisition, construction, or improvement of fixed assets of the City; and

**WHEREAS**, Fund No. 430 now requires funding by temporary basis transfer in the amount of seventy thousand five hundred dollars (\$70,500); and

**WHEREAS**, it is in the best interest of the City and its residents to authorize the temporary transfer of the amount of seventy thousand five hundred dollars (\$70,500) from the Sewer Revenue Fund (205) to the East 328 Street Phase 2 Sewer Improvement Fund (430);

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Willowick, County of Lake County, and State of Ohio:

**Section 1.** That the Finance Director is hereby authorized to transfer on a temporary basis the amount of seventy thousand five hundred dollars (\$70,500) from the Sewer Revenue Fund (205) to the East 328 Street Phase 2 Sewer Improvement Fund (430).

**Section 2.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 3.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare of the residents of the City of Willowick and the operation of its Finance Department, and that it will ensure the orderly and uninterrupted efficient operation of the City and its Finance Department.

**WHEREFORE**, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: \_\_\_\_\_, 2021

\_\_\_\_\_  
Robert Patton, Council President

Submitted to the Mayor: \_\_\_\_\_, 2021

\_\_\_\_\_  
Richard J. Regovich, Mayor

Approved by the Mayor: \_\_\_\_\_, 2021

ATTEST: \_\_\_\_\_  
Angela Trend, Clerk of Council

# City of Wickliffe

Gateway to Lake County

# INVOICE

28730 Ridge Road  
Wickliffe, OH 44092  
Attn: Finance Department

**DATE:** May 13, 2021  
**INVOICE #** 2021-025  
**FOR:** Shared Economic  
Development Mgr

**Bill To:**

City of Willowick  
30435 Lake Shore Blvd.  
Willowick, OH 44095  
delivered via email cbenedict@wityofwillowick.com

DESCRIPTION	AMOUNT
Shared Economic Development Manager	
April - June 2021	\$ 7,500.00
I HEREBY CERTIFY THAT THE GOODS, MATERIALS, & OR SERVICES SHOWN IN THIS INVOICE HAVE BEEN RECEIVED & OR RENDERED ON BEHALF OF THE	
CITY OF WILLOWICK, P.O. #	
DATE	
Due upon receipt	
<b>TOTAL</b>	<b>\$ 7,500.00</b>

If you have any questions concerning this invoice contact the Finance Department, 440-943-7117



**RESOLUTION NO. 2021 - 12****A RESOLUTION TO APPROVE AUTHORIZATIONS (THEN AND NOW CERTIFICATE)  
TO CITY OF WICKLIFFE IN THE AMOUNT OF \$7,500.00, FOR THE CITY OF  
WILLOWICK, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code 5705.41(D)(1) provides that if prior certification of funds by the Fiscal Officer was not obtained before the contract or order involving the expenditure of money was made, then the Fiscal Officer may instead certify; and

**WHEREAS**, that there was at the time of the making of such contract or order and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund, free from any previous encumbrances; and

**WHEREAS**, the Fiscal Officer is accordingly certifying that there were appropriations available and funds in the treasury or in the process of collection at the time the contract or order was made (then), and there are still sufficient appropriations and funds in the treasury or in the process of collection at the time the certificate is being issued (now); and

**WHEREAS**, the amount of the certificate exceeds \$3,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Willowick, County of Lake, and State of Ohio that:

**Section 1.** It is hereby certified that both at the time of the making of the attached contract(s) or order(s) and at the date of execution of this certificate, the amount of funds required to pay this contract(s) or order(s) has been appropriated for the purpose of this contract or order, attached hereto, and is in the treasurer or in the process of collection to the credit of the fund free from any previous encumbrances.

**Section 2.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 123 of the Codified Ordinances of the City of Willowick.

**Section 3.** This Resolution constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick; and so that the certificate meets the timeliness requirement of the Ohio State Auditor; wherefore, this Resolution shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.

**PASSED:** \_\_\_\_\_, 2021

\_\_\_\_\_  
**Robert Patton, President of Council**

**SUBMITTED** to the Mayor for his approval  
on \_\_\_\_\_, 2021

**APPROVED** by the Mayor on  
\_\_\_\_\_, 2021

**ATTEST:**

\_\_\_\_\_  
**Angela Trend, Clerk of Council**

\_\_\_\_\_  
**Richard J. Regovich, Mayor**

# Joey Tomsick and the Shotskis

7261 Hunting Lake Drive ♦ Concord Township, Ohio 44077 ♦ (440) 639-1963

## Booking Agreement

This Booking Agreement (the "Agreement") is made this 4th day of May, 2021 by and between **Joey Tomsick & The Shotskis**:

(Hereinafter referred to as "JTO") and Willowick Recreation Dept. (the "Purchaser") agree as follows:

**1. Engagement.** Purchaser hereby hires JTO to perform, and JTO hereby agrees to perform, subject to the following terms and conditions.

**2. Reference Terms of the Agreement:**

- (a) Date of Performance: Sunday, July 18, 2021
- (b) Performance Starting Time: 6:30 PM Performance Ending Time: 8:30 PM
- (c) Performance Site: Lakefront Lodge (Willowick)
- (d) Location Phone and Address: \_\_\_\_\_
- (e) Type of Event: City Picnic
- (f) Purchaser's Phone: Maureen Brennan 440-5163011
- (g) ☐ Early Delivery and Set-Up requested (if this box is checked, please see section 8 below)
- (h) **Fee:** Purchaser agrees to pay JTO the sum of: \$ 550.00 for the performance (**plus early-set up fee**) payable as follows:  
 Due upon signing the agreement: \$ 00.00 (To be returned with agreement)  
 Balance due on the date of Performance: \$ 550.00 (Made payable to "JOEY TOMSICK")

**3. Performance Site Conditions.** Purchaser shall be responsible for providing an adequate number of grounded electrical outlets within fifteen feet of the stage. Purchaser must insure that the stage will be protected from any danger, including, but not limited to adverse weather conditions such as direct sunlight and rain.

**4. Repertoire and Intermission.** The music to be performed by JTO will consist of JTO's customary repertoire and such other music as JTO may select in its sole discretion. JTO will be entitled to take one intermission break during each hour of stage performance.

**5. Modification and Authority.** This Agreement represents the entire agreement between Purchaser and JTO, and may not subsequently be modified except in writing signed by both parties. The person signing this Agreement on behalf of the Purchaser hereby covenants that he or she has full and lawful authority to bind Purchaser to the obligations, terms and conditions of this Agreement.

**6. Indemnification.** Purchaser agrees to indemnify JTO and hold JTO harmless from and against any and all losses, claims, costs, suits or expenses for bodily injury or damage to property occurring at the Performance Site, unless such injury or damage is caused solely by the negligence of the JTO. Purchaser shall assume liability for any bodily injury to guests, invitees, or any person attending the Performance, including members of the JTO, and for damage to JTO's equipment arising out of or as a result of staging or site conditions, or the behavior of any such guest, invitee or other person. Purchaser may insure the foregoing obligations by an appropriate policy of liability insurance or by an undertaking of the owner of the Performance Site, provided that Purchaser shall, at JTO's request, furnish a certificate of such insurance satisfying such obligations.

**7. Cancellation** In the event that Purchaser cancels the Performance by written notice to JTO thirty (30) days or more prior to the playing date, one-half of the amounts deposited

(or required to be deposited) will be retained by JTO. In the event that Purchaser cancels the Performance by written notice to JTO less than thirty (30) days prior to the playing date, one hundred percent (100%) of the amounts deposited (or required to be deposited) will be retained by JTO. If Purchaser cancels the Performance with less than forty-eight (48) hours notice for any reason other than war, disaster, strike, riot, epidemic or act of God, then the full amount of the Fee shall be payable. The agreement of JTO to perform is a personal covenant subject to prevention events of Force Majeure such as, by way of example only and not limitation, sickness, war, disaster, accident, riot, strike, epidemic, acts of God or any other condition beyond its control. For purposes of this Agreement, rain is not considered an act of God. JTO shall have full authority to assemble such musicians and other band members and to hire such persons and any replacements as in JTO's sole discretion are required for the Performance, and no representation is made hereby as to the composition of the JTO or the identity of its members.

**8. Early Delivery of Equipment and Set-Up.** Standard arrival time for main equipment delivery and set-up is approximately 45 minutes to 1½ hours prior to performance starting time. If the Purchaser requests the band to deliver main equipment and set-up early (e.g. 1½ hours or more prior to starting time), a set-up fee of sixty dollars (\$60.00) will be payable upon signing this Agreement, or upon later request.


**9. Overtime.** JTO may, but shall not be required to perform for additional period(s) of time beyond the schedule set forth above in Section 2, provided that such overtime shall be payable in increments of one-half hour only at the rate of eighty dollars (\$80.00) per half hour. Overtime will be payable immediately to the JTO.

**10. OTHER:** Two sets

**Accepted by:**

Purchaser: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/St/Zip: \_\_\_\_\_

JTO:

  
 Date 05.17.21  
 7261 Hunting Lake Drive ♦ Concord Twp, OH 44077  
 (216) 401-9763 email: joeynow@yahoo.com

**WILLOWICK CITY ENGINEER'S REPORT  
JUNE 15, 2021**

**2021 Road Program**

8 bids were received with the base bid ranging from \$589,046.00 to \$693,958.40 as compared to the engineer's estimate of \$600,000.00. When including the alternate, bids ranged from \$649,429.00 to \$765,111.60. The low bid, including both the base and alternate bid, is from Vandra Brothers. Vandra Brothers has completed many successful street repavement projects for surrounding communities and on other CT projects. The council agenda includes 2 items:

*Motion authorizing the Mayor to enter into a contract with Vandra Brothers for the 2021 Road Program in the amount of \$649,429.00*

*Motion authorizing CT Consultants to perform final engineering and construction services for the 2021 Road Program for a fee not to exceed \$40,000 in accordance with the Agreement for engineering services.*

R:\CO\_LAKE\Willowick\Meetings & Reports\City Engineer's Reports\2021\2021-06-01 Engineer's Report.Doc

**WILLOWICK CITY ENGINEER'S REPORT  
JUNE 15, 2021**

**2021 Road Program**

8 bids were received with the base bid ranging from \$589,046.00 to \$693,958.40 as compared to the engineer's estimate of \$600,000.00. When including the alternate, bids ranged from \$649,429.00 to \$765,111.60. The low bid, including both the base and alternate bid, is from Vandra Brothers. Vandra Brothers has completed many successful street repavement projects for surrounding communities and on other CT projects. The council agenda includes 2 items:

*Motion authorizing the Mayor to enter into a contract with Vandra Brothers for the 2021 Road Program in the amount of \$649,429.00*

*Motion authorizing CT Consultants to perform final engineering and construction services for the 2021 Road Program for a fee not to exceed \$40,000 in accordance with the Agreement for engineering services.*

R:\CO\_LAKE\Willowick\Meetings & Reports\City Engineer's Reports\2021\2021-06-01 Engineer's Report.Doc