



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

Tuesday, November 01, 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.

**AGENDA**

**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 October 18, 2022.

**APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS**

**ADMINISTRATIVE APPEALS**

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

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

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

**Service Director** – Todd Shannon

**Recreation Director** – Julie Kless

**City Engineer** – Tim McLaughlin

**Finance Director** – Cheryl Benedict

**Law Director** – Stephanie Landgraf

**Police Chief** – Brian Turner

**Fire Chief** – Bill Malovrh

**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**

- 2. Motion authorizing the Mayor to enter into a contract with Cargill to purchase Enhanced Calcium Chloride Salt Brine at \$.81 per gallon.

### **INTRODUCTION & CONSIDERATION OF LEGISLATION**

- 3. Ordinance No. 2022-43 (Finance Director)

An Ordinance amending Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled "Streets, Utilities and Public Services Code;" specifically, Section 921.08, titled "Sanitary Sewer Rental Rates," to provide a use charge rate based upon \$5.429 per 100 cubic feet of water, establish a minimum quarterly billing for such use charge rate of \$43.43 per 800 cubic feet of water, or part thereof.

***1st Reading 10-18-22***

- 4. Ordinance No. 2022-47 (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.

5. Resolution No. 2022-28 (Law Director)

A Resolution adopting the Lake County Emergency Management Agency's Hazard Mitigation Plan, and declaring an emergency.

**MISCELLANEOUS**

**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**

- 6. To consider the purchase or sale of property.

**RETURN TO THE TABLE FROM EXECUTIVE SESSION**

**ADJOURNMENT**



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

Tuesday, October 18, 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 - 18)

In the absence of Council President Patton, the nineteenth meeting of Council was called to order by Council Clerk Trend at 7:30 p.m.

**PLEDGE ALLEGIANCE**

**INVOCATION**

The floor was opened for nominations for President Pro Tem.

Motion by Ms. Antosh, seconded by Mr. Phares to nominate Mr. Vanni as President Pro Tem. There were no other nominations, and nominations were closed.

**Vote:** Ayes: Ms. Antosh, Ms. Bisbee, Ms. Koudela, Mr. Malta and Mr. Phares.

Abstain: Mr. Vanni. Motion carried.

**ROLL CALL OF COUNCIL**

**PRESENT**

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

**ABSENT**

Council President Robert Patton

**ALSO PRESENT**

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

**ABSENT**

Police Chief Turner

**APPROVAL OF MINUTES**

1. Motion made by Ms. Antosh, seconded by Ms. Bisbee to approve the minutes of the Regular City Council Meeting of October 4, 2022.

**Discussion:** None.

**Vote:** Ayes: Ms. Antosh, Ms. Bisbee, Ms. Koudela, Mr. Vanni and Mr. Phares.  
Abstain: Mr. Malta. Motion carried.

## APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

*Council President Pro Tem Vanni took the agenda out of order to vote on add-on Item No.12, Ordinance No. 2022-46 prior to the oath of office being administered to William Malovrh.*

12. Ordinance No. 2022-46 (Law Director)

An Ordinance confirming the appointment of William J. Malovrh to the position of Fire Chief, establishing his terms of compensation, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three day rule on Ordinance No. 2022-46.

**Discussion:** None.

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

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2022-46.

**Discussion:** None.

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

Motion made by Mr. Malta, seconded by Ms. Antosh to adopt Ordinance No. 2022-46.

**Discussion:** None.

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

2. Oath of Office administered by Mayor Regovich to William Malovrh for the rank of Fire Chief in the Willowick Fire Department.

## ADMINISTRATIVE APPEALS

3. Administrative Appeal Order No. 2022-33 Urgo & Davies #1 (Recommended by BZA)

An Order granting a variance and exception of 1' 10" height for a detached garage that is 16' 10" in height in the application of Section 1163.07 of the Codified Ordinances in Board of Zoning Appeals.

*The applicants were not present.*

Motion made by Ms. Antosh, seconded by Mr. Malta to grant Administrative Appeal Order No. 2022-33.

**Discussion:** None.

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

4. Administrative Appeal Order No. 2022-34 Urgo & Davies #2 (Recommended by BZA)

An Order granting a variance and exception of 96 sq. ft. for a detached garage that is 672 sq. ft. in the application of Section 1163.07 of the Codified Ordinances in Board of Zoning Appeals.

*The applicants were not present.*

Motion made by Ms. Antosh, seconded by Ms. Bisbee to grant Administrative Appeal Order No. 2022-34.

**Discussion:** None.

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

5. Administrative Appeal Order No. 2022-35 Dabrowski (Recommended by BZA)

An Order granting a variance and exception of 178 linear feet of vinyl fencing in the application of Section 1165.04 of the Codified Ordinances in Board of Zoning Appeals.

*The applicant was not present.*

Motion made by Ms. Antosh, seconded by Ms. Bisbee Administrative Appeal Order No. 2022-35.

**Discussion:** None.

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

## REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

The third and final public meeting for the Vine Street Corridor Project was held at Bar Forno on October 17th. American Legion Post 678 will be hosting a pancake breakfast on Sunday, November 13th. The Lake County Records Office has implemented a program for Veterans to get free ID's.

## COUNCIL DISCUSSION OF THE MAYOR'S REPORT

None.

## GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

### Service Director – Todd Shannon

Report submitted electronically. The camera to repair the traffic light at E. 288 St. and Lakeshore Blvd. has been shipped. Road salt from Morton Salt will cost \$44.15 per ton. The county will be finishing up the Vine Street Water Line Project for the winter within the next two weeks.

### Recreation Director – Julie Kless

The Nike Site grand opening will be at Manry on Sunday, October 30th. The exhibit will be available for viewing Monday through Friday from 8:00 a.m. until 5:00 p.m. and will remain up from September 1st through May 1st.

### City Engineer – Tim McLaughlin

No report.

### Finance Director – Cheryl Benedict

No report.

### Law Director – Stephanie Landgraf

No report.

### Police Chief – Brian Turner

No report - absent.

### Fire Chief – Bill Malovrh

No report.

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

No report.

**Economic Development Manager – Monica Drake**

Good Will is leasing the former Pat Catan space and Be Smoothie hopes to open by Friday.

**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., is looking forward to and honored to be a part of the opening of the Nike Site exhibit.

Krista Bair, 28904 Blissfield, is the president of the Willoughby-Eastlake Board of Education. The board is looking for members of the community of Willowick to join a committee to help them in their search for a new superintendent to run the school district. They intend to start the search process at the start of the new-year and she will forward her contact information to Mayor Regovich.

Jean Bowen, 472 E. 319 St., inquired if Vine St. will be cemented or blacktopped once the water line work is completed. She is also concerned about the traffic at Vine St. and Willowick Dr. due to the construction.

Mr. Shannon stated the the trench on Vine St. will be cemented temporarily but will eventually be blacktopped. Mr. Vanni stated that he regularly sees officers in the construction area on Vine St. and Willowick Dr.

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

There will be a Joint Budget-Finance Committee meeting on Tuesday, November 1st at 6:30 p.m.

**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**

A meeting will be scheduled for a claim that was submitted to the city.

**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

The board will be meeting to vote on an old claim.

**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 for fall clean up.

**FUND TRANSFERS & BID AUTHORIZATIONS**

None.

**CONTRACT APPROVALS**

6. Motion made by Ms. Antosh, seconded by Ms. Bisbee authorizing the Mayor to enter into a contract with The Ohio Association of Chiefs of Police, Inc. Advisory Services Division, for the Pre-Assessment process and Assessment Center process for the rank of Sergeant on Saturday, October 22, 2022 and Sunday, October 23, 2022 not to exceed \$8,900.00.

**Discussion:** None.

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

7. Motion made by Ms. Antosh, seconded by Ms. Bisbee authorizing the Mayor to enter into a contract with The Ohio Association of Chiefs of Police, Inc. Advisory Services Division, for the Pre-Assessment process and Assessment Center process for the rank of Lieutenant on Friday, November 18, 2022 not to exceed \$5,900.00.

**Discussion:** None.

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

**INTRODUCTION & CONSIDERATION OF LEGISLATION**

8. Ordinance No. 2022-43 (Finance Director)

An Ordinance amending Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled “Streets, Utilities and Public Services Code;” specifically, Section 921.08, titled “Sanitary Sewer Rental Rates,” to provide a use charge rate based upon \$5.429 per 100 cubic feet of water, establish a minimum quarterly billing for such use charge rate of \$43.43 per 800 cubic feet of water, or part thereof.

*1st reading 10-18-22*



9. Ordinance No. 2022-44 (Finance Director)

An Ordinance amending Ordinance 2022- 8 to provide for additional appropriations from the General Fund (101); Street Lighting Fund (204); Sewer Revenue Fund (205); Police & Fire Capital Improvement Fund (207); Emergency Rescue Fund (208); Sanitary & Storm Lateral Levy Fund (211); Street Improvement Levy Fund (213); Recreation Capital Improvement Fund (214); Bond Retirement Fund (301); Municipal Tax Increment Equivalent Fund (302); Police Pension Fund (801); and the Donations & Bequests Fund (803); for current expenses 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 Ms. Antosh to waive the three readings on Ordinance No. 2022-44.

**Discussion:** None.

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

Motion made by Mr. Phares, seconded by Ms. Antosh to adopt Ordinance No. 2022-44.

**Discussion:** None.

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

10. Ordinance No. 2022-45 (Law Director)

An Ordinance providing for compensation of Ron Zak as the interim Acting Fire Chief of the City of Willowick, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Ordinance No. 2022-45.

**Discussion:** None.

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

Motion made by Ms. Antosh, seconded by Ms. Bisbee to adopt Ordinance No. 2022-45.

**Discussion:** None.

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

11. Resolution No. 2022-27 (Law Director)

A Resolution setting forth no objection to the submerged land lease and proposed shore structure application for real property located at 30707 Lakeshore Boulevard, Willowick, Ohio, owned by Willoughbeach Terrace limited partnership, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to waive the three readings on Resolution No. 2022-27.

**Discussion:** None.

**Vote:** all ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2022-27.

**Discussion:** None.

**Vote:** all ayes. Motion carried.

**MISCELLANEOUS**

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.

**ADJOURNMENT**

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

**Discussion:** None.

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

Meeting adjourned at 8:18 p.m.

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PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_

CLERK OF COUNCIL



Salt, Road Safety  
 24950 Country Club Blvd, Suite 450  
 North Olmsted, OH 44070

Thursday, October 20, 2022

Billing Information		Shipping Information		*Contact Information	
Name	Willowick City	Willowick City Service Dept	Attn:		
Account Number	1000017673	2000023892			
Address 1	30435 Lake Shore Blvd	31230 Vine St	Phone		
City State Zip	Willowick, OH 44095	Willowick, Ohio 44095	Mobile		
County	Wayne	Wayne	e-mail		

Cargill, Incorporated Deicing Technology Business Unit ("Cargill") is pleased to submit the following quote for your SALT BRINE needs for the 2022/2023 season.

**Price Basis Per Gallon**

Product	Pickup	Delivered* (4,000 gallon minimum)	Estimated Volume	Terminal
110004255- Enhanced Ca Cl Brine	\$0.40GAL	\$0.81	4,000 gallons	1ACY – Akron OH
100012343- Sodium Chloride Brine	\$0.32GAL	\$0.73	4,000 gallons	1ACY – Akron OH

*\*Delivered price is subject to a fuel surcharge. Applicable fuel surcharge rates may be applied to Buyers account at the time of shipment.*

**PLEASE SIGN AND RETURN THIS QUOTE LETTER TO OUR ATTENTION WITHIN TEN (10) BUSINESS DAYS FROM DATE OF LETTER. WE CANNOT UPDATE YOUR ACCOUNT FOR THIS YEAR WITHOUT THE SIGNED QUOTE LETTER. THIS PRICE QUOTE LETTER DOES NOT CONSTITUTE AN ORDER. ORDERS MUST BE PLACED BY CALLING CUSTOMER SERVICE AT 800-600-SALT (7258).**

**TERMS AND CONDITIONS –**

- Provided this Price Quote Letter is signed and returned within TEN (10) business days from the Date, Cargill agrees to hold the quoted prices firm from October 20, 2022 through April 30, 2023. Notwithstanding the foregoing, the prices contained in this Price Quote Letter are contingent on Customers adherence to these Terms and Conditions and the attached Terms and Conditions of Sale, including, but not limited to, Customer's compliance with the Customer account's payment and credit terms stated below.
- The Estimated Volume figure is an estimate of the total quantity of each Product(s) to be purchased by Customer under this Price Quote Letter. Customer is not obligated to purchase a minimum percentage of the Estimated Volume. Cargill is not obligated to sell Customer any quantity of the Estimated Volume.
- Cargill's obligation to sell Product(s) is SUBJECT TO PRODUCT AVAILABILITY. Cargill has the right to (i.) decline, or suspend shipments of, any Customer order placed under this Price Quote letter or (ii) terminate this Price Quote Letter if, at any time, Cargill encounters Product shortages due to commitments to other customers. In addition, Cargill reserves the right to decline, or suspend shipments of, any Customer order placed under this Price Quote Letter for any reason(s) relating to: Conditions at any Cargill terminal/production facility, weather conditions, or any other reason that may affect Cargill's ability to accept orders.
- This quote assumes that Product will be delivered from or picked up at the terminal set forth above. Cargill's sale of Product is expressly conditional upon these Terms and Conditions and Customer's acceptance of the attached Terms and Conditions of Sale. Any terms which may exist on the Customer's standard purchase order (or similar forms) and which alter or are inconsistent with the terms and conditions will be of no legal force or effect and will not govern the transaction contemplated by this Price Quote Letter.
- By accepting, Customer agrees that this Price Quote Letter (including the Terms and Conditions and the attached Terms and Conditions of Sale) constitutes the entire understanding between Cargill and Customer and supersedes all other prior agreements or quotations, whether written or oral, between Cargill and Customer with respect to the Product(s)

<b>Payment Terms</b>	NET 30	<b>Credit Limit</b>	-----
<b>PAYMENT TERMS AND CREDIT LIMIT ARE SUBJECT TO CHANGE.</b>			

**Thank you for the opportunity to be of service. We are looking forward to supplying your brine needs.**

<b>Cargill, Incorporated</b> <b>Salt, Road Safety Unit</b>  <i>Kaitlyn Jackson</i> District Manager Cargill Road Safety 440-716-4686 Kaitlyn_jackson@cargill.com	<b>Accepted</b>
	Signature:
	Name:
	Title:
	e-mail:



Salt, Road Safety  
 24950 Country Club Blvd, Suite 450  
 North Olmsted, OH 44070

Please notify us of any required changes to your account information. Any incorrect information will delay your account setup.			
Billing Information		Shipping Information	
Name:			
DBA (if applicable)			
Address 1			
Address 2			
City State Zip			
County			
Attn:			
Phone	Fax	e-mail:	

TERMS AND CONDITIONS OF SALES	
<p>1. <b>TERMS TO GOVERN.</b> The terms and conditions set forth herein shall constitute the sole terms and conditions of sale for this quotation (the "Quote") and any orders placed thereunder. No other terms or conditions, whether contained in Buyer's purchase order or elsewhere, shall be binding on Seller unless agreed to in writing by Seller.</p> <p>2. <b>TITLE/RISK OF LOSS.</b> Title and risk of loss shall pass to Buyer at the time the goods are delivered to or picked up by Buyer.</p> <p>3. <b>PAYMENT AND CREDIT TERMS.</b> Failure of the Buyer to pay on the due date on invoice for products shipped shall give Seller the right, but not the obligation, to suspend further shipment, without notice to the Buyer, until all previous shipments are paid, or to terminate this agreement and seek all available remedies from Buyer. Interest at the maximum rate permitted by law will accrue on all invoices unpaid as of the net due date. All payments by Buyer shall be final 180 days after shipment of the goods and Buyer shall have no right to audit payments or deduct future payments after such date. Notwithstanding anything else herein contained, Seller reserves the right to modify payment terms or to allow no credit whatsoever to Buyer if Seller determines that it cannot grant Buyer the credit terms which are specified herein or Buyer's credit changes. Buyer understands that this reservation is necessary to allow Seller's credit department to have adequate time to review Buyer's credit status.</p> <p>4. <b>WARRANTY AND LIMITATION OF LIABILITY.</b> Seller warrants that it has the right to convey good title to the goods and that the goods will be delivered free of all liens and encumbrances. IN NO EVENT SHALL SELLER BE LIABLE FOR TO BUYER, OR TO ANY THIRD PARTY, FOR ANY INDIRECT, CONSEQUENTIAL, INCIDENTAL, SPECIAL, PUNITIVE OR EXEMPLARY DAMAGES OF WHATSOEVER NATURE (INCLUDING, BUT NOT LIMITED TO, LOST BUSINESS, LOST PROFITS, DAMAGE TO GOODWILL OR REPUTATION AND/OR DEGRADATION IN VALUE OF BRANDS, TRADEMARKS, TRADENAMES, SERVICE NAMES OR SERVICE MARKS) WHETHER ARISING OUT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE, FAILURE TO WARN, OR STRICT LIABILITY) OR OTHERWISE.</p> <p>5. <b>EXCLUSIVE REMEDY.</b> If upon delivery to Buyer the goods appear not to meet the above warranty, Buyer shall immediately notify Seller who shall have a right to inspect them. Buyer shall not return, repair or dispose of any goods that fail to meet the above warranty without Seller's written consent. In the event Seller breaches the above warranty, Buyer's sole and exclusive remedy and Seller's sole and exclusive liability shall be limited to, at Seller's option, replacement of non-conforming goods with conforming goods or return of the purchase price.</p> <p>6. <b>FORCE MAJEURE.</b> Seller shall be excused for failure to deliver or delay occasioned by conditions beyond Seller's reasonable control, including, but not limited to, Acts of God, fire, flood, windstorm, acts of governmental authorities, strikes, shortage of raw materials, breakdown, shortage or non-availability of transportation facilities or equipment or any similar event not within Seller's control. In the event Seller is unable to supply the total requirements of its customers, Seller may allocate its available supply among its customers in a manner deemed by Seller to be fair and equitable. If Seller declares force majeure hereunder, Seller may cancel any unperformed portion hereof upon ten (10) days written notice to Buyer.</p>	<p>7. <b>INCREASES.</b> Any advance in applicable freight rates or taxes taking effect before the fulfillment of orders placed under this Quote shall be for Buyer's account. All demurrage or detention charges shall be for Buyer's account. Seller reserves the right to add energy and/or transportation related surcharges for Buyer's account. In addition, if Seller is unable, for any reason, to supply the goods from its plant closest to Buyer's facility, then Seller may, but is not required to, supply the goods from another plant, to the extent it is available, subject to Buyer's payment of all increased freight costs. Seller will notify Buyer of any additional charges before shipping.</p> <p>8. <b>DELIVERY.</b> Buyer shall furnish complete shipping instructions in sufficient time to enable Seller to perform its obligations hereunder. Seller shall not be obligated to make shipment in absence thereof. If more than one delivery is called for, each delivery is to be considered a separate contract for purposes of furnishing complete shipping instructions by Buyer. Unless otherwise provided for herein, if the Quote provides for deliveries over a period exceeding one month, Seller shall not be obligated to deliver in any thirty day period more than approximately equal monthly quantities, in relation to the total amount. The destination routing of shipments will be at Seller's option.</p> <p>9. <b>TERMINATION.</b> If either party breaches any of its obligations under this Quote or any order thereunder, the non-breaching party may give ten (10) day notice of termination, and if the breach has not been cured during the said 30-day period, this Quote shall terminate. In the event Buyer files a voluntary petition in bankruptcy, makes an assignment for the benefit of creditors; is adjudicated as bankrupt; and/or becomes insolvent, Seller may terminate this Agreement effective immediately. Termination, pursuant to this Section, while being in itself a remedy for breach, shall not preclude any other legal or equitable remedy which is available to the terminating party.</p> <p>10. <b>TAXES.</b> Buyer shall be liable for any taxes or other exactions levied by Federal, State or local authorities upon the sale, delivery, storage, consumption or transportation of the goods or services, and if any such items are paid or required to be paid by Seller, the amount shall be added to and become part of the price payable to Seller for such goods or services.</p> <p>11. <b>ASSIGNMENT.</b> The rights and obligations under this quote are not assignable by either party unless in writing and signed by both.</p> <p>12. <b>FORWARD CONTRACT.</b> The Parties agree that the transactions hereunder constitute a "forward contract" within the meaning of the United States Bankruptcy Code and that each Party is a "forward contract merchant" within the meaning of the United States Bankruptcy Code.</p> <p>13. <b>CONTRACT AMBIGUITIES.</b> The Parties acknowledge that they have had the opportunity to consult with legal counsel of their own choosing.</p>



Salt, Road Safety  
24950 Country Club Blvd, Suite 450  
North Olmsted, OH 44070

**ORDINANCE NO. 2022-43**

**AN ORDINANCE AMENDING CHAPTER 921 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “STREETS, UTILITIES AND PUBLIC SERVICES CODE;” SPECIFICALLY, SECTION 921.08, TITLED “SANITARY SEWER RENTAL RATES,” TO PROVIDE A USE CHARGE RATE BASED UPON \$5.429 PER 100 CUBIC FEET OF WATER, ESTABLISH A MINIMUM QUARTERLY BILLING FOR SUCH USE CHARGE RATE OF \$43.43 PER 800 CUBIC FEET OF WATER, OR PART THEREOF.**

**WHEREAS**, Section 921.08 (b)(1) of the Codified Ordinances of the City of Willowick sets a use charge rate from which every person, firm or corporation whose lots, lands or premises served by a connection with the sanitary sewerage system of the City shall pay for discharging sewage; and

**WHEREAS**, the Administration and Council of the City of Willowick have been advised of the need to amend Section 921.08(b)(1) to provide for a revised use charge rate and a minimum quarterly billing based on that revised use charge rate for sanitary service in the City.

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

**SECTION 1.** That Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled “STREETS, UTILITIES AND PUBLIC SERVICES CODE”; specifically Section 921.08, titled “SANITARY SEWER RENTAL RATES”, is hereby amended to read and provide as follows:

921.08 SANITARY SEWER RENTAL RATES.

(a) There is hereby established a charge for the use of the sanitary sewerage system upon all lots, lands and premises served by a connection with the sanitary sewerage system of the City which charge shall be in addition to any revenues received by a levy of taxes or assessments on the tax duplicated for sewer purposes.

(b)(1) Every person, firm or corporation whose lots, lands or premises are served by a connection with the sanitary sewerage system of the City shall pay for discharging sewage, industrial wastes, waste or other liquids either directly or indirectly into the sanitary sewerage system, a sewer rental charge based upon the quantity of metered water used in or upon such lots, lands, or premises and such charge shall be determined as follows: Each 100 cubic feet of water, or part thereof, measured through any one water meter, at the use charge rate of ~~Four Dollars and .935 cents (\$4.935)~~ **Five Dollars and .429 cents (\$5.429)** and the minimum quarterly billing for such use charge rate shall be ~~Thirty-Nine Dollars and 48/100 cents (\$39.48)~~ **Forty-Three Dollars and Forty-Three cents (\$43.43)** per 800 cubic feet of water, or part thereof per quarter.

(b)(2) The Finance Director...

\* \* \*

**Section 2.** The existing Section 921.08 of the City’s Codified Ordinances is hereby repealed in that said Section to the extent inconsistent herewith is superseded by this legislation.

**Section 3.** 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.

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

Adopted by Council: \_\_\_\_\_, 2022

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

Submitted to the Mayor: \_\_\_\_\_, 2022

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

Approved by the Mayor: \_\_\_\_\_, 2022

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

**ORDINANCE NO. 2022-47****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.**

**WHEREAS**, Council has been advised that monies are due the City for services provided in the performance of grass cutting and debris removal upon properties commonly known as:

<i>254 East 315<sup>th</sup> St</i>	<i>\$200.00</i>
<i>419 East 326<sup>Th</sup></i>	<i>\$400.00</i>
<i>29104 Lakeshore Blvd</i>	<i>\$200.00</i>
<i>443 Fairway</i>	<i>\$400.00</i>
<i>829 Charles</i>	<i>\$400.00</i>
<i>444 East 327<sup>th</sup> St</i>	<i>\$424.26</i>
<i>236 E 284<sup>th</sup> St</i>	<i>\$200.00</i>
<i>28736 Forest</i>	<i>\$200.00</i>
<i>812 Charles</i>	<i>\$200.00</i>
<i>30409 Oakdale</i>	<i>\$200.00</i>
<i>661 Dickerson</i>	<i>\$200.00</i>

**WHEREAS**, statements for said services in the amounts listed above have been forwarded to the individual owners of said properties and, to date, no payments have been received; and

**WHEREAS**, it has been recommended that said delinquency be placed upon the tax duplicate to be assessed against the subject real property.

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

**SECTION 1.** That the Director of Finance is hereby authorized and directed to certify to the Lake County Auditor and the Lake County Treasurer for collection as property tax, those monies due the City of Willowick from the individual set forth in Exhibit "A" that is attached hereto and made a part hereof, same to be collected at the next immediate collection period.

**SECTION 2.** That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting and all deliberations of this Council, or 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.** That all Ordinances or parts thereof in conflict with the provisions of this Ordinance is hereby repealed.

**SECTION 4.** That this Ordinance 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 an further, provides for the usual daily operation of a municipal department; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



**PASSED:** \_\_\_\_\_, 2022

**SUBMITTED** to the Mayor for his approval  
on \_\_\_\_\_, 2022

**ATTEST:**

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

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

**APPROVED** by the Mayor on  
\_\_\_\_\_, 2022

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

**EXHIBIT "A"**

<b>Name</b>	<b>Address</b>	<b>Parcel Number</b>	<b>Amount</b>
Don McGill	254 East 315 <sup>th</sup> St	28-A-044-B-00-020-0	\$ 200.00
Sandra Kadunc	419 East 326 <sup>th</sup> St	28-A-045-H-00-090-0	\$ 400.00
29100 Lakeshore Blvd	29104 Lakeshore Blvd	28-A-042-N-00-004-0	\$ 200.00
TSA Homes LLC C/O Eran Zwick	443 Fairway	28-A-041-F-00-027-0	\$ 400.00
Marilyn Province	829 Charles	28-A-039-M-02-015-0	\$ 400.00
Johnathan Simmans	444 East 327 <sup>th</sup> St	28-A-045-H-00-071-0	\$ 424.26
Louise Saeli	236 E. 284 <sup>th</sup> St	28-A-042-C-00-005-0	\$ 200.00
Joann Wilson	28736 Forest	28-A-042-M-00-032-0	\$ 200.00
Tyler Rothmann	812 Charles	28-A-039-L-03-009-0	\$ 200.00
Magdalene Girman	30409 Oakdale	28-A-040-G-00-034-0	\$ 200.00
William J Kustis	661 Dickerson	28-A-039-L-00-081-0	\$ 200.00

**RESOLUTION NO. 2022-28**

**A RESOLUTION ADOPTING THE LAKE COUNTY EMERGENCY MANAGEMENT AGENCY'S HAZARD MITIGATION PLAN, AND DECLARING AN EMERGENCY.**

**WHEREAS** natural, technological, and human-caused hazards can affect the City of Willowick; and

**WHEREAS** significant structural, historical, and economic losses could result from an occurrence of a natural, technological, or human caused hazard events; and

**WHEREAS** undertaking mitigation projects during pre-disaster periods could decrease the total losses Willowick incurs as a result of said hazard occurrences.

**WHEREAS** the Willowick City Council has a strong interest in reducing losses from future hazard occurrences; and

**WHEREAS** the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five years; and

**WHEREAS** a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions in Lake County, Ohio.

**WHEREAS** the Willowick City Council has partnered with the county to update the existing *Lake County Hazard Mitigation Plan* in an effort to further identify, define, and characterize the hazards affecting the city as well as to continue identifying and prioritizing projects that could lessen hazard vulnerability.

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

**Section 1.** The Willowick City Council does hereby adopt the updated *Lake County Hazard Mitigation Plan* this 1st day of November, 2022.

**Section 2.** That the Mayor is further authorized to execute any and all additional documents and forms necessary, consistent with the terms and conditions, to implement said proposal.

**Section 3.** 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 4.** 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.

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

Adopted by Council: \_\_\_\_\_, 2022

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

Submitted to the Mayor: \_\_\_\_\_, 2022

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

Approved by the Mayor: \_\_\_\_\_, 2022

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