



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, March 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 February 15, 2022.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

2. Motion to appoint Michael Lazor to the Civil Service Commission for a term of 6 years commencing March 1st, 2022.
3. Motion to appoint Kira Shannon to the Civil Service Commission for a term of 6 years commencing March 1st, 2022.

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 – 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**

- [4.](#) Motion authorizing the Mayor to enter into a contract with McDonald Equipment Company (MECO) for the purpose of checking and maintaining the emergency generator at the service garage from March 9, 2022 until March 8, 2023 in the amount of \$490.00.
- [5.](#) Motion authorizing the Mayor to enter into a contract with McDonald Equipment Company (MECO) for the purpose of checking and maintaining the emergency generator at the Fire Department from March 9, 2022 until March 8, 2023 in the amount of \$550.00.

INTRODUCTION & CONSIDERATION OF LEGISLATION

- [6.](#) Ordinance No. 2022-8 (Finance Director)

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

1st Reading 2-15-22

- [7.](#) Ordinance No. 2022-9 (Law Director)

An Ordinance amending Chapter 1139 of the Codified Ordinances of the City of Willowick, Ohio, titled “Multi Family District” specifically Section 1139.02 titled “District Boundary,” and declaring an emergency.

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

An Ordinance amending Chapter 1145 of the Codified Ordinances of the City of Willowick, Ohio, titled “Retail District,” specifically Section 1145.02 titled “District Boundary,” and declaring an emergency.

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

An Ordinance amending Chapter 1135 of the Codified Ordinances of the City of Willowick, Ohio, titled, “Districts and Uses Generally; Zone Map;” specifically, Section 1135.02 titled “Division into Districts; Boundaries, Zone Map” and declaring an emergency.

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

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

11. Ordinance No. 2022-13 (Law Director)

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

12. 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.

MISCELLANEOUS

13. Motion authorizing Change Order #1-Final to Ronyak Paving, Inc. in the deduct amount of \$74,907.00 for the 2020 Road Program.
14. Motion authorizing the release of retainage in the amount of \$25,831.00 to Ronyak Paving, Inc. for the 2020 Road Program.
15. Motion authorizing Change Order #1-Final to Vandra Brothers Construction, Inc. in the amount of \$52,098.98 for the 2021 Pavement Repair Program.

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

16. To discuss contract negotiations.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

ADJOURNMENT



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, February 15, 2022 at 7:30 PM
 City Council Chambers

ADA NOTICE

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City of Willowick at 440-585-3700 at least three working days before the meeting.

MINUTES

CALL MEETING TO ORDER

(Total meetings to date - 3)

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

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

PRESENT

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

ALSO PRESENT

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

ABSENT

Chief Zoning & Housing Inspector Brennan

APPROVAL OF MINUTES

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

Discussion: None.

Vote: Ayes: Malta, Phares, Patton, Antosh, Bisbee and Koudela.

Abstain: Vanni. Motion carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

2. Oath of Office was delivered by Mayor Regovich to Jeff Drake as Firefighter of the Willowick Fire Department.
3. Oath of Office was delivered by Mayor Regovich to Sam Gephart as Firefighter of the Willowick Fire Department.
4. Oath of Office was delivered by Mayor Regovich to Steven Stokes as Firefighter of the Willowick Fire Department.
5. Oath of Office was delivered by Mayor Regovich to Alexandra Bryner as Firefighter of the Willowick Fire Department.

ADMINISTRATIVE APPEALS

None.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

COVID numbers are currently very low in Lake County. The City has been working with the unions on contract negotiations.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

None.

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

No written report. There are two crews going around the City working on filling potholes. Please notify the City should one be located that has not yet been filled. Mr. Malta mentioned that the traffic light at E. 288th St. and Lakeshore Blvd. has been cycling properly and thanked Mr. Shannon for having it fixed.

Recreation Director – Julie Kless

No written report.

City Engineer – Tim McLaughlin

Written report submitted electronically. There is a motion on the agenda for the 2022 Road Program Base Bid.

Finance Director – Cheryl Benedict

The budget legislation is on the agenda for first reading.

Law Director – Stephanie Landgraf

No written report.

Police Chief – Brian Turner

Written report submitted electronically.

Fire Chief – Joe Tennyson

No written report.

Chief Housing/Zoning Inspector – Sean Brennan

No written report - absent.

Economic Development Manager – Monica Drake

There have been several showings at the old Taco Bell on Vine Street with a specific interest for a restaurant. Starbucks continues to move forward and Service Master is looking to expand their business. The owner of the building at 29100 Lakeshore Blvd., where the old Convenient was located, is looking at possibly moving his orthodontic practice and a pediatric dentistry there in 2023.

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**

No report.

Safety – Phares, Malta, Bisbee

No report.

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

No report.

Streets, Sidewalks & Sewers – Vanni, Malta, Antosh

No report.

Tax Compliance – Koudela, Antosh, Patton

No report.

Moral Claims – Antosh, Phares, Patton

No report.

Budget – Vanni, Koudela, Patton

The minutes from the Budget Hearing have been sent out.

LIAISON REPORTS**Planning – Phares/Alternate Koudela**

Rules and regulations for the party/event centers and marijuana dispensaries were discussed at the Planning Commission meeting on Monday. There will be another Planning Commission meeting next Tuesday to continue the discussion so that Ordinances can be submitted to Council by the March 1st meeting.

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

No report.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION6. Ordinance No. 2022-5 (Law Director)

An Ordinance amending Ordinance 2022-2, establishing the 2022 fee schedule for the Willowick Recreation Department, repealing certain Ordinances, and declaring an emergency.

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

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to adopt Ordinance No. 2022-5.

Discussion: None.

Vote: All ayes. Motion carried.

7. Ordinance No. 2022-6 (As amended) (Law Director)

An Ordinance providing for the compensation of seasonal and part-time employees of the City of Willowick Recreation Department for year 2022, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three day rule on Ordinance No. 2022-6 as amended.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2022-6 as amended.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2022-6 as amended.

Discussion: None.

Vote: All ayes. Motion carried.

8. Ordinance No. 2022-7 (Finance Director)

An Ordinance amending Ordinance 2020-54 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 first quarter ending March 31, 2022, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2022-7.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to adopt Ordinance No. 2022-7.

Discussion: None.

Vote: All ayes. Motion carried.

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

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

1st reading 2-15-22

MISCELLANEOUS

10. Motion made by Ms. Antosh, seconded by Mr. Vanni to declare the items set forth on Exhibit "A" as surplus, obsolete, unneeded and unfit for public use and authorizing their disposal.

Discussion: None.

Vote: All ayes. Motion carried.

11. Motion made by Ms. Antosh, seconded by Mr. Phares to declare the items set forth on Exhibit "A" as surplus, obsolete, unneeded and unfit for public use and authorizing their sale or subsequent disposal.

Discussion: None.

Vote: All ayes. Motion carried.

12. Motion made by Mr. Malta, seconded by Ms. Antosh authorizing the Mayor to enter into a contract with Chagrin Valley Paving for the Base Bid and Alternate 2 of the 2022 Pavement Repair Program in the amount of \$770,710.10.

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

13. Motion made by Mr. Phares, seconded by Ms. Antosh to adjourn to Executive Session to discuss contract negotiations and the compensation of a public employee at 8:01 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

Motion made by Mr. Malta, seconded by Ms. Antosh to return to the table from Executive Session at 8:39 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Antosh to authorize the Mayor to accept the material terms of the agreement reached with the FOP Patrol Division for a three year term during contract negotiations.

Discussion: None.

Vote: All Ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to authorize the Mayor to accept the material terms of the agreement reached with the AFSCME Secretarial Unit for a three year term during contract negotiations.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to authorize the Mayor to accept the material terms of the agreement reached with the AFSCME Service Unit for a three year term during contract negotiations.

Discussion: None.

Vote: All ayes. Motion carried.

ADJOURNMENT

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

Discussion: None.

Vote: All ayes. Motion carried.

Meeting adjourned at 8:43 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Exhibit “A”

Fujitsu Lifebook T-734 laptop computer, serial number Q4400020

Fujitsu Lifebook T-734 laptop computer, serial number Q4400021

Fujitsu Lifebook T-734 laptop computer, serial number Q4400022

Fujitsu Lifebook T-734 laptop computer, serial number Q4400023

Fujitsu Lifebook T-734 laptop computer, serial number Q4400024

Fujitsu Lifebook T-734 laptop computer, serial number Q4400025

Fujitsu Lifebook T-734 laptop computer, serial number Q4400026

Exhibit “A”

Digital Ally DVM-800 in-car video system, serial numbers 01F4-424D, City Tag Number 01918

Digital Ally DVM-800 in-car video system, serial numbers 01F4-4294, City Tag Number 01919

Digital Ally DVM-800 in-car video system, serial numbers 01F4-4BCA, City Tag Number 01920

Digital Ally DVM-800 in-car video system, serial numbers 01F4-5630, City Tag Number 01921

Digital Ally DVM-800 in-car video system, serial numbers 01F4-4399, City Tag Number 01922

Digital Ally DVM-800 in-car video system, serial numbers 01F4-4308, City Tag Number 01923

Digital Ally DVM-800 in-car video system, serial numbers 01F4-4356, City Tag Number 01924

MECO

McDONALD EQUIPMENT COMPANY

EXCELLENCE IN SERVICE SERVICE AGREEMENT

The following service agreement is entered into by McDonald Equipment Company, Willoughby, Ohio; hereinafter called "MECO" and City of Willowick with offices at 31230 Vine Street, Willowick, Ohio 44094, hereinafter called **OWNER**, for the purpose of checking and maintaining in the best possible operating condition the emergency generator set or sets, together with associated equipment such as automatic line transfer panels, exercisers, etc., located at:

BUILDING NAME ADDRESS CITY

SERVICE GARAGE

OWNERS AGENT PHONE NO EMAIL

Terry McCarthy 440/585-0963, Ext. 327 terrymccarthy@cityofwillowick.com

EQUIPMENT COVERED

GEN-SET MFG.	MODEL #	SERIAL #	TRANS. SW.MFG.	MODEL #	SERIAL #
KOHLER	100R0Z-187444	392093	KOHLER		18597T3RH

TERM OF AGREEMENT

The term of the agreement shall be for a period of one year commencing on March 9, 2022 and terminating on March 8, 2023.

SERVICE CALL FREQUENCY AND RATES

The **OWNER**, being desirous of the service of **MECO** to supply inspection, preventative maintenance and repairs performed semi-annually, agrees to pay the following charges.

All parts at list less 10% plus any special handling charges such as telephone calls, wires special shipping charges, etc.

Page 1 of 3

37200 Vine Street • Willoughby, Ohio 44094-6346
Telephone (440) 951-8222 • Fax (440) 951-2089
www.mcdonaldequipment.com

SERVICE AGREEMENT

Page 2 of 3

BILLING RATES

Annual Agreement Price	\$ 490.00	Includes mileage & travel time)
Sales Tax	\$ Exempt	
TOTAL	\$ 490.00	
 *Hourly Labor Rate	 \$ 115.00	 (Regular working hours - 7:30 a.m. to 4:30 p.m. Monday thru Friday except legal holidays).
*Hourly Labor Rate	\$ 172.50	(Non-regular working hours) after 4:30 p.m. weekdays and all day Saturdays.
*Hourly labor Rate	\$ 230.00	Double time Sundays and holidays.
 *Mileage \$1.50 per mile.		 Mileage may be subject to a fuel surcharge

*These rates are for non-regularly scheduled service calls not covered by the annual agreement price.

All after hours calls are subject to a minimum 4 hour billing.

"Annual Agreement Price" is payable in advance. Terms for payment of special billings or hourly rate billings are Net 30 Days. If account is not current you are subject to loss of discount & special labor rate.

SERVICE COVERED - MECO will, during regular working hours, check the emergency generator and related equipment as follows:

1. Visual inspection.
2. Perform applicable services as listed on attached field service report.
3. Check and/or adjust, where applicable, points, condenser, spark plugs, and carburetor.
4. Check and/or adjust governor, battery charge rate, battery, D.C. generator or alternator, cooling system, exhaust system.
5. Start up and run unit.
6. Observe operating conditions (oil pressure, water temperature, charging generator, engine, A.C. alternator and general conditions).
7. Check output voltage and frequency (under load if requested).
8. Check transfer switch.
9. Instruct proper personnel on plant operation.
10. Change oil and oil filter.
11. Check generator safety shutdown circuits for proper operation and annunciation.
12. Provide the Owner with accurate service records, along with any recommendations as to additional or future service work needed. (Removal of rodents & insects considered over & above agreement.)

Provide 24-hour emergency service. This service is billable in addition to regularly scheduled service calls. Labor will be billed at rates listed under BILLING RATES.

Major repair. Test, adjust, repair or replace any integral parts and accessories pertaining to the **OWNER'S** equipment; in accordance with factory recommendations or as our inspection deems advisable, with **OWNER'S** consent.

Major repairs are listed under BILLING RATES.

SERVICE AGREEMENT

Page 3 of 3

Service calls are clocked from the time the repairman leaves our shop to the time he returns.

Replacement of fuel filters, air filters and/or any parts or accessories necessary to the emergency operation of the unit at our option or as indicated by manufacturer's instructions will be replaced.

MECO reserves the right to alter agreement rates upon 30 days written notice. **OWNER** then has the right to cancel this agreement within 30 days by written notice if such agreement rate alterations are not acceptable.

When required, all materials and parts shall be furnished by **MECO** and billed separately to **OWNER**.

MECO will not assume responsibility for damage caused by abuse, accidents, overloads, theft, acts of a third party, forces of nature, acts of God, altering of equipment, acts of omission or commission, consequent damage, or normal wear. Furthermore, **MECO** will not be accountable for failure to fulfill this agreement for causes beyond its control, including but not limited to, labor disputes, etc.

This agreement is not assignable without the consent of **MECO**.

It is mutually understood that this proposal sets forth our entire agreement.

Service or maintenance calls will not be scheduled until full payment of this agreement is received by MECO.

In witness thereof each of the aforesaid parties have affixed their signatures through their duly authorized representatives:

This ____ Day of _____, 2022.

OWNER _____

BY _____

TITLE _____

McDONALD EQUIPMENT COMPANY

BY


Dodi Fulajtar

Service Agreement Administrator

MECO

McDONALD EQUIPMENT COMPANY

EXCELLENCE IN SERVICE SERVICE AGREEMENT

The following service agreement is entered into by McDonald Equipment Company, Willoughby, Ohio; hereinafter called "MECO" and City of Willowick with offices at 31230 Vine Street, Willowick, Ohio 44094, hereinafter called **OWNER**, for the purpose of checking and maintaining in the best possible operating condition the emergency generator set or sets, together with associated equipment such as automatic line transfer panels, exercisers, etc., located at:

<u>BUILDING NAME</u>	<u>ADDRESS</u>	<u>CITY</u>
FIRE DEPARTMENT	30435 Lakeshore Blvd	Willowick, Ohio 44094
<u>OWNERS AGENT</u>	<u>PHONE NO</u>	<u>EMAIL</u>
Terry McCarthy	440/585-0963, Ext. 327	terrymccarthy@cityofwillowick.com

EQUIPMENT COVERED

GEN-SET MFG.	MODEL #	SERIAL #	TRANS. SW.MFG.	MODEL #	SERIAL #
Katolight	D60FPJ4	111172			

TERM OF AGREEMENT

The term of the agreement shall be for a period of one year commencing on March 9, 2022 and terminating on March 8, 2023.

SERVICE CALL FREQUENCY AND RATES

The **OWNER**, being desirous of the service of **MECO** to supply inspection, preventative maintenance and repairs performed semi-annually, agrees to pay the following charges.

All parts at list less 10% plus any special handling charges such as telephone calls, wires special shipping charges, etc.

Page 1 of 3

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SERVICE AGREEMENT

Page 2 of 3

BILLING RATES

Annual Agreement Price	\$ 550.00	Includes mileage & travel time)
Sales Tax	\$ Exempt	
TOTAL	\$ 550.00	
*Hourly Labor Rate	\$ 115.00	(Regular working hours - 7:30 a.m. to 4:30 p.m. Monday thru Friday except legal holidays).
*Hourly Labor Rate	\$ 172.50	(Non-regular working hours) after 4:30 p.m. weekdays and all day Saturdays.
*Hourly labor Rate	\$ 230.00	Double time Sundays and holidays.
*Mileage \$1.50 per mile.		Mileage may be subject to a fuel surcharge

*These rates are for non-regularly scheduled service calls not covered by the annual agreement price.

All after hours calls are subject to a minimum 4 hour billing.

"Annual Agreement Price" is payable in advance. Terms for payment of special billings or hourly rate billings are Net 30 Days. If account is not current you are subject to loss of discount & special labor rate.

SERVICE COVERED - MECO will, during regular working hours, check the emergency generator and related equipment as follows:

1. Visual inspection.
2. Perform applicable services as listed on attached field service report.
3. Check and/or adjust, where applicable, points, condenser, spark plugs, and carburetor.
4. Check and/or adjust governor, battery charge rate, battery, D.C. generator or alternator, cooling system, exhaust system.
5. Start up and run unit.
6. Observe operating conditions (oil pressure, water temperature, charging generator, engine, A.C. alternator and general conditions).
7. Check output voltage and frequency (under load if requested).
8. Check transfer switch.
9. Instruct proper personnel on plant operation.
10. Change oil and oil filter.
11. Check generator safety shutdown circuits for proper operation and annunciation.
12. Provide the Owner with accurate service records, along with any recommendations as to additional or future service work needed. (Removal of rodents & insects considered over & above agreement.)

Provide 24-hour emergency service. This service is billable in addition to regularly scheduled service calls. Labor will be billed at rates listed under BILLING RATES.

Major repair. Test, adjust, repair or replace any integral parts and accessories pertaining to the **OWNER'S** equipment; in accordance with factory recommendations or as our inspection deems advisable, with **OWNER'S** consent.

Major repairs are listed under BILLING RATES.

SERVICE AGREEMENT

Page 3 of 3

Service calls are clocked from the time the repairman leaves our shop to the time he returns.

Replacement of fuel filters, air filters and/or any parts or accessories necessary to the emergency operation of the unit at our option or as indicated by manufacturer's instructions will be replaced.

MECO reserves the right to alter agreement rates upon 30 days written notice. **OWNER** then has the right to cancel this agreement within 30 days by written notice if such agreement rate alterations are not acceptable.

When required, all materials and parts shall be furnished by **MECO** and billed separately to **OWNER**.

MECO will not assume responsibility for damage caused by abuse, accidents, overloads, theft, acts of a third party, forces of nature, acts of God, altering of equipment, acts of omission or commission, consequent damage, or normal wear. Furthermore, **MECO** will not be accountable for failure to fulfill this agreement for causes beyond its control, including but not limited to, labor disputes, etc.

This agreement is not assignable without the consent of **MECO**.

It is mutually understood that this proposal sets forth our entire agreement.

Service or maintenance calls will not be scheduled until full payment of this agreement is received by MECO.

In witness thereof each of the aforesaid parties have affixed their signatures through their duly authorized representatives:

This ____ Day of _____, 2022.

OWNER _____

BY _____

TITLE _____

MCDONALD EQUIPMENT COMPANY

BY



Dodi Fulajtar
Service Agreement Administrator

ORDINANCE NO. 2022-8**AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF WILLOWICK, STATE OF OHIO, DURING THE CALENDAR YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.**

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, 2022, 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**Security of Persons & Property****Safety Communications Dept.****Personal Services**

Wages - Clerk Dispatchers	101.100.5136	449,200.00
Wages - Overtime	101.100.5199	6,000.00
Total Salaries & Wages		455,200.00

Other

Hospitalization	101.100.5210	140,000.00
P. E. R. S.	101.100.5220	63,500.00
Medicare	101.100.5260	6,600.00
Uniform Allowance	101.100.5270	-
Schools & Training	101.100.5513	2,400.00
Total Other Expense		212,500.00
Total Safety Communications Department		667,700.00

Police Law Enforcement**Personal Services**

Wages - Police Officers	101.101.5135	1,938,400.00
Wages - School Guards	101.101.5137	18,900.00
Retirement Benefit Payout	101.101.5195	-
Wages - Overtime	101.101.5199	125,000.00
Total Wages and Salaries		2,082,300.00

Other

Hospitalization	101.101.5210	460,000.00
P. E. R. S.	101.101.5220	4,050.00
Police State Pension (Transfer)	101.101.5230	300,000.00
Medicare	101.101.5260	30,500.00
Uniform Allowance	101.101.5270	800.00
Telephone	101.101.5324	13,700.00
Insurance	101.101.5330	30,000.00
Gas & Oil	101.101.5420	40,000.00
Small Equip & Supplies	101.101.5430	18,300.00
Schools & Training	101.101.5513	11,000.00
Office Supplies	101.101.5521	8,700.00
Prisoner Care	101.101.5532	8,000.00
DARE Expenses	101.101.5534	-

Public Relations & Education	101.101.5535	1,400.00
Emergency 9-1-1	101.101.5560	4,700.00
Radio	101.101.5561	18,000.00
Maintenance & Repair	101.101.5564	47,800.00
Miscellaneous Expenses	101.101.5568	2,300.00
Capital Improvement	101.101.5600	-
Total Other Expense		999,250.00
Total Police Department		3,081,550.00

Fire Prevention & Inspection**Personal Services**

Wages - Director/Chief	101.102.5120	53,525.00
Wages - Firefighters & Officers	101.102.5138	803,302.50
Wages - Secretary	101.102.5191	27,548.00
Retirement Benefit Payout	101.102.5195	1,740.00
Wages - Overtime	101.102.5199	550.00
Total Wages & Salaries		886,665.50

Other

Hospitalization	101.102.5210	47,650.00
P. E. R. S.	101.102.5220	16,520.00
Police & Fire Pension	101.102.5230	12,850.00
Medicare	101.102.5260	12,068.00
Social Security	101.102.5265	49,905.00
Clothing - Original Issue	101.102.5271	19,250.00
Replacement Safety Clothing	101.102.5272	24,340.00
Telephone	101.102.5324	4,625.00
Insurance	101.102.5330	15,000.00
EMS Collection Fees	101.102.5385	17,050.00
Gas & Oil	101.102.5420	8,500.00
Small Equip & Supplies	101.102.5430	18,300.00
Vehicle Lease Payments	101.102.5434	3,050.00
Schools & Training	101.102.5513	8,000.00
Office Supplies	101.102.5521	4,500.00
Honor Guard	101.102.5533	-
Public Relations & Education	101.102.5535	7,000.00
Radio	101.102.5561	3,600.00
Maintenance & Repair	101.102.5564	27,500.00
Capital Imp. Fire	101.102.5611	-
Transfer for Fund 208	101.102.5901	-
Total Other Expense		299,708.00
Total Fire Department		1,186,373.50

Public Health & Welfare**Other**

Health District Charges	101.201.5392	140,000.00
Total Other Expense		140,000.00
Total Public Health & Welfare		140,000.00

Leisure Time Activities**Parks & Playgrounds****Personal Services**

Wages - Parks - Regular	101.301.5140	158,903.00
Wages - Summer Employees	101.301.5143	12,600.00
Retirement Benefit Payout	101.301.5195	-
Wages - Overtime	101.301.5199	8,000.00
Total Wages & Salaries		179,503.00

Other

Hospitalization	101.301.5210	69,500.00
Cobra Hospitalization	101.301.5211	-
P. E. R. S.	101.301.5220	25,150.00
Medicare	101.301.5260	2,700.00
Electricity & Heating	101.301.5320	58,500.00
Water	101.301.5322	7,000.00
Gas & Oil	101.301.5420	5,000.00
Small Equip & Supplies	101.301.5430	1,500.00
Vehicle Lease Payments	101.301.5434	10,650.00
Cleaning Supplies	101.301.5460	9,500.00
Park Repairs	101.301.5563	29,000.00
Maintenance & Repair	101.301.5564	1,000.00
Capital Improvements	101.301.5600	10,000.00
Total Other Expense		229,500.00
Total Parks Department		409,003.00

Swimming Pools**Personal Services**

Wages - Leisure & Regular	101.302.5150	110,000.00
Total Wages & Salaries		110,000.00
P.E.R.S.	101.302.5220	15,400.00
Medicare	101.302.5260	1,600.00
Water	101.302.5322	3,500.00
Small Equip & Supplies	101.302.5430	4,000.00
Swimming Pool Supplies	101.302.5451	3,500.00
Swimming Pool Chemicals	101.302.5452	12,000.00
Training	101.302.5513	1,000.00
Swimming Pool Repairs	101.302.5566	5,000.00
Total Other Expense		46,000.00
Total Swimming Pools		156,000.00

Recreation Programs (including Camp)**Personal Services**

Wages - Director/Chief	101.303.5120	86,320.00
Wages - Leisure - Regular	101.303.5150	70,000.00
Wages - Playground Supervisor	101.303.5151	65,000.00
Wages - Ball Diamond	101.303.5153	11,000.00
Wages - Secretary	101.303.5191	48,200.00
Wages - Overtime	101.303.5199	800.00
Total Wages & Salaries		281,320.00

Other

Hospitalization	101.303.5210	19,900.00
P. E. R. S.	101.303.5220	39,000.00
Medicare	101.303.5260	4,100.00
Insurance	101.303.5330	23,000.00
Contract Umpires	101.303.5350	2,500.00
Contract Officials	101.303.5351	5,000.00
Contract Instructors	101.303.5354	1,000.00
Small Equipment & Supplies	101.303.5430	7,200.00
League Supplies	101.303.5433	2,000.00
Fee Fund Supplies	101.303.5454	3,500.00
Recreation Program Supplies	101.303.5456	28,000.00
Concessions	101.303.5457	1,000.00
Youth Basketball Expenses	101.303.5458	5,000.00
Youth Baseball Expenses	101.303.5459	5,000.00
Paver Bricks Engraving	101.303.5470	200.00
Training	101.303.5513	1,500.00
Office Supplies	101.303.5521	8,000.00
Maintenance & Repair	101.303.5564	17,500.00
Capital Improvement	101.303.5600	-
Grant March	101.303.5602	-
Capital Improvement - Grant	101.303.5613	-
Total Other Expense		173,400.00
Total Recreation		454,720.00

Housing & Building Inspection

Wages - Director/Chief	101.401.5120	83,325.00
Wages - Housing Inspectors	101.401.5125	85,600.00
Wages - Secretary	101.401.5191	45,365.00
Retirement Benefit Payout	101.401.5195	-
Wages - Overtime	101.401.5199	500.00
Total Wages & Salaries		214,790.00

Other

Hospitalization	101.401.5210	60,500.00
P. E. R. S.	101.401.5220	30,150.00
Medicare	101.401.5260	3,150.00
Professional Services	101.401.5319	-
Telephone	101.401.5324	960.00
Contract Services	101.401.5354	10,000.00
Gas & Oil	101.401.5420	3,000.00
Small Equip & Supplies	101.401.5430	1,000.00
Vehicle Lease Payments	101.401.5434	5,350.00
Schools & Training	101.401.5513	1,000.00
Office Supplies	101.401.5521	6,000.00
Maintenance & Repair	101.401.5564	9,400.00
Misc Expenses	101.401.5568	-
Capital Improvements	101.401.5600	-
Total Other Expense		130,510.00
Total Building Department		345,300.00

Vacant Property Inspection**Personal Services**

Wages - Vacant Property Inspector	101.403.5124	-
Total Wages & Salaries		-

Other

P. E. R. S.	101.403.5220	-
Medicare	101.403.5260	-
Telephone	101.403.5324	-
Gas & Oil	101.403.5420	-
Office Supplies	101.403.5521	-
Equipment Maintenance	101.403.5564	-
Total Other Expense		-
Total Vacant Property Inspection Department		-

Garbage & Refuse Collection**Other**

Yardwaste Disposal	101.501.5362	4,500.00
Curbside Recycling	101.501.5363	2,000.00
Total Other Expense		6,500.00
Total Refuse Collection		6,500.00

Transportation**Personal Services**

Wages - Regular	101.601.5140	129,801.00
Wages - Service Summer Employees	101.601.5143	-
Retire Benefit Payout	101.601.5195	-
Wages - Overtime	101.601.5199	10,000.00
Total Wages & Salaries		139,801.00

Other

Hospitalization	101.601.5210	37,800.00
P. E. R. S.	101.601.5220	19,600.00
Medicare	101.601.5260	2,050.00
Telephone	101.601.5324	-
Engineering Fees	101.601.5360	-
Sand - Gravel - Concrete	101.601.5410	-
Small Equipment & Supplies	101.601.5430	2,000.00
Tools	101.601.5440	3,000.00
Maintenance & Repair	101.601.5564	1,000.00
Capital Improvement	101.601.5600	5,000.00
Heavy Equipment Replacement	101.601.5601	-
Transfer to State Highway Imp.	101.601.5902	-
Total Other Expense		70,450.00
Total Transportation		210,251.00

Technology Dept.**Personal Services**

Wages - IT Director	101.700.5170	-
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Wages - Part Time	101.700.5198	2,290.00
Total Wages & Salaries		2,290.00
<u>Other</u>		
P. E. R. S.	101.700.5220	325.00
Medicare	101.700.5260	40.00
Professional Services	101.700.5319	25,000.00
Internet	101.700.5325	9,000.00
Network Equipment & Supplies	101.700.5431	11,500.00
Total Other Expense		45,865.00
Total Technology Dept.		48,155.00
<u>Mayor's Office</u>		
<u>Personal Services</u>		
Wages - Mayor	101.701.5105	24,000.00
Wages - Safety Director	101.701.5106	17,070.00
Wages - Secretary	101.701.5191	49,635.00
Wages - Overtime	101.701.5199	1,500.00
Total Wages & Salaries		92,205.00
<u>Other</u>		
Hospitalization	101.701.5210	26,300.00
P. E. R. S.	101.701.5220	13,500.00
Medicare	101.701.5260	1,350.00
Contract Services	101.701.5354	-
Small Equip & Supplies	101.701.5430	500.00
Schools & Training	101.701.5513	3,000.00
Total Other Expenses		44,650.00
Total Mayor's Office		136,855.00
<u>Finance Administration</u>		
<u>Personal Services</u>		
Wages - Director/Chief	101.702.5120	105,358.00
Wages - Finance Staff	101.702.5160	104,160.00
Retirement Benefit Payout	101.702.5195	-
Total Wages & Salaries		209,518.00
<u>Other</u>		
Hospitalization	101.702.5210	69,500.00
P. E. R. S.	101.702.5220	29,370.00
Medicare	101.702.5260	3,070.00
Contract Employees	101.702.5354	-
Bank Service Charges	101.702.5383	-
Small Equip & Supplies	101.702.5430	16,000.00
Schools & Training	101.702.5513	2,000.00
Capital Improvements	101.702.5600	45,000.00
Total Other Expense		164,940.00
Total Finance Department		374,458.00

Legal Administration**Personal Services**

Legal Retainer	101.703.5114	77,195.00
Total Wages & Salaries		77,195.00

Other

P. E. R. S.	101.703.5220	10,810.00
Medicare	101.703.5260	1,125.00
Legal Advertising	101.703.5310	4,000.00
Consulting Services	101.703.5318	30,000.00
Law Books & Periodicals	101.703.5512	500.00
Schools & Training	101.703.5513	500.00
Miscellaneous Expenses	101.703.5568	500.00
Total Other Expense		47,435.00
Total Legal Department		124,630.00

Administrative Support Service Dept.**Personal Services**

Wages - Director/Chief	101.704.5120	85,000.00
Wages - Secretary	101.704.5191	48,152.00
Wages - Overtime	101.704.5199	500.00
Total Wages & Salaries		133,652.00

Other

Hospitalization	101.704.5210	59,500.00
P. E. R. S.	101.704.5220	18,725.00
Medicare	101.704.5260	1,950.00
Uniforms	101.704.5270	17,000.00
Telephone	101.704.5324	2,160.00
Contract Services	101.704.5354	15,000.00
Gas & Oil	101.704.5420	10,000.00
Small Equip & Supplies	101.704.5430	6,000.00
Vehicle Lease Payments	101.704.5434	10,800.00
Schools & Training	101.704.5513	2,000.00
Office Supplies	101.704.5521	4,000.00
Radio	101.704.5561	-
Maintenance & Repair	101.704.5564	5,500.00
Stormwater Management	101.704.5604	9,000.00
Total Other Expense		161,635.00
Total Service Department		295,287.00

Legislative**Personal Services**

Wages - Council Salaries	101.705.5110	58,000.00
Wages - Council Clerk	101.705.5113	-
Total Wages & Salaries		58,000.00

Other

P. E. R. S.	101.705.5220	8,125.00
Medicare	101.705.5260	850.00

Small Equip & Supplies	101.705.5430	1,000.00
Total Other Expense		9,975.00
Total General Govt.		67,975.00

Municipal Court Costs & Fees**Other**

Court Costs & Fees	101.706.5315	20,000.00
Jury & Witness Fees	101.706.5316	10.00
Total Other Expense		20,010.00
Total Municipal Court		20,010.00

Civil Service Commission**Other**

Civil Service Operations	101.707.5317	25,000.00
Training	101.707.5513	500.00
Total Other Expense		25,500.00
Total Civil Service Commission Operations		25,500.00

Lands & Buildings**Personal Services**

Wages - Regular	101.708.5140	45,557.00
Wages - Overtime	101.708.5199	4,000.00
Total Wages & Salaries		49,557.00

Other

Hospitalization	101.708.5210	9,950.00
P. E. R. S.	101.708.5220	6,950.00
Medicare	101.708.5260	725.00
Electricity & Heating	101.708.5320	80,000.00
Water	101.708.5322	5,000.00
Landscaping Services	101.708.5352	30,000.00
Contract Cleaning Service	101.708.5353	-
Street Signs	101.708.5364	2,000.00
Small Equip & Supplies	101.708.5430	2,500.00
Cleaning Supplies	101.708.5460	16,500.00
Maintenance & Repair	101.708.5564	96,400.00
Capital Improvements	101.708.5600	14,000.00
Total Other Expense		264,025.00
Total Lands & Buildings		313,582.00

Engineering**Other**

Engineering Fees	101.709.5360	55,000.00
Total Other Expense		55,000.00
Total Engineering Fees		55,000.00

County Auditor Deductions**Other**

State Auditors Fees	101.710.5380	50,000.00
County Treasurer Fees	101.710.5390	30,500.00
Workers Compensation	101.710.5391	155,000.00
County Election Fees	101.710.5393	4,200.00
County Delinquent Land Advertising	101.710.5394	500.00
Total Other Expense		240,200.00
Total County Auditor Deductions		240,200.00

Administrative Support**Other**

Contingent Liability	101.711.5220	5,000.00
Professional Services	101.711.5319	30,000.00
Telephone	101.711.5324	35,000.00
Insurance	101.711.5330	33,000.00
Unemployment Compensation	101.711.5331	8,000.00
Charge for Income Tax Collections	101.711.5340	100,000.00
Ohio Municipal League	101.711.5371	2,500.00
Codification	101.711.5372	6,000.00
Land Acquisitions	101.711.5375	-
Small Equip & Supplies	101.711.5430	5,000.00
Network Equip & Supplies	101.711.5431	11,800.00
Schools & Training	101.711.5513	-
BWC Grant Expenses	101.711.5516	-
Office Supplies	101.711.5521	15,000.00
Miscellaneous Expenses	101.711.5568	4,000.00
Capital Improvements	101.711.5600	11,600.00
Transfer to Fund 301	101.711.5904	-
Transfer to Fund 401	101.711.5905	-
Transfer to Fund 220	101.711.5906	-
Transfer to Fund 218	101.711.5909	-
Transfer to Fund 211	101.711.5913	-
Transfer to Fund 213	101.711.5916	-
Transfer to Fund 222	101.711.5920	-
Transfer to Fund 240	101.711.5921	-
Transfer to Fund 230	101.711.5923	-
Transfer to Fund 420	101.711.5924	-
Transfer to Fund 225	101.711.5925	-
Transfer to Fund 227	101.711.5934	-
Refunds	101.711.5971	8,000.00
Unclaimed Funds	101.711.5972	2,000.00
Advance Fund 214	101.711.5975	-
Advance Fund 213	101.711.5976	-
Advance Fund 223	101.711.5989	-
Advance Fund 205	101.711.5990	50,000.00
Advance Fund 224	101.711.5992	-
Advance Fund 225	101.711.5993	-
Advance Fund 227	101.711.5995	199,800.00
Advance Fund 420	101.711.5998	-
Total Other Expense		526,700.00
Total Administrative Support		526,700.00

Public Relations

Public Relations	101.713.5535	-
Total Public Relations		-

Economic Development

Professional Services	101.714.5319	37,000.00
Total Economic Development		37,000.00

TOTAL GENERAL FUND:**8,922,749.50****SECTION 3.** That there be appropriated from the Street Construction, Maintenance & Repair Fund:**SCM&R FUND****Personal Services**

Wages - Summer Employment	202.601.5143	-
Wages - Service - Regular	202.601.5185	281,660.00
Retirement Benefit Payout	202.601.5195	-
Wages - Overtime	202.601.5199	12,000.00
Total Wages & Salaries		293,660.00

Other

Hospitalization	202.601.5210	86,300.00
P. E. R. S.	202.601.5220	41,150.00
Medicare	202.601.5260	3,900.00
Street Signs	202.601.5364	11,000.00
Freeway Maintenance	202.601.5366	25,000.00
Street Resurface & Repair	202.601.5367	18,000.00
Street Lining	202.601.5368	60,000.00
Small Equipment & Supplies	202.601.5430	7,000.00
Vehicle Lease Payments	202.601.5434	10,650.00
Tools	202.601.5440	1,500.00
Maintenance & Repair	202.601.5564	36,000.00
Contract Construction	202.601.5600	4,000.00
Heavy Equipment Replacement	202.601.5601	-
Note Principal	202.711.5703	-
Note Interest	202.711.5704	-
Total Other Expense		304,500.00
TOTAL SCM&R FUND		598,160.00

SECTION 4. That there be appropriated from the State Highway Fund:**STATE HIGHWAY IMPROVEMENT FUND****Other**

Road Salt	203.601.5465	75,000.00
Total Other Expense		75,000.00
TOTAL STATE HIGHWAY IMPROVEMENT FUND		75,000.00

SECTION 5. That there be appropriated from the Street Lighting Fund:**STREET LIGHTING FUND****Other**

Street Lighting	204.502.5326	205,000.00
Engineering Fees	204.502.5360	-
County Treasurer Fees	204.502.5390	2,150.00
Small Equipment & Supplies	204.502.5430	1,500.00
Equipment Maintenance	204.502.5564	-
Capital Improvement	204.502.5600	-
Total Other Expense		208,650.00
TOTAL STREET LIGHTING FUND		208,650.00

SECTION 6. That there be appropriated from the Sewer Disposal Water Pollution Control Fund (Sewer Revenue):**SEWER REVENUE FUND****Personal Services**

Wages - Regular	205.503.5140	295,356.00
Wages - Summer Employees	205.503.5143	-
Retirement Benefit Payout	205.503.5195	-
Wages - Overtime	205.503.5199	7,500.00
Total Wages & Salaries		302,856.00

Other

Hospitalization	205.503.5210	117,150.00
P. E. R. S.	205.503.5220	42,500.00
Medicare	205.503.5260	3,450.00
Wickliffe Sewer Charges	205.503.5323	61,000.00
Insurance	205.503.5330	14,000.00
Contract Services	205.503.5354	-
Euclid Disposal Plant	205.503.5361	2,100,000.00
Sewer Maintenance	205.503.5367	36,500.00
Lake County Billing Fees	205.503.5382	108,300.00
County Treasurer Fees	205.503.5390	12,000.00
Gas & Oil	205.503.5420	14,000.00
Small Equipment & Supplies	205.503.5430	2,000.00
Vehicle Lease Payments	205.503.5434	10,650.00
Schools & Training	205.503.5513	750.00
Maintenance & Repair	205.503.5564	8,000.00
Miscellaneous Expenses	205.503.5568	-
Sewer Lateral Repairs	205.503.5569	-
Capital Improvements	205.503.5600	-
General Refunds	205.503.5971	1,000.00
Engineering Fees	205.709.5360	25,000.00
Note Principal	205.711.5703	35,880.00
Note Interest	205.711.5704	-
Transfer to Fund 422	205.711.5919	48,351.00
Return of Advance to Fund 101	205.711.5977	-
Transfer to Fund 426	205.908.5930	-
Transfer to Fund 428	205.911.5932	-
Transfer to Fund 429	205.912.5933	-

Total Other Expense
TOTAL SEWER REVENUE FUND

2,640,531.00
2,943,387.00

SECTION 7. That there be appropriated from the Police & Fire Capital Improvement Fund:

POLICE & FIRE CAPITAL IMPROVEMENT FUND

Other

Small Equipment - Police	207.101.5430	21,200.00
Capital Improvements - Police	207.101.5610	17,700.00
Lease Principal-Police	207.101.5703	92,000.00
Lease Interest-Police	207.101.5704	9,700.00
Small Equipment - Fire	207.102.5430	32,000.00
Capital Improvements - Fire	207.102.5611	77,975.00
County Treasurer Fees	207.710.5390	3,000.00
Note Principal-Fire	207.711.5703	55,600.00
Note Interest-Fire	207.711.5704	4,325.00
Transfer to Fund 301	207.711.5904	-
Transfer to Fund 223	207.711.5989	-
Total Other Expense		313,500.00
TOTAL POLICE & FIRE CAPITAL FUND		313,500.00

SECTION 8. That there be appropriated from the Fire Emergency Rescue Fund:

FIRE EMERGENCY RESCUE FUND

Personal Services

Wages - Director/Chief	208.102.5120	43,792.00
Wages - Firefighters & Officers	208.102.5138	657,248.00
Wages - Secretary	208.102.5191	22,540.00
Retirement Benefit Payout	208.102.5195	1,425.00
Wages - Overtime	208.102.5199	450.00
Total Wages & Salaries		725,455.00

Other

Hospitalization	208.102.5210	39,000.00
P. E. R. S.	208.102.5220	14,360.00
Police & Fire Pension	208.102.5230	10,406.00
Medicare	208.102.5260	9,512.00
Social Security	208.102.5265	39,310.00
Clothing - Original Issue	208.102.5271	15,750.00
Replacement Safety Clothing	208.102.5272	16,915.00
Telephone	208.102.5324	3,700.00
Insurance	208.102.5330	13,000.00
Engineering Fees	208.102.5360	-
EMS Collection Fees	208.102.5385	13,950.00
County Treasurer Fees	208.102.5390	7,500.00
Gas & Oil	208.102.5420	7,500.00
Small Equipment & Supplies	208.102.5430	14,985.00
Vehicle Lease Payments	208.102.5434	2,500.00
Schools & Training	208.102.5513	6,500.00
EMS Grant Expenses	208.102.5515	-
Office Supplies	208.102.5521	3,500.00

Radio	208.102.5561	2,895.00
Maintenance & Repair	208.102.5564	22,115.00
Capital Improvements	208.102.5600	-
Total Other Expense		243,398.00
TOTAL FIRE EMERGENCY RESCUE FUND		968,853.00

SECTION 9. That there be appropriated from the Sanitary & Sewer Lateral Levy Fund:

SANITARY & STORM SEWER LATERAL LEVY FUND

Personal Services

Wages - Regular	211.503.5140	-
Wages - Overtime	211.503.5199	-
Total Wages & Salaries		-

Other

P. E. R. S.	211.503.5220	-
Medicare	211.503.5260	-
Engineering	211.503.5360	-
County Treasurer's Fees	211.503.5390	1,500.00
Sewer Lateral Repairs	211.503.5569	250,000.00
Capital Improvements	211.503.5600	-
Total Other Expense		251,500.00
TOTAL SANITARY & STORM SEWER LATERAL LEVY FUND		251,500.00

SECTION 10. That there be appropriated from the Street Improvement Levy Fund:

STREET IMPROVEMENT LEVY FUND

Other

Engineering Fees	213.601.5360	-
Street Resurfacing & Repair	213.601.5367	771,500.00
Street Lining	213.601.5368	-
Miscellaneous Expenses	213.601.5568	-
Legal Fees	213.711.5318	-
County Treasurer Fees	213.711.5390	8,550.00
Return Advance Fund 101	213.711.5977	-
Engineering Fees-'18 Road Program OPWC	213.910.5360	-
Street Resurfacing-'18 Road Program OPWC	213.910.5367	-
Transfer-Fund 429	213.912.5933	-
Engineering Fees-2020 Road Program OPWC	213.914.5360	-
Street Resurfacing-2020 Road Program OPWC	213.914.5600	-
Total Other Expense		780,050.00
TOTAL STREET IMPROVEMENT LEVY FUND		780,050.00

SECTION 11. That there be appropriated from the Recreation Improvement Levy Fund:

RECREATION IMPROVEMENT LEVY FUND

Other

Maintenance & Repair	214.302.5564	-
Miscellaneous Expenses	214.302.5568	-
Pool Capital Improvements	214.302.5614	-
Small Equip & Supplies	214.303.5430	-

Miscellaneous Expenses	214.303.5568	-
Recreation Capital Improvements	214.303.5600	28,000.00
Engineering	214.709.5360	-
Legal Fees	214.711.5318	-
County Treasurer Fees	214.711.5390	800.00
Return of Advance to Fund 101	214.711.5977	-
Total Other Expense		28,800.00
TOTAL RECREATION IMPROVEMENT LEVY FUND		28,800.00

SECTION 12. That there be appropriated from the Permissive License Fee Fund:

PERMISSIVE LICENSE FEE FUND

Other

Traffic Signals	215.601.5326	20,000.00
Traffic Lights	215.601.5328	16,000.00
Insurance	215.601.5330	10,000.00
Engineering	215.601.5360	-
Street Signs	215.601.5364	3,000.00
Street Resurface & Repair	215.601.5367	30,000.00
Street Lining	215.601.5368	-
Gas & Oil	215.601.5420	14,000.00
Equipment Maintenance	215.601.5564	-
Miscellaneous Expenses	215.601.5568	-
Capital Improvement	215.601.5600	-
Total Other Expense		93,000.00
TOTAL PERMISSIVE LICENSE FEE FUND		93,000.00

SECTION 13. That there be appropriated from the DUI Education & Enforcement Fund:

DUI EDUCATION & ENFORCEMENT FUND

Other

DUI Education & Enforcement	217.101.5530	1,300.00
Capital Improvement	217.101.5600	-
Total Other Expense		1,300.00
TOTAL DUI EDUCATION & ENFORCEMENT FUND		1,300.00

SECTION 14. That there be appropriated from the Drug Law Enforcement Fund:

DRUG LAW ENFORCEMENT FUND

Other

Equipment & Supplies	218.101.5430	200.00
Training	218.101.5513	500.00
Capital Equipment	218.101.5600	-
Total Other Expense		700.00
TOTAL DRUG LAW ENFORCEMENT FUND		700.00

SECTION 15. That there be appropriated from the Senior Citizens Center Fund:

SENIOR CITIZENS CENTER FUND

Personal Services

Wages	220.304.5120	45,595.00
Retirement Benefit Payout	220.304.5195	-
Wages - Part Time	220.304.5198	20,000.00
Total Wages & Salaries		65,595.00

Other

Hospitalization	220.304.5210	9,150.00
P. E. R. S.	220.304.5220	9,200.00
Medicare	220.304.5260	975.00
Electricity & Heating	220.304.5320	4,000.00
Gas & Oil	220.304.5420	-
Small Equip & Supplies	220.304.5430	3,000.00
Program Supplies	220.304.5453	3,000.00
Office Supplies	220.304.5521	4,000.00
Maintenance & Repair	220.304.5564	2,500.00
United Way Expenses	220.304.5567	-
Capital Improvement	220.304.5600	-
Levy Fund	220.304.5603	38,000.00

Total Other Expense

73,825.00

TOTAL SENIOR CITIZENS CENTER FUND**139,420.00****SECTION 16.** That there be appropriated from the Emergency Management Fund:**EMERGENCY MANAGEMENT FUND****Other**

Transfer to Fund 208	221.711.5901	-
Transfer to Fund 202	221.711.5903	-
Transfer to Fund 205	221.711.5907	-
Transfer to Fund 101	221.711.5911	-
Transfer to Fund 221	221.711.5924	-

Total Other Expense

-

TOTAL EMERGENCY MANAGEMENT FUND

-

SECTION 17. That there be appropriated from the Homeland Security Grant Fund:**HOMELAND SECURITY GRANT FUND****Other**

Small Equip & Supplies	223.102.5430	-
Capital Improvement	223.102.5600	-
Return of Advance to Fund 101	223.711.5977	-
Return of Advance to Fund 207	223.711.5980	-

Total Other Expense

-

TOTAL HOMELAND SECURITY GRANT FUND

-

SECTION 18. That there be appropriated from the Community Block Grant Fund:**COMMUNITY BLOCK GRANT FUND****Other**

Return of Advance to 101	224.711.5977	-
CDBG - Hearts & Hammers	224.950.5517	-
Professional Services	224.951.5319	-

Total Other Expense	-
TOTAL COMMUNITY BLOCK GRANT FUND	-

SECTION 19. That there be appropriated from the Lakefront Connectivity & Downtown Redevelopment Grant Fund:

LAKEFRONT CONNECTIVITY & DOWNTOWN REDEVELOPMENT GRANT FUND

Other

Professional Services	225.711.5319	-
Return of Advance to Fund 101	225.711.5977	-
Total Other Expense		-
TOTAL LAKEFRONT CONNECTIVITY & DOWNTOWN GRANT FUND		-

SECTION 20. That there be appropriated from the Coronavirus Relief Grant Fund:

CORONAVIRUS RELIEF GRANT FUND

Personal Services

Wages	226.715.5140	-
Wages - Part Time	226.715.5199	-
Total Wages & Salaries		-

Other

P.E.R.S	226.715.5220	-
Police Pension-City	226.715.5230	-
Medicare	226.715.5260	-
Social Security	226.715.5265	-
Professional Services	226.715.5319	-
Unemployment	226.715.5331	-
Small Equipment & Supplies	226.715.5430	-
Network Equipment & Supplies	226.715.5431	-
Cleaning Supplies	226.715.5460	-
Office Supplies	226.715.5521	-
Small Business Grants	226.715.5568	-
Capital Improvements	226.715.5600	-
Total Other Expense		-
TOTAL CORONAVIRUS RELIEF GRANT FUND		-

SECTION 21. That there be appropriated from the NOPEC Grant Fund:

NOPEC GRANT FUND

Other

Engineering Fees	227.709.5360	-
Capital Improvements	227.711.5600	199,800.00
Total Other Expense		199,800.00
TOTAL NOPEC GRANT FUND		199,800.00

SECTION 22. That there be appropriated from the Local Fiscal Recovery/ARPA Fund:

LOCAL FISCAL RECOVERY/ARPA FUND

Other

Capital Improvement-CC HVAC	228.711.5600	188,500.00
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Capital Improvements-E. 328th St. Sewer Phase 2	228.915.5600	284,500.00
Total Other Expense		473,000.00
TOTAL LOCAL FISCAL RECOVERY/ARPA FUND		473,000.00

SECTION 23. That there be appropriated from the Law Enforcement Trust Fund:

LAW ENFORCEMENT TRUST FUND

Other

Small Equip & Supplies	230.101.5430	-
Miscellaneous Expenses	230.101.5568	-
Capital Imp. - Police	230.101.5600	-
Total Other Expense		-
TOTAL LAW ENFORCEMENT TRUST FUND		-

SECTION 24. That there be appropriated from the Law Enforcement Cont. Training Fund:

LAW ENFORCEMENT CONT. TRAINING FUND

Other

Schools & Training	232.101.5513	10,367.52
Total Other Expense		10,367.52
TOTAL LAW ENFORCEMENT CONT. TRAINING FUND		10,367.52

SECTION 25. That there be appropriated from the Earned Benefits Fund:

EARNED BENEFITS FUND

Other

Retirement Benefit Payout-Police	240.101.5195	52,500.00
Retirement Benefit Payout-Parks	240.301.5195	-
Retirement Benefit Payout-Building	240.401.5195	-
Retirement Benefit Payout-Mayor's Office	240.701.5195	-
Retirement Benefit Payout-Finance	240.702.5195	-
Total Other Expense		52,500.00
TOTAL EARNED BENEFITS FUND		52,500.00

SECTION 26. That there be appropriated from the Fire Loss Claims Fund:

FIRE LOSS CLAIMS FUND

Other

Miscellaneous Expenses	241.711.5568	-
Total Other Expense		-
TOTAL FIRE LOSS CLAIMS FUND		-

SECTION 27. That there be appropriated from the Bond Retirement Fund:

BOND RETIREMENT FUND

Other

Legal Fees	301.711.5318	-
Registrar Fees	301.711.5384	-
County Treasurer Fees	301.711.5390	500.00

Bond Principal	301.711.5701	-
Bond Interest	301.711.5702	-
Note Principal	301.711.5703	34,068.00
Note Interest	301.711.5704	-
Total Other Expense		34,568.00
TOTAL BOND RETIREMENT FUND		34,568.00

SECTION 28. That there be appropriated from the Municipal Tax Increment Equiv. Fund:

MUNICIPAL TAX INCREMENT EQUIV. FUND

Other

County Treasurer Fees	302.710.5390	7,000.00
Legal Fees	302.711.5318	-
Miscellaneous Expenses	302.711.5568	-
Capital Improvement	302.711.5600	-
Note Principal	302.711.5703	-
Note Interest	302.711.5704	-
PILOT Reimbursement to W/E Schools	302.711.5720	200,000.00
Total Other Expense		207,000.00
TOTAL MUNICIPAL TAX INCREMENT EQUIV. FUND		207,000.00

SECTION 29. That there be appropriated from the Capital Improvement Fund:

CAPITAL IMPROVEMENT FUND

Other

Capital Improvement - General Admin.	401.711.5600	-
Capital Improvement - Police Dept.	401.711.5610	-
Capital Improvement - Fire Dept.	401.711.5611	-
Capital Improvement - Service Dept.	401.711.5612	-
Capital Improvement - Recreation Dept.	401.711.5614	-
Transfer to Fund 301	401.711.5904	-
Total Other Expense		-
TOTAL CAPITAL IMPROVEMENT FUND		-

SECTION 30. That there be appropriated from the Stormwater Management Capital Improvement Fund:

STORMWATER MANAGEMENT CAPITAL IMPROVEMENT FUND

Other

Engineering Fees	420.711.5360	-
Capital improvements	420.711.5600	-
Engineering Fees-Fairway Blvd.	420.931.5360	20,000.00
Capital improvements-Fairway Blvd.	420.931.5600	180,000.00
Total Other Expense		200,000.00
TOTAL STORMWATER MANAGEMENT CAPITAL IMP. FUND		200,000.00

SECTION 31. That there be appropriated from the Sanitary Sewer Capital Improvement Fund:

SANITARY SEWER CAPITAL IMPROVEMENT FUND

Other

Capital Improvements	422.503.5600	-
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Engineering Fees	422.709.5360	-
Legal Fees	422.711.5318	2,500.00
Note Principal	422.711.5703	228,000.00
Note Interest	422.711.5704	2,850.00
Total Other Expense		233,350.00
TOTAL SANITARY SEWER CAPITAL IMPROVEMENT FUND		233,350.00

SECTION 32. That there be appropriated from the E. 328th Sewer Improvement Phase 2 Fund:

E. 328TH SEWER IMPROVEMENT PHASE 2 FUND

Other

Engineering Fees	430.915.5360	-
Capital Improvement	430.915.5600	413,500.00
Return of Advance to Fund 205	430.915.5978	70,500.00
Total Other Expense		484,000.00
TOTAL E. 328TH SEWER IMPROVEMENT PHASE 2 FUND		484,000.00

SECTION 33. That there be appropriated from the Police Pension Fund:

POLICE PENSION FUND

Other

Police Pension City Liability	801.101.5230	425,000.00
County Treasurer Fees	801.101.5390	1,000.00
Total Other Expense		426,000.00
TOTAL POLICE PENSION FUND		426,000.00

SECTION 34. That there be appropriated from the Security Deposits Fund:

SECURITY DEPOSITS FUND

Other

Engineering Fees	802.711.5360	8,000.00
Deposit Refunds	802.711.5970	10,000.00
Unclaimed Funds	802.711.5972	2,000.00
Total Other Expense		20,000.00
TOTAL SECURITY DEPOSIT FUND		20,000.00

SECTION 35. That there be appropriated from the Donations & Bequests Fund:

Other

Donation Purchases	803.811.5800	11,850.00
Total Donations & Bequests Fund		11,850.00
TOTAL DONATIONS & BEQUESTS FUND:		11,850.00

TOTAL ALL FUNDS

17,677,505.02

SECTION 36. 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 37. 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 38. 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 39. 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: _____, 2022

Submitted to the Mayor for his approval
on _____, 2022

ATTEST:

Council President

Approved by the Mayor on
_____, 2022

Clerk of Council

Mayor

ORDINANCE NO. 2022-9

AN ORDINANCE AMENDING CHAPTER 1139 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “MULTI FAMILY DISTRICT” SPECIFICALLY SECTION 1139.02 TITLED “DISTRICT BOUNDARY,” AND DECLARING AN EMERGENCY.

WHEREAS, certain parcels within Multi Family District Boundary have been split and/or modified in such a way that the current text of Codified Ordinance 1139.02 must necessarily be modified to accurately reflect the parcels contained within the district boundary.

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

Section 1. That Chapter 1139 of the Codified Ordinances of the City of Willowick titled “District Boundary” is hereby amended to read and provide as follows:

1139.02 DISTRICT BOUNDARY

The Multi Family District shall be described by and included within the following boundaries, as shown on the Zoning Map, which, together with all accompanying notations, references, rules and designations, is hereby adopted and made a part of this Planning and Zoning Code, thereby having the same force and effect as if fully described herein in writing:

(a) Bound on the West by the Vine Street Extension, bound on the South by Lake Shore Boulevard, bound on the East by PPN 28-A-044-D-009-0 on Lake Shore Boulevard and bound on the North by Lake Erie.

(b) Bound on the North by Lake Shore Boulevard; bound on the East by PPN 28-A-044-B-00-049-0, located at 31702 Lake Shore Boulevard and the Cody Park Apartment complex; bound on the South by Orchard Drive and the following parcels: PPN ~~28-A-044-B-00-042-0~~ **28-A-044-B-00-042-0** located at 224 East 315th Street, PPN 28-A-044-B-00-040-0 and located at 232 East 315th Street, PPN 28-A-044-B-00-024-0 located at 236 East 315th Street, PPN 28-A-044-B-00-023-0 located at 240 East 315th Street; PPN 28-A-044-B-0-036-0 located at 31316 Lake Shore Boulevard, PPN 28-A-044-B-00-035-0, PPN 28-A-044-B-00-034-0, ~~PPN 28-A-044-B-00-033-0~~ **28-A-044-B-00-033-0**, PPN 28-A-044-B-00-032-0 and 28-A-044-G-00-005-0 located at 31220 Lake Shore Boulevard; and bound by the West by PPN 28-A-044-G-00-005-0 located at 31220 Lake Shore Boulevard.

(c) The entire Legend Trail development located off of East 288th Street.

(d) The entire Winbury Condominium Development located at the corner of East 305th Street and North Marginal Road.

(e) The entire ~~Brittney Court~~ **Lanmark Cove Condominium** development located off of North Marginal Road.

(f) The entire Bay Club development located off of North Marginal Road.

(g) The entire Bayridge Condominium development located off of North Marginal Road.

(h) Lakewick Lane bound on the West by Lakeshore Boulevard; bound on the North by Permanent Parcel Number ~~28-A-041-N-00-100-0~~ and PPN ~~28-A-041-N-00-068-0~~, **28-A-041-N-00-101-0**, **PPN 28-A-041-N-00-067-0** and **PPN 28-A-041-N-00-048-0** located at Lakewick Lane; bound on the East by Shoreland Circle, and the following parcels: PPN 28-A-041-N-00-048-0 located at 190 Shoreland Circle, PPN 28-A-041-N-00-049-0 located at 188 Shoreland Circle, PPN 28-A-041-N-00-050-0 located at 186 Shoreland Circle, PPN 28-A-041-N-00-51-0 located at 184 Shoreland Circle, and PPN 28-A-041-N-00-052-0 located at **182** Shoreland Circle; and bound on the South by East 293rd Street.

(i) Permanent Parcel Number 28-A-044-E-01-006-0 located at 460 East 321st Street.

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 that it will ensure the orderly and uninterrupted efficient operation of the 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: _____, 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. 2022-10**AN ORDINANCE AMENDING CHAPTER 1145 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “RETAIL DISTRICT;” SPECIFICALLY SECTION 1145.02 TITLED “DISTRICT BOUNDARY,” AND DECLARING AN EMERGENCY.**

WHEREAS, certain parcels within Retail District Boundary have been split and/or modified in such a way that the current text of Codified Ordinance 1149.02 must necessarily be modified to accurately reflect the parcels contained within the district boundary.

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

Section 1. That Chapter 1145 of the Codified Ordinances of the City of Willowick titled “District Boundary” is hereby amended to read and provide as follows:

1145.02 DISTRICT BOUNDARY

The Retail District shall be contained in five distinct areas throughout the City as identified and shown on the Zoning Map, and shall be described and bound as follows:

(b) Shoregate Town Centre Area. Each of the parcels which encompass the current Shoregate Town Centre: PPN 28-A-041-0-00-007-0, PPN 28-A-043-00-004-0, ~~PPN 28-A-043-0-00-001-0~~, PPN 28-A-043-0-00-008 and **PPN 28-A-043-W-00-001-0, PPN 28-A-043-W-00-002-0**; and the following parcels located on the corner of Lakeshore Boulevard and East 305th Street: PPN 28-A-043-0-00-005-0, and PPN 28-A-043-0-00-006-0.

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 that it will ensure the orderly and uninterrupted efficient operation of the 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: _____, 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. 2022-11

AN ORDINANCE AMENDING CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED, “DISTRICTS AND USES GENERALLY; ZONE MAP;” SPECIFICALLY, SECTION 1135.02 TITLED “DIVISION INTO DISTRICTS; BOUNDARIES, ZONE MAP” AND DECLARING AN EMERGENCY.

WHEREAS, Chapter 1135 of the Codified Ordinances of the City of Willowick establishes the division of the municipal corporate limits into use district zones, establishes the boundaries for the use districts, and incorporates the City of Willowick Zoning Map; and

WHEREAS, Chapter 1135 of the Codified Ordinances of the City of Willowick further provides for and identifies the classification of uses; and

WHEREAS, Chapter 1135 of the Codified Ordinances of the City of Willowick was amended by the passage of a Charter Amendment by vote of a majority of electors of the City of Willowick, voting upon it at the immediate prior general election for 2015, with such vote and passage thereby requiring the amendment of the Willowick Zoning Map;

WHEREAS, upon further review of the Zoning Map, certain amendments to the Zoning Map are necessary to bring the map into compliance with the Codified Ordinances.

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

Section 1.

That Chapter 1135 of the Codified Ordinances of the City of Willowick, Ohio, titled “District and Uses Generally; Zone Map;” specifically, Section 1135.02 titled “DIVISION INTO DISTRICTS; BOUNDARIES,” is hereby amended as follows:

CHAPTER 1135 Districts and Usages Generally; Zone Map

* * *

1135.02 DIVISION INTO DISTRICTS; BOUNDARIES.

Zone Map

The use districts as set forth in Section 1135.02(a) shall be officially identified and shown on the Willowick Zoning Map, a copy of which is attached on the page next following and incorporated herein; and which is located at Willowick City Hall and the Willowick Building Department, respectively.

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, insofar as it provides for the usual daily operation of the City and its Division of Building, Engineering and Inspection and that it will ensure the orderly and uninterrupted efficient operation of the City.

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

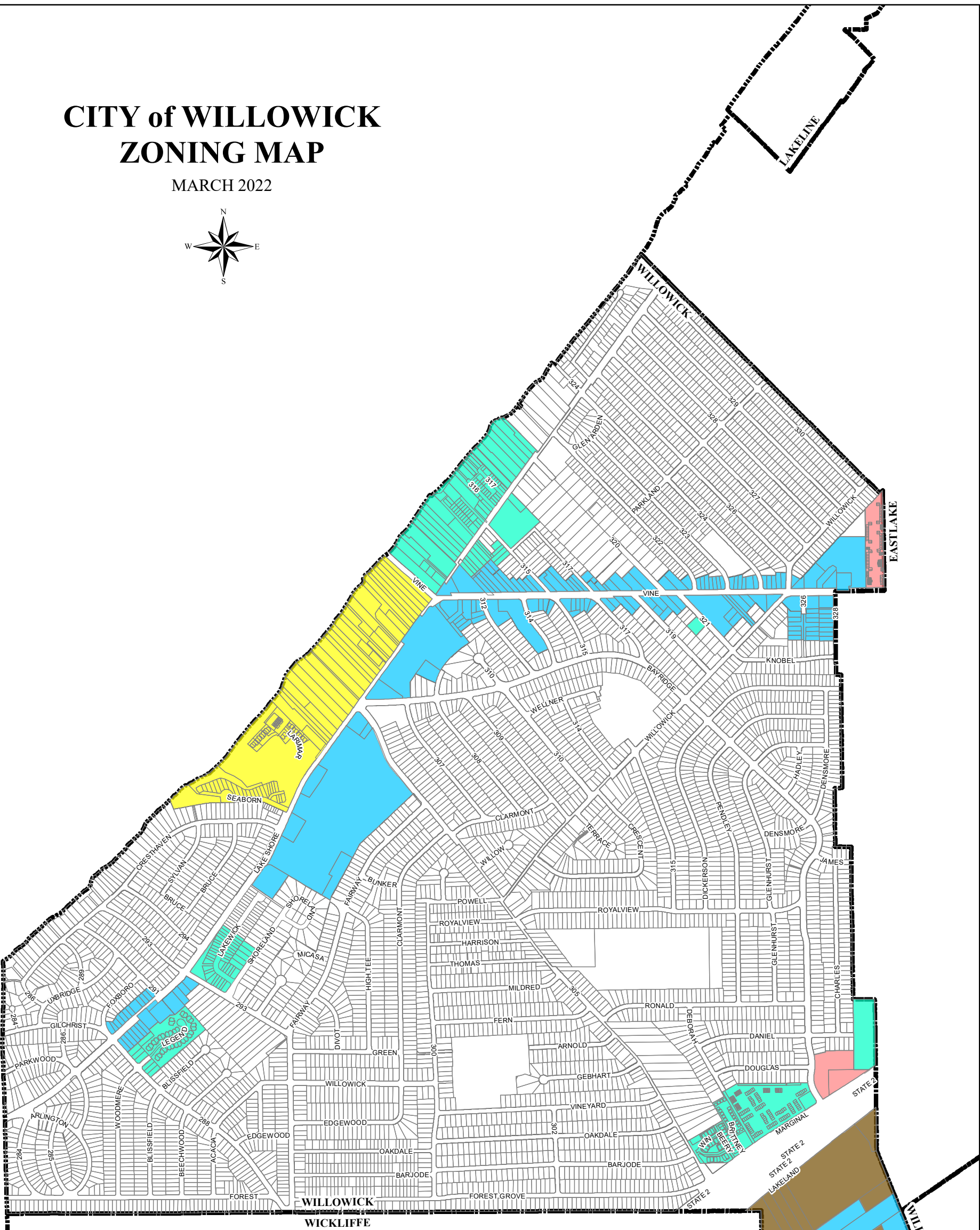
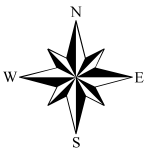
Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2022







ATTEST: _____
Angela Trend, Clerk of Council

CITY of WILLOWICK ZONING MAP

MARCH 2022



LEGEND (Willowick City Code Reference)

-  SINGLE FAMILY DISTRICT (SECTION 1137)
-  MULTI FAMILY DISTRICT (SECTION 1139)
-  MULTI USE DISTRICT (SECTION 1141)
-  APARTMENT DISTRICT (SECTION 1143)
-  RETAIL DISTRICT (SECTION 1145)
-  INDUSTRIAL DISTRICT (SECTION 1147)

ORDINANCE NO. 2022-12

**AN ORDINANCE ENACTING CHAPTER 788 OF THE
CODIFIED ORDINANCES TITLED “MEDICAL MARIJUANA
LICENSURE,” AND DECLARING AN EMERGENCY.**

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

Section 1. Chapter 788 of the Codified Ordinances of the City of Willowick, entitled “Medical Marijuana Licensure” is hereby established to read and provide as follows:

Chapter 788: Medical Marijuana Licensure

788.01 TITLE, PURPOSE AND OBJECTIVES.

(a) **Title.** This Chapter shall be known as Medical Marijuana Licensure.

(b) **Purpose.** The purpose of this Chapter is to establish standards for licensing, regulation and control of Medical Marijuana Businesses as permitted by Ohio House Bill 523 and The State of Ohio's Medical Marijuana Control Program and the premises upon which they are located and operated for the cultivation and processing and dispensing of medical marijuana to serve registered patients. The objectives of this Chapter are to prevent safety and fire hazards, disturbances, odors, disruption, theft of property, and other such nuisances or dangers within the City. The purpose of this Chapter is also to exercise the authority of the City of Willowick to allow Medical Marijuana businesses in accordance with applicable state law and regulations.

(c) **Authority.** The City Council hereby declares that this Chapter shall be deemed an exercise of the police powers of the City Council of Willowick, Ohio, for the furtherance and protection of the health, safety, and general welfare of the citizens of Willowick.

788.02 CONSTRUCTION, SEVERABILITY AND APPLICABILITY OF CHAPTER.

(a) **Construction.** This chapter shall be liberally construed and applied to promote its purpose and objectives.

(b) **Severability.** If any provision of this Chapter, or the application thereof to any person or circumstances, is held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and neither the remainder of this chapter nor the application of such provision to other persons or circumstances shall be affected thereby.

(c) Except as otherwise specifically provided herein, this Chapter incorporates the requirements and procedures set forth in the Ohio Medical Marijuana Program. In the event of any conflict between the provisions of this Chapter and the provisions of the Ohio Medical Marijuana Program or any other applicable state or local law or regulation, the more restrictive provision shall control.

788.03 DEFINITIONS.

Unless otherwise defined herein, the terms in this Chapter shall have the same meaning as set forth in Section 3796.01 of the Ohio Revised Code, the Ohio Medical Marijuana Control Program, and any rules promulgated pursuant thereto. The following words and phrases, when used in this Chapter, shall have the meanings respectively assigned to them.

(a) As used in this chapter:

(1) "Academic Medical Center" has the same meaning as in Section 4731.297 of the Ohio Revised Code.

(2) "Applicant" means the business entity applying for licensure per this Chapter.

(3) "Board of Zoning Appeals" means the City of Willowick Board of Zoning Appeals.

(4) "Cultivator" means an entity that has been issued a license by the local licensing authority to grow, harvest, package and transport medical marijuana as permitted under Chapter 3796 of the Ohio Revised Code.

(5) "Dispensary" means an entity that has been issued a license by the local licensing authority to dispense medical marijuana products as permitted under Chapter 3796 of the Ohio Revised Code.

(6) "Drug Database" means the database established and maintained by the state board of pharmacy pursuant to section 4729.75 of the Ohio Revised Code.

(7) "License" means a license or registration granted pursuant to this Chapter.

(8) "Licensed Premises" means the building or portion thereof specified in an application for licensure under this Chapter and used for conducting the operation of a Medical Marijuana Business. The Licensed Premises shall be owned or in possession of the Licensee.

(9) "Licensee" means the person or persons to whom a License is issued pursuant to this Chapter.

(10) "Manufacture" means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.

(11) "Marijuana" means marijuana as defined in Section 3719.01 of the Ohio Revised Code.

(12) "Medical Marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

(13) "Medical Marijuana Business" means any individual premises upon which any activity to advance or perform the cultivation or manufacturing/processing or dispensing of marijuana or marijuana products for medicinal purposes as otherwise permitted by Ohio H.B. 523, whether or not such premises have other business purposes of any nature whatsoever.

(14) "Operator" means the person or persons having authority to control the Licensed Premises of a Medical Marijuana Business as authorized by the State Licensing Authority.

(15) "Owner" means any person who possesses a pecuniary interest, either directly or indirectly, of twenty-five percent (25%) or more in a Medical Marijuana Business.

(16) "Person" means any natural person, firm, partnership, association, corporation or any other form of business organization.

(17) "Physician" means an individual authorized under Chapter 4731 of the Ohio Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(18) "Processor" means an entity that has been issued a license by the local licensing authority to manufacture medical marijuana products as permitted under Chapter 3796 of the Ohio Revised Code.

- (19) "Qualifying Medical Condition" means any of the following:
- (a) Acquired immune deficiency syndrome;
 - (b) Alzheimer's disease;
 - (c) Amyotrophic lateral sclerosis;
 - (d) Cancer;
 - (e) Chronic traumatic encephalopathy;
 - (f) Crohn's disease;
 - (g) Epilepsy or another seizure disorder;
 - (h) Fibromyalgia;
 - (i) Glaucoma;
 - (j) Hepatitis C;
 - (k) Inflammatory bowel disease;
 - (l) Multiple sclerosis;
 - (m) Pain that is either of the following:
 - (i) Chronic and severe;
 - (ii) Intractable
 - (n) Parkinson's disease;
 - (o) Positive status for HIV;
 - (p) Post-traumatic stress disorder;
 - (q) Sickle cell anemia;
 - (r) Spinal cord disease or injury;
 - (s) Tourette's syndrome;
 - (t) Traumatic brain injury;
 - (u) Ulcerative colitis;
 - (v) Any other disease or condition added by the state medical board under Section 4731.302 of the Ohio Revised Code.
- (20) "Safety Director" means the Safety Director of the City of Willowick.
- (21) "School" means any educational institution, public, private, secular or parochial, which offers instruction of high school grade or lower.
- (22) "State University" has the same meaning as in Section 3345.011 of the Ohio Revised Code.

788.04 MEDICAL MARIJUANA BUSINESS LICENSE REQUIRED.

No person shall conduct a Medical Marijuana Business in the City without having first obtained a License therefore as provided in this Chapter, which License shall be designated as a Medical Marijuana Cultivation Business License or a Medical Marijuana Processing Business License or a Medical Marijuana Dispensary License.

788.05 AUTHORITY OF SAFETY DIRECTOR.

(a) Authority is hereby established and vested in the Safety Director or his/her designee to act as the local licensing authority for Medical Marijuana Businesses, consider the applications for Licenses under this Chapter, conduct investigations thereon and issue, suspend, revoke, fine, restrict or deny issuance of such Licenses based upon the criteria set forth in this Chapter.

(b) Nothing in this Chapter shall be construed to limit a law enforcement agency's ability to investigate unlawful activity in relation to a license issued pursuant to this Chapter.

(c) The Local Licensing Authority is authorized to issue a Medical Marijuana Business License subject to the provisions and restrictions provided in this Chapter.

788.06 NATURE OF LICENSES.

(a) All Licenses. All licenses issued under this chapter shall have the following characteristics:

(1) Each such license shall be an annual license which covers a period from the date of issuance for one year unless earlier suspended or revoked;

(2) Each such license shall vest a personal privilege but not any property rights in the licensee;

(3) Each such license shall be required to be displayed permanently in a conspicuous place upon the premise for which it is issued;

(4) Each such license shall be in the name of the Applicant;

(5) Each such license shall be neither assignable nor transferable, either as a person or location; and

(6) Each such license, if lost, destroyed or mutilated, upon application within thirty (30) days thereof may be replaced by a replacement license issued by the Safety Director bearing the word "Replacement" across its face and bearing the same license number as the license which it replaces.

(b) Medical Marijuana Cultivation Licenses. All Medical Marijuana Cultivation Licenses shall permit the holders thereof to conduct any activities permitted to a Cultivator under Chapter 3796 of the Ohio Revised Code and any such activities shall be conducted in Commercial/Industrial/Manufacturing Districts only.

(c) Medical Marijuana Processing Licenses. All Medical Marijuana Processing Licenses shall permit the holders thereof to conduct any activities permitted to a Processor under Chapter 3796 of the Ohio Revised Code and any such activities shall be conducted in Commercial/Industrial/Manufacturing Districts only.

(d) Medical Marijuana Dispensary Licenses. All Medical Marijuana Dispensary Licenses shall permit the holders thereof to conduct any activities permitted to a Dispensary under Chapter 3796 of the Ohio Revised Code and any such activities shall be conducted in a General Business District only.

788.07 PROCEDURE FOR OBTAINING LICENSES.

(a) Applications for Licenses. All applications for licenses under this chapter shall be in writing on a form approved by and filed with the Safety Director. The application shall be signed by the owner or owners and shall contain information required by this section supplied in detail as to each such person, including general and limited partners, or partnerships, shareholders of corporations and principals of any other type of business entity. In the event that no person owns twenty-five percent (25%) or more of Medical Marijuana Business, such application shall be signed by an authorized representative of the business. Every owner and operator of the business shall be fingerprinted by the City of Willowick Police Department and said persons shall pay for the costs associated with obtaining said fingerprints.

(b) Contents of Applications. The Application shall contain the following information:

(1) For each individual owner:

- (i) True name and all other names used in the past five (5) years;
- (ii) Date of birth;
- (iii) Permanent home address and all other home addresses used in the past five (5) years;
- (iv) Business and home telephone numbers;
- (v) Employment history for the past five (5) years;
- (vi) A statement as to whether or not the owner has been convicted of any crime other than traffic offenses and, if convicted, the date and court of conviction, the specific crime convicted of, and the penalty imposed;
- (vii) A statement as to whether or not the owner has ever had ownership interest in a Medical Marijuana Business, and, if so, the specific location of the business and the dates of such operation;
- (viii) A statement as to whether or not the owner has been denied an application for a marijuana business license in any jurisdiction or has had such license suspended or revoked.

(2) A description of the nature and operation of the main type of business activity to be conducted upon the premises including a description of the products and the services to be provided by the Medical Marijuana Business;

(3) A description of the nature and operation of any other business to be conducted in conjunction with the Medical Marijuana Business, and the anticipated percentage of gross revenue to be derived from each respective business;

(4) The address and telephone number of the premises and the business, if different from the premises;

(5) The name under which the business and premises will be operated and verification of trade name filed with the secretary of state;

(6) A statement as to whether or not the owner will directly operate the Medical Marijuana Business, or whether an operator who is not an owner will operate it, and if the latter, the application shall contain information required by this section supplied in detail as to each such operator;

(7) A floor plan of the premises and the immediate vicinity drawn to scale, showing the square footage, interior dimensions, plans and specifications for the interior of the building, and layout for the

business. Layout shall include, but is not limited to restricted access areas, principal uses for each floor area, areas of ingress and egress, and all security cameras;

(8) A map showing all schools, playgrounds, and public parks within a radius of one thousand (1,000) feet of the premises and all churches within a radius of five hundred (500) feet of the premises;

(9) The name, address and telephone number of the agent of the business upon whom service of process can effectively and validly be made;

(10) A security plan that the business intends to install, employ and operate to meet all requirements of the Ohio Medical Marijuana Program pursuant to Section 3796:2-103(4) of the Ohio Revised Code including policies and procedures to ensure a secure, safe facility to prevent theft, loss, or diversion and protection of facility personnel;

(11) A delivery and transportation plan detailing the method and explanation of delivery and transportation and shipping services to the location in compliance with the Ohio Medical Marijuana Program, which plan shall include the names and registration numbers of the licensed employees transporting medical marijuana or medical marijuana products and proof of compliance with Section 3796:5-3 of the Ohio Revised Code;

(12) A copy of the title or lease to the premises and verification that all activities at the proposed licensed premises are permitted under the City of Willowick Planning and Zoning Code, Part 13, Codified Ordinances of the City of Willowick, Ohio;

(13) A copy of the Articles of Incorporation if the owner is a corporation;

(14) A copy of the Operating Agreement if the owner is a limited liability company;

(15) A copy of the Partnership Agreement if the owner is a partnership;

(16) Specification of the days of the week and the hours of the day during which the licensed activity will be conducted;

(17) Statement that the information contained therein is complete, accurate and truthful to the best knowledge of all applicants; and

(18) Any other information which the Safety Director may deem reasonably necessary for the full interest of the public in the application.

(c) Report of the Planning Commission. Upon receipt of an application for a license under this chapter, the Safety Director shall refer the application to the Planning Commission for a public hearing. The Planning Commission shall make specific findings on their record and issue a written report to the Safety Director within ten (10) days of the hearing, which contains the following information:

(1) Whether the licensed activity will not be materially detrimental to the public welfare, health, safety or morals, or alter the essential character of the locality;

(2) Evidence that the premises and Medical Marijuana Business thereon will create a fire, police, or safety hazard;

(3) Whether any owners and operators have any convictions for any felony or for any misdemeanor involving physical violence, gambling activity, controlled substances, minors or any crime involving moral turpitude; and

(4) Whether the location proposed for licensing complies with any and all zoning and land use laws of the City and any all restrictions on Medical Marijuana Businesses as set forth in this Chapter.

(5) Whether the Planning Commission has issued a Conditional Use Permit for the Medical Marijuana Business.

(d) Determination Process. The process to issue a Medical Marijuana License subsequent to the public hearing and the issuance of the report of the Planning Commission as set forth in this section shall proceed as follows:

(1) Safety Director. The Safety Director shall, within ten (10) days of the receipt of the written report, either issue such license or deny such license. The Safety Director has authority to refuse to issue any license for good cause, subject to judicial review;

(2) Appeal to Board of Zoning Appeals. In the event of the denial of the issuance of a License, the applicant shall be notified of such denial and the specific reasons therefore in writing. Such notice shall be mailed or delivered to the applicant at the address specified in the application. The applicant shall have ten (10) days after receipt of such notice to appeal such denial by filing a written notice of appeal and the fee associated therewith with the Board of Zoning Appeals. Thereafter, the applicant shall have not less than ten (10) days' notice of the date, time and place of the hearing. The appeal shall be heard by the Board of Zoning Appeals, which, after hearing, shall issue a decision as whether to confirm or deny the determination made by the Safety Director. The Board of Zoning Appeals shall, at its discretion, determine to whether to issue a conditional or probationary license;

(3) Appeal to Court. The decision of the Board of Zoning Appeals may be appealed to a court of competent jurisdiction pursuant to Ohio Revised Code Section 2506.

(e) License Conditional on Approval of State Licensing Authority. Each Medical Marijuana Business License shall be approved only conditionally upon approval by the appropriate state licensing authority. Until such time as the appropriate state licensing authority has granted a Certificate of Occupancy to the Medical Marijuana Business, the License granted pursuant to this Chapter shall be considered a Conditional License.

(f) License Renewal. Each Medical Marijuana Business License must be annually renewed. At the time of renewal, a statement shall be filed with the Safety Director that the information listed on the original application for the license is still complete, accurate, and truthful to the best knowledge of all applicants, or a statement shall be filed with the Safety Director listing each and every item of information which has changed since the original application. The Safety Director shall determine whether to accept such statement and issue the license requested, or he may determine to enforce the procedure required for an original license. The local licensing authority may deny the renewal of a license for good cause.

788.08 DENIAL OF MEDICAL MARIJUANA BUSINESS LICENSE.

No Medical Marijuana Business License shall be issued or renewed for any business or premises where any of the following facts or circumstances exist:

(a) The Applicant has been found guilty of any offense set forth in Chapters 2925, 3719, or 4729 of the Ohio Revised Code, the violation of which constitutes a felony or misdemeanor of the first degree.

(b) The Applicant has been found guilty of any theft offense set forth under division (K) in Section 2913.01 of the Ohio Revised Code, the violation of which constitutes a felony.

(c) The Applicant has been found guilty of any violation for which a penalty was imposed under Section 3715.99 of the Ohio Revised Code.

(d) The Applicant has been found guilty of a crime of moral turpitude as defined in Section 4776.10 of the Ohio Revised Code.

(e) A violation of any former law of this state, any existing or former law of another state, any existing or former law applicable in a military court or Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any of the offenses listed in paragraphs (a) through (d).

Any first-degree misdemeanor offense listed in paragraphs (a) through (e) will not automatically disqualify an applicant from licensure if the applicant was convicted of or pleaded guilty to the offense more than five years before the date the application for licensure is filed. Notwithstanding anything to the contrary in this section, no misdemeanor offense, including misdemeanors of the first degree, related to marijuana possession, marijuana trafficking, illegal cultivation of marijuana, illegal use or possession of drug paraphernalia or marijuana drug paraphernalia, or other marijuana related crimes shall be considered a disqualifying offense.

(f) The premises do not have adequate security installed, employed and operated to address any and all safety concerns of the Safety Director.

(g) The premises are located within one thousand (1,000) feet of any school, playground, public park or within five hundred (500) feet of any church.

(h) The premises or operation thereof would be in violation of any provision of the Building Code, Zoning Code, or Fire Code of the City of Willowick, or any other pertinent provisions of local, state or federal law.

(i) The applicant made a false statement or misrepresentation as to a material matter upon the application or in a hearing concerning the license.

(j) The application failed to provide all of the required information.

(k) The applicant has failed to demonstrate compliance with this chapter and all other applicable state and local ordinances and statutes.

788.09 LICENSE EXPIRATION, SUSPENSION OR REVOCATION.

(a) Expiration. Any Medical Marijuana Business License issued under this chapter shall expire upon the transfer or sale of a majority interest in the business, or the discontinuation of the business for a continuous period of thirty (30) days. Any Medical Marijuana Business License issued under this chapter shall expire upon the transfer or sale of such business.

(b) Suspension and Revocation. All licenses issued under this chapter shall be suspended or revoked upon recommendation of the Board of Zoning Appeals upon its finding of the occurrence of any of the following events:

(1) A false statement by any licensee as to a material matter made in an application for license or in a hearing concerning the license;

(2) Conviction of any licensee for any crime referenced in Section 788.08.

(c) Hearing. The suspension or revocation of any license under this chapter shall not occur without a hearing. The licensee shall be given at least ten (10) days written notice of the intent to suspend or revoke said license, which shall set forth the date, time and place of the hearing and the specific reasons for such suspension or revocation. The licensee shall have the right at that hearing to present testimony and other relevant evidence and to orally examine any person offering evidence as to the reasons for suspension or revocation.

(d) Appeal. The decision of the Board of Zoning Appeals may be appealed to a court of competent jurisdiction under Ohio Revised Code Section 2506.

788.10 LICENSE FEES.

(a) Medical Marijuana Cultivation Business License. Twenty thousand dollars (\$20,000) at application and renewal.

(b) Medical Marijuana Processing Business License. Five thousand dollars (\$5,000) at application and renewal.

(c) Medical Marijuana Dispensary Business License. Fifteen thousand dollars (\$15,000) at application and renewal.

(d) Replacement License. The fee for a replacement license shall be twenty-five dollars (\$25.00).

(e) Filed with Application. The license fee referenced shall be filed with the application for license.

(f) Return of Fee. In the event an application is denied under this chapter or by the applicable state licensing authority, one-half (1/2) of the license fee shall be returned to the applicant.

(g) Renewal Fee. All license renewal fees shall be due on the first day of each calendar year. In the event any license is suspended or revoked under this chapter, no portion of the license fee shall be returned to the owner.

788.11 OPERATIONAL REQUIREMENTS FOR MEDICAL MARIJUANA DISPENSARIES.

(a) Any sale of medical marijuana to a qualifying patient shall be made in person, directly to the purchaser, within the restricted area of the Medical Marijuana Dispensary. No sale shall be made by telephone, internet, or other means of remote purchase, nor shall home delivery be permitted. Delivery shall occur only in person to the purchaser at the time of purchase within the confines of the Medical Marijuana Dispensary.

(b) Drive-in or drive-through sales shall not be permitted.

(c) A Medical Marijuana Dispensary must use a commercial-grade filtration system to mitigate the impact of odor at the premises.

(d) A Medical Marijuana Dispensary shall post, in a visible location at its premises, contact information for local drug abuse treatment centers, and shall make available to patients upon request educational materials regarding the hazards of substance abuse.

(e) The interior and exterior of a Medical Marijuana Dispensary shall be designed, constructed and maintained in a manner consistent with its purposes as dispensing a substance to address a medical condition. The interior and exterior shall never be maintained to appear or encourage illicit marijuana use and shall otherwise comply with the following regulations:

- (1) There shall be no tinted or darkened windows on the Medical Marijuana Dispensary.
- (2) There shall be no moving, flashing or strobing signage or lighting in the interior or exterior of the Medical Marijuana Facility. All signage shall comply with CHAPTER 1349.
- (3) There shall be no loitering permitted at or near the entrance to the Medical Marijuana Dispensary.

788.99 PENALTY.

Unless otherwise provided herein, whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than six months, or both. A separate offense shall be deemed to have been committed each day during or on which a violation occurs or continues.

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 of the residents of the City of Willowick, and that it will ensure the orderly and uninterrupted efficient operation of the City.

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. 2022-13

AN ORDINANCE ENACTING CHAPTER 789 OF THE CODIFIED ORDINANCES TITLED “PARTY CENTERS,” AND DECLARING AN EMERGENCY.

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

Section 1. Chapter 789 of the Codified Ordinances of the City of Willowick, entitled “Party Centers” is hereby established to read and provide as follows:

830.01 PARTY CENTER DEFINED.

As used in this chapter, "party center" means a place where any group of people gathers for the purpose of eating, drinking, hosting events or meetings, playing games or socializing indoors or outdoors, whether such people gather as individuals or members, guests or friends of a group or organization, or both, and for which a charge is made to an individual, group or organization for authorization to conduct said event, gathering, or party on the premises, or to which admission may be gained with or without the payment of a fee, charge or consideration.

830.02 LICENSE REQUIRED; FEE.

No person shall hold a party at a party center until the owner, lessee or operator of such party center has been duly licensed for such purpose. The license shall be issued by the Plan Review Board. The fee for such license shall be five hundred dollars (\$500.00). The license shall contain the name and address of the applicant and shall be non-transferable to any other individual or entity other than the individual or entity listed on the application.

830.03 TIME LIMITATION.

No license shall permit an event/party to be held between the hours of 12:00 a. m. and 8:00 a.m.

830.04 PRESENCE OF ALCOHOL

The presence of alcohol shall be prohibited at the party center unless the license holder has notified the Chief of Police, in writing, at least two (2) weeks prior to the date of the scheduled event/party.

830.05 PRESENCE OF PRIVATE SECURITY OFFICER.

When alcohol is present on the premises, a Private Security Officer(s) registered with the City as required by Codified Ordinance Chapter 760, shall be present in the establishment, in uniform, to maintain peace and order for the full duration of the event/party, while patrons or guests are present.

830.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00). A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs.

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 of the residents of the City of Willowick, and that it will ensure the orderly and uninterrupted efficient operation of the Building and Police 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: _____, 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. 2022-14

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.

WHEREAS, Governor John Kasich signed Substitute House Bill 523 (“H.B. 523”) into law on June 8, 2016 (effective on September 8, 2016), which among other things, permits licensed physicians to recommend the use of medical marijuana to patients within the State of Ohio, and creates State regulatory oversight of the cultivation, processing, sale, and use of medical marijuana;

WHEREAS, H.B. 523 gives this Council the power to adopt regulations prohibiting or limiting the number of medical marijuana cultivators, processors, and dispensaries within the limits of the City, which the City is actively doing legislatively; and

WHEREAS, several initiative petitions have been filed and at least two (2) House bills have been introduced to encourage the state legislature to enact a law permitting the adult use, cultivation, processing, distribution and/or sale of marijuana for non-medical purposes;

WHEREAS, pursuant to the City Charter, as well as the Ohio Constitution, this Council also has the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens; and

WHEREAS, the City needs additional time to review applicable sections of its Codified Ordinances and the Ohio Revised Code to plan for and to formulate an appropriate response to the legalization of the adult use, cultivation, processing, distribution and/or sale of marijuana for non-medical purposes while the petitions proceed through the legislative process.

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

Section 1. This Council establishes a moratorium on the acceptance of any application for, or the granting of, any zoning certificate for any building, structure, use, expansion of use, or change of use that would enable the adult use, cultivation, processing, distribution or sale of marijuana in the City of Willowick for non-medical purposes, for a period of twelve (12) months from the date of adoption of this Ordinance by the Council.

Section 2. No existing business in the City may expand in any way that would establish the cultivation, processing, distribution or sale of non-medical marijuana for the duration of the moratorium period established hereby.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meeting

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 4. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the reasons set forth in the recitals of this Ordinance. Said Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the City of Willowick, Ohio.

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