



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, January 07, 2025 at 6:30 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 Council Meeting of December 17, 2024.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

2. Administration of the Oath of Office to Patrolman Joseph A. Maslanka.
3. Administration of the Oath of Office to Sergeant Ryan D. Neibecker.
4. Mayoral Proclamation recognizing John G. Beckwith for his service to the City.
5. Motion to approve the mayoral appointment of Mark Carden to the Willowick Planning Commission for a 3 year term expiring on January 7, 2028.
6. Motion to approve the mayoral appointment of Michael Tomas to the Willowick Planning Commission for a 3 year term expiring on January 7, 2028.
7. Motion to approve the mayoral appointment of Kelly Peterlin to the Willowick Recreation Board for a term expiring on January 7, 2028.
8. Motion to approve the mayoral appointment of Debbie Clarke to the Willowick Board of Zoning Appeals for a term expiring on January 7, 2028.
9. Motion to approve the mayoral appointment of Tom Flaisig to the Willowick Board of Zoning Appeals for a term expiring on January 7, 2028.

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 – Rob Daubenmire

Fire Chief – Bill Malovrh

Chief Housing/Zoning Inspector – Sean Brennan

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 – Bisbee, Mohorcic, Antosh

Safety – Phares, Malta, McFarland

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

Streets, Sidewalks & Sewers – Mohorcic, Malta, Bisbee

Tax Compliance – Koudela, Antosh, McFarland

Moral Claims – Antosh, Phares, Koudela

Budget – Mohorcic, Koudela, Bisbee

LIAISON REPORTS

Planning – Phares/Alternate Antosh

Board of Zoning Appeals – McFarland/Alternate Koudela

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

Recreation Board – Bisbee/Alternate Phares

Plan Review Board – Antosh

FUND TRANSFERS & BID AUTHORIZATIONS

CONTRACT APPROVALS

INTRODUCTION & CONSIDERATION OF LEGISLATION

10. Resolution 2025-1:

A Resolution authorizing the Mayor to enter into a Memorandum of Understanding by and between the Cities of Wickliffe, Willoughby and Willowick, and declaring an emergency.

11. Ordinance 2025-1:

An Ordinance providing for the submission of a Proposed Amendment to Article VII of the Charter of the City of Willowick, Ohio, titled Civil Service Commission (Section 7.3, Titled Classification of Service) to the Electors of the City, and declaring an emergency.

12. Ordinance No. 2024-58 (Amended):

An Ordinance amending Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled "Streets, Utilities and Public Services Code;" specifically, Section 921.08, titled "Sanitary Sewer Rental Rates," to provide a use charge rate based upon \$10.5285 per 100 cubic feet of water, establish a minimum quarterly billing for such use charge rate of \$84.23 per 800 cubic feet of water, or part thereof.

First Reading 12/3, Second Reading 12/7, Item is on Third Reading.

13. Ordinance No. 2024-66:

An Ordinance amending Chapter 1167 of the Codified Ordinances of the City of Willowick, Ohio, titled "Air Conditioning Units," and declaring an emergency.

First Reading 12/17, Item is on Second Reading.

14. Ordinance No. 2024-67:

A Ordinance amending Chapter 1165 of the Codified Ordinances of the City of Willowick, Ohio, titled "Fences," and declaring an emergency.

First Reading 12/17, Item is on Second Reading.

MISCELLANEOUS

15. Motion authorizing \$25,000 for CT Consultants to perform 2025 Sanitary Sewer System Engineering Services including review of CCTV of various sewers, sewer system Inflow and Infiltration studies, neighborhood smoke testing, sewer modeling, basement flooding studies, rain event analysis and sewer system metering.
16. Motion authorizing CT Consultants to prepare specifications, details, plans and bid documents, advertise and obtain bids, for the Lakeshore Boulevard Trunk Sewer West Rehabilitation Project for a fee of \$56,800 in accordance with the Agreement for engineering services.
17. Motion authorizing CT Consultants to prepare specifications, details, plans and bid documents, advertise and obtain bids, for the Forestgrove Sewer Improvements Project Phase I Project for a fee of \$71,000 in accordance with the Agreement for engineering services.
18. Motion authorizing CT Consultants to prepare specifications, details, plans and bid documents, advertise and obtain bids, for the 2025 Catch Basin Repair and Replacement Program for a fee of \$10,000 in accordance with the Agreement for engineering services.
19. Motion to declare the items set forth on Exhibit "A" as surplus, obsolete, unneeded and unfit for public use and authorizing its sale or subsequent disposal.

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)

ADJOURNMENT



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, December 17, 2024 at 6:00 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

The meeting was called to order at approximately 6:00 p.m. by Council President Koudela.

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

All members in attendance.

APPROVAL OF MINUTES

1. Motion to approve the Minutes of the Regular Council Meeting of December 3, 2024.

MOTION: Ms. Antosh motioned to approve the minutes of the Regular Council Meeting of December 3, 2024. Mr. Malta second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Minutes approved.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

ADMINISTRATIVE APPEALS

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

Mayor Vanni says there was an email that came over late last month. Cheryl and her team received another clean audit and did a great job. Cheryl, Dawn, and Joe did a great job. The last year and a half it has been difficult because they have been shorthanded. He jokes it is fitting that they have a County Commissioner in the audience tonight. They received a little over \$125,000 for their Senior Center which was even more than last year. He assumes everyone saw the police chase on the news. Police did a great job. They caught two people that were on a massive crime spree throughout Lake County. It was done textbook and no one was hurt. Wickliffe and Willoughby helped as well. He feels that we are being known to not come into the City if you're going to break the law. He asked the Law Director to prepare legislation for Civil Service for the Ballot to get the Fire Chief out of Civil Service. It will come soon in order to be on the ballot in May. They continue to meet with Lake Metroparks and hope to announce something early next quarter or sooner. As you may know, Zeppes opened up. He is local and he met

with the gentleman who is very kind. He also owns one in Geneva on the Lake. Most of the employees have come from that one while the season out there is done. There is only one unit left. Last weekend they had to reschedule Winter Wonderland and it'll take place this Saturday with much better weather. It's been a busy year. Merry Christmas and Happy Holidays.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Service Director – Todd Shannon

Service Director Todd Shannon submitted his report electronically. Started back on leaf cleanup today. Residents put up a lot of stuff that is not a City responsibility but they are still picking it up.

Ms. Koudela says Fire Department and lights look great.

Recreation Director – Julie Kless

Recreation Director Julie Kless was ill but sent someone from the department to remind everyone about Winter Wonderland on Saturday from 1-5.

City Engineer – Tim McLaughlin

City Engineer Tim McLaughlin has an update on one of the projects, E 305 Sewer Rehabilitation project. They are still on task to be completed mid-March.

Finance Director – Cheryl Benedict

Finance Director Cheryl Benedict has no formal report. There are several items on the agenda, she is happy to answer any questions.

Law Director – Stephanie Landgraf

Law Director Stephanie Landgraf no report, but open for questions.

Police Chief – Rob Daubenmire

Police Chief Rob Daubenmire has no formal report, but open for questions.

Fire Chief – Bill Malovrh

Fire Chief Bill Malovrh no report, but open for questions. They have a lot on the agenda regarding Fire Department.

Mr. Malta has two things. One, he believes the fire department was on call for the Cardinal Sports Bar fire. He is close with the owners. It's too early to know what happened. If it was faulty wiring upstairs, how do you find that out?

Chief Malovrh says they will bring in electrical experts and recreate the scene if they can. The biggest thing is to rule out arson and then see how deep the insurance company wants to go on finding out the cause.

Mr. Malta says he appreciates him coming to the Christmas Concert yesterday.

Chief Housing/Zoning Inspector – Sean Brennan

Chief Housing/Zoning Inspector Sean Brennan has no formal report, but open for questions.

WARD MATTERS

Ms. Antosh asks who we tell people to call regarding parking at Starbucks? Residents are calling. There are possible accidents.

Law Director says the property owner.

Mr. Brennan has the contact. FYI, himself and the Mayor have met with management over there for a few things... left turn going out onto Lakeshore Blvd. They just submitted a plan for that. Also, maybe putting up extra signs over at Shoregate and parking lot paving. Maybe posting some signage. He will give Ms. Antosh the phone number.

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)

Commissioner Regovich comes to address Council. He wants to come say thank you for everything you do. He comments on the job that everyone in the City is doing. He says Merry Christmas and Happy New Year.

No additional public speakers.

REPORTS OF STANDING COMMITTEES

Finance – Bisbee, Mohorcic, Antosh

Safety – Phares, Malta, McFarland

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

Streets, Sidewalks & Sewers – Mohorcic, Malta Bisbee

Tax Compliance – Koudela, Antosh, McFarland

Moral Claims – Antosh, Phares, Koudela

Ms. Antosh reports on tonight's Moral Claims Committee meeting. There is a resident asking for a credit on her sewer bill. Her spigot was leaking and she was collecting the water and putting it on her lawn. Her children saw her 4 months of bills. The committee voted on giving her 75% credit. They need Council to vote to see if they approve that amount.

MOTION: Ms. Antosh motions to approve the credit. Mr. Phares second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Budget – Mohorcic, Koudela, Bisbee

LIAISON REPORTS

Planning – Phares/Alternate Antosh

Board of Zoning Appeals – McFarland/Alternate Koudela

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

Recreation Board – Bisbee/Alternate Phares

Plan Review Board – Antosh

FUND TRANSFERS & BID AUTHORIZATIONS**CONTRACT APPROVALS****INTRODUCTION & CONSIDERATION OF LEGISLATION**

2. Ordinance 2024-54:

An Ordinance establishing the Compensation of the Position of Full-Time Captain in the Division of Fire, and declaring an emergency.

First Reading 11/19, Second Reading 12/3, Item is on Third Reading.

MOTION: Mr. Malta motions to approve. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

3. Ordinance No. 2024-55:

An Ordinance amending Chapter 141 of the Codified Ordinances of the City of Willowick, Ohio, titled "Division of Fire;" specifically, Section 141.01 titled "Composition; Rank".

First Reading 11/19, Second Reading 12/3, Item is on Third Reading.

Ms. Koudela acknowledges a typo on the agenda. The legislation is correct and the Clerk will make the correction on the agenda.

MOTION: Ms. Antosh motions to approve. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

4. Ordinance No. 2024-56 (Amended):

An Ordinance enacting and establishing Section 141.09 of the Codified Ordinances of the City of Willowick to be captioned "Full-Time Captain" in the Division of Fire, and declaring an emergency.

First Reading 11/19, Second Reading 12/3, Item is on Third Reading.

Mayor Vanni wants to get information out on the amended part. He passes an item around. It explains what they had to add to the legislation.

Ms. Benedict says they calculated the amount of hours and Full Time Fire Captains will be working more than the previous calculation. It comes up to 4.4 holidays (24 hour) and they rounded it up to 5 and then did the same for personal. It will be 36 hours.

Mayor Vanni says the thought was that they work 24 and are off 48. Other full time employees are not working as many hours and this seemed like the fairest way to do it. They also compared to other departments.

No questions.

MOTION: Ms. Antosh motions to approve. Mr. Mohorcic second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

5. Ordinance No. 2024-58 (Amended):

An Ordinance amending Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled "Streets, Utilities and Public Services Code;" specifically, Section 921.08, titled "Sanitary Sewer Rental Rates," to provide a use charge rate based upon \$10.5285 per 100 cubic feet of water, establish a minimum quarterly billing for such use charge rate of \$84.23 per 800 cubic feet of water, or part thereof.

First Reading 12/3, Item is on Second Reading.

6. Ordinance No. 2024-59:

An Ordinance amending Chapter 121 of the Codified Ordinances of the City of Willowick, Ohio, titled "Council;" specifically, Section 121.01 titled "Meetings," and declaring an emergency.

First Reading 12/3, Item is on Second Reading.

MOTION: Ms. Antosh motions to suspend the rule requiring three readings. Mr. Malta second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Mr. Malta motions to approve. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

7. Resolution No. 2024-61:

A Resolution to approve authorizations (Then and Now Certificate) to Comfort Control Systems in the amount of \$3,178.00 for the City of Willowick, and declaring an emergency.

MOTION: Ms. Antosh motions to suspend the rule requiring three readings. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Ms. Antosh motions to approve. Mr. Phares second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

8. Resolution No. 2024-62:

A Resolution requesting the County Auditor to make Advance Payments of taxes pursuant to Ohio Revised Code Section 321.34, and declaring an emergency.

MOTION: Ms. Antosh motions to suspend the rule requiring three readings. Ms. Bisbee second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Ms. Antosh motions to approve. Mr. Phares second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

9. Resolution No. 2024-63:

A Resolution authorizing the Transfer and Partial Return of Advanced Funds from the Community Development Block Grant Fund to the General Fund, and declaring an emergency.

MOTION: Ms. Antosh motions to suspend the rule requiring three readings. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Ms. Antosh motions to approve. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

10. Ordinance No. 2024 - 61:

An Ordinance establishing the Lakeshore Blvd. Sewer Improvement Fund, Under Fund Number 434, and declaring an emergency.

MOTION: Ms. Antosh motions to suspend the rule requiring three readings. Mr. Mohorcic second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Mr. Mohorcic motions to approve. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

11. Ordinance No. 2024 - 62:

An Ordinance establishing the Forestgrove Sewer Improvement Fund, under Fund Number 435, and declaring an emergency.

MOTION: Mr. Malta motions to suspend the rule requiring three readings. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Ms. Antosh motions to approve. Mr. Phares second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

12. Ordinance No. 2024- 63:

An Ordinance authorizing the approval of the Collective Bargaining Agreement between the City of Willowick and the Fraternal Order of Police, Lodge No. 116 (Sergeants and Above), and declaring an emergency.

MOTION: Mr. Malta motions to suspend the rule requiring three readings. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Mr. McFarland motions to approve. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

13. Ordinance No: 2024-64:

An Ordinance amending Ordinance 2024-13 to provide for additional appropriations from the General Fund (101); Sewer Revenue Fund (205); Fire Emergency Rescue Fund (208); Senior Citizens Center Fund (220); Local Fiscal Recovery/ARPA Grant Fund (228); Law Enforcement Continuing Training Fund (232); E. 305th Sewer Improvement Fund (433); for current expenses and other expenditures of the City of Willowick, State of Ohio, during the Calendar year ending December 31, 2024, and declaring an emergency.

MOTION: Ms. Antosh motions to suspend the rule requiring three readings. Mr. Malta second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Ms. Antosh motions to approve. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

14. Ordinance No 2024-65:

An Ordinance to make appropriations for the current expenses and other expenditures of the City of Willowick, State of Ohio, during the first quarter ending March 31, 2025.

MOTION: Mr. Mohorcic motions to suspend the rule requiring three readings. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

MOTION: Mr. Mohorcic motions to approve. Mr. Malta second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion passed. Legislation approved.

15. Ordinance No. 2024-66:

An Ordinance amending Chapter 1167 of the Codified Ordinances of the City of Willowick, Ohio, titled "Air Conditioning Units," and declaring an emergency.

This item was placed on First Reading.

Discussion:

Mr. Phares things the double fencing does more harm than good. The purpose of looking at the Ordinances was to look at ones that were causing residents to come to BZA regularly. There are less now. Another reason, is there is an option to get a survey or signatures from neighbors. If you get your neighbor's signature but he moves in 6 months, it can cause a rift. What this might do is take responsibility away from BZA and put it on Zoning. He feels leaving it prohibited is the best option.

Ms. Koudela agrees with the double fencing. Specifically, it says not more than 6 inches. How will you maintain that? It might be more of an issue than helping. She doesn't think double fencing is heard by BZA often.

Mr. Mohorcic echoes Mr. Phares's concerns as well.

Ms. Koudela says that's why it is on first reading only. So they can continue to discuss it. Reach out to Sean as well with questions and concerns.

Mr. Mohorcic says this is coming through Planning?

Law Director says this is an amendment to all of 165?? Should they be split?

16. Ordinance No. 2024-67:

A Ordinance amending Chapter 1165 of the Codified Ordinances of the City of Willowick, Ohio, titled "Fences," and declaring an emergency.

This item was placed on First Reading.

MISCELLANEOUS

17. Motion to correct a clerical error and renumber Ordinance 2024-56 passed on 12/3/24 to Ordinance Number 2024-60.

MOTION: Ms. Antosh motioned to approve. Mr. Malta second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

18. Motion authorizing the expenditure to Willoughby Eastlake School District for the 1st and 2nd half CY24 PILOT reimbursements in the amount of \$205,871.11.

MOTION: Ms. Antosh motioned to approve. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

19. Motion authorizing a payment to Fire Manufacturing Innovations for tools and equipment in the amount of \$33,263.62 on behalf of the Willowick Fire Department.

MOTION: Mr. Malta motioned to approve. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

20. Motion authorizing the Mayor to sign and accept a quote from Cargill for liquid brine on behalf of the City of Willowick.

Ms. Antosh asks how long this typically lasts? Was advised it lasts for a very long time and they store it.

MOTION: Ms. Antosh motioned to approve. Mr. McFarland second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

21. Motion authorizing an expenditure to Wichert Insurance in the amount of \$160,744 for the 2025 General Liability and Property Insurance Program.

Finance Director Benedict says they changed the deductible and it saved quite a bit on the premium. They would have to have several vehicles involved in a crash before it made sense to do it the other way.

MOTION: Ms. Antosh motioned to approve. Mr. Mohorcic second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

22. Motion to approve the purchase of radios for the Fire Department from Motorola Solutions in the amount of \$109,637.06 in accordance with the Letter of Intent.

MOTION: Mr. McFarland motioned to approve. Mr. Malta second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

23. Motion to approve the business operation of CLE Electric, LLC at 31222 Vine Street.

Mr. Mohorcic asks if this is what is going into the hardware store?

MOTION: Mr. McFarland motioned to approve. Ms. Antosh second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Motion carried. Motion approved.

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)*

Phil Deitering, 469 Bayride, addresses Council. Who initiated the tearing up of Lakeshore Blvd, what’s the purpose?

Ms. Koudela says it is the water department replacing the water line. They have been doing it in sections.

Mr. Shannon says it does not involve the City.

No one else wishes to speak.

Mr. Malta speaks to say he has raffle tickets for Hearts and Hammers. He always has them at the meeting or can call any time.

ADJOURNMENT

Ms. Koudela calls for a Motion to Adjourn the Meeting.

MOTION: Ms. Antosh motions to Adjourn. Mr. Phares second.

ROLL CALL: Mr. Mohorcic, yea. Ms. Bisbee, yea. Mr. Phares, yea. Mr. Malta, yea. Mr. McFarland, yea. Ms. Koudela, yea. Ms. Antosh, yea.

Meeting adjourned at 6:36 p.m.

Clerk of Council

Council President

Date

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
THE CITY OF WILLOUGHBY,
CITY OF WICKLIFFE,
AND
CITY OF WILLOWICK**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into this _____ day of _____ 20____, by and between the City of Willoughby, City of Wickliffe, and City of Willowick, municipal corporations organized and existing under the laws of the State of Ohio (collectively the “Parties”).

WHEREAS, the Parties to this MOU adjoin each other within Lake County, Ohio; and

WHEREAS, Euclid Avenue (US 20) runs through and is a critical roadway for each of the Parties. The roadway needs improvement and the Parties desire to cooperate in the Euclid Avenue Resurfacing PID 122310; LAK US-20-0.00 through the Ohio Department of Transportation (“ODOT”) Paving Program (“Improvement and/or Project”) with available funding by the Northeast Ohio Areawide Coordinating Agency’s (“NOACA’s”) Transportation Improvement Plan (“TIP”), and by the Federal Highway Administration’s (“FHWA’s”) Highway Infrastructure Program (“HIP”) / Community Project Funding (“CPF”); and

WHEREAS, the Parties understand that engineering services are a crucial early step in planning and in ultimately implementing the Project. As such, the Parties desire that the City of Wickliffe will solicit bids for said engineering services, via traditional public bidding or through a Quality Based Selection process, and will obtain any Requests for Proposals required for the entire Project; and

RESOLUTION NO. 2025-1

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITIES OF WICKLIFFE, WILLOUGHBY AND WILLOWICK, AND DECLARING AN EMERGENCY.

WHEREAS, the Cities of Willowick, Wickliffe and Willoughby are adjoining municipal corporations within Lake County, Ohio; and

WHEREAS, the Cities of Willowick, Wickliffe, and Willoughby agree that it is beneficial to each municipality to work collaboratively through the Ohio Department of Transportation and the Northeast Ohio Areawide Coordinating Agency’s Transportation Improvement Plan and the Federal Highway Infrastructure Improvement Plan/Community Project Funding in the resurfacing of Euclid Ave., which runs through each of the municipalities; and

WHEREAS, the parties agree to share proportionally in their respective share of the total costs in accordance with the terms of the ODOT apportionment of construction costs.

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

Section 1. That the Mayor is authorized, on behalf of the City of Willowick, to enter into a Memorandum of Understanding between the City of Willowick, City of Wickliffe and City of Willoughby, in a form substantially similar to the document annexed hereto as Exhibit A.

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

Section 3. This Resolution constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and further provides for the usual and necessary operating of the City of Willowick Engineering Department; wherefore, this Resolution shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.

PASSED: _____, 2025

Monica Koudela, President of Council

Submitted to the Mayor for approval on _____, 2025

Approved by the Mayor on _____, 2025

ATTEST:

Clerk of Council

Michael J. Vanni, Mayor

ORDINANCE NO. 2025-1

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO ARTICLE VII OF THE CHARTER OF THE CITY OF WILLOWICK, OHIO, TITLED CIVIL SERVICE COMMISSION (SECTION 7.3, TITLED CLASSIFICATION OF SERVICE) TO THE ELECTORS OF THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the Charter of the City of Willowick and the Constitution of the State of Ohio, the Council has determined to authorize and direct the submission of a proposed Charter Amendment to the electors of the City, as set forth hereinafter, at an election to be held on Tuesday, May 6, 2025 which election is not less than sixty (60) nor more than one hundred twenty (120) days from the date of passage of this Ordinance.

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

SECTION 1. That the Council hereby authorizes and directs that the following proposal to amend Article VII, Section 7.3, of the Charter of the City of Willowick, Ohio, be submitted to the electors of the City on Tuesday, May 6, 2025:

**ARTICLE VII
CIVIL SERVICE COMMISSION**

Section 7.3 CLASSIFICATION OF SERVICE.

The civil service of the Municipality is hereby divided into unclassified and classified service. The unclassified service shall include:

- (a) All officers elected by the people;
- (b) Any member of a board or commission or any head of a department, sub-department or division thereof, other than the police ~~and fire~~ departments;
- (c) One secretary to the Mayor and one secretary to each head, superintendent and foreperson of any department, sub-department or division, or his or her assistants;
- (d) Any deputy of an elected or appointed officer who holds a fiduciary relationship to his or her principal;
- (e) Any office or position requiring peculiar or exceptional qualifications; (0 Plumbing, heating, building, electrical, health and sanitary or sewer inspectors;
- (g) Provision employees whose employment without extension by the Commission shall not exceed one hundred twenty (120) days;
- (h) Unskilled labor.

The classified service shall include:

- (a) Members, including officers, of the police ~~and fire~~ departments;
- (b) ~~Members, including officers but excluding the Chief, of the fire department;~~

~~(b)~~(c) Employees of any utility operated by the Municipality requiring an operator's license except a chauffeur's license in the performance of their duties;

~~(e)~~(d) Except as herein provided the Civil Service Commission shall determine the practicability of classification and competitive examination for any nonelective office or job in the service of the Municipality. The Civil Service Commission may determine that no competitive exam is required for the initial appointment of a part-time firefighter. No part-time firefighter shall be eligible to take the full-time Civil Service test or be eligible for promotion in the part-time ranks unless a part-time firefighter has passed a competitive Civil Service exam and has been hired off of a Civil Service list as a part-time firefighter.

Any person in the classified service, who is serving the Municipality on the effective date of this Charter, may be retained in the same or similar position without examination.

SECTION 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

SECTION 3. That the Clerk of Council is hereby authorized and directed to cause a copy of said proposed Charter Amendment to be mailed at least thirty (30) days prior to said election, to each elector of this City whose name appears in the registration book of the last regular or general election held in the City; provided, however, that in lieu of such mailing and to the extent provided by law, the Clerk of Council is hereby authorized to cause a copy of the proposed Charter Amendment to be published in such manner as may be authorized by law.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That there is appropriated from the General Fund of the City, an amount sufficient to pay the cost of carrying out the directions of this Ordinance, including the cost of printing or otherwise preparing the mailing or publishing of a copy of said proposed Charter Amendment, and of publishing notice of such election.

SECTION 7. That the form of ballots to be cast at the election shall be as follows:

PROPOSED CHARTER AMENDMENT

(A majority affirmative vote is necessary for passage)

Shall Article VII, titled Civil Service Commission, (Section 7.3, Classification of Service) of the Charter of the City of Willowick, Ohio, be amended to exclude the Chief of the Fire Department as a member of the classified service of the City?

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in

meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willowick.

SECTION 9. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the community; and for the further reason that it is necessary to provide for the usual daily operations of the City and its municipal bodies; and provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall be in full force and take effect immediately upon its adoption by Council and approval by the Mayor; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

That this Ordinance shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

Adopted by Council: _____, 2025

Monica Koudela, President of Council

Approved by Mayor: _____, 2025

Attest:

Michael J. Vanni, Mayor

Clerk of Council

(Amended)
ORDINANCE NO. 2024-58

AN ORDINANCE AMENDING CHAPTER 921 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “STREETS, UTILITIES AND PUBLIC SERVICES CODE;” SPECIFICALLY, SECTION 921.08, TITLED “SANITARY SEWER RENTAL RATES,” TO PROVIDE A USE CHARGE RATE BASED UPON \$10.5285 PER 100 CUBIC FEET OF WATER, ESTABLISH A MINIMUM QUARTERLY BILLING FOR SUCH USE CHARGE RATE OF \$84.23 PER 800 CUBIC FEET OF WATER, OR PART THEREOF.

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

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

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

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

921.08 SANITARY SEWER RENTAL RATES.

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

(b)(1) Commencing **November 21, 2024** ~~with the first quarterly bill rendered after the effective date of this section,~~ every person, firm or corporation whose lots, lands or premises are served by a connection with the sanitary sewerage system of the City shall pay for discharging sewage, industrial wastes, waste or other liquids either directly or indirectly into the sanitary sewerage system, a sewer rental charge based upon the quantity of metered water used in or upon such lots, lands, or premises and such charge shall be determined as follows: Each 100 cubic feet of water, or part thereof, measured through any one water meter, at the use charge rate of ~~Nine Dollars and .8397 cents (\$9.8397)~~ **Ten Dollars and .5285 Cents (\$10.5285)** and the minimum quarterly billing for such use charge rate shall be ~~Seventy Eight Dollars and .72 cents (\$78.72)~~ **Eighty-Four Dollars and .23 Cents (\$84.23)** per 800 cubic feet of water, or part thereof per quarter.

Each person qualifying for and enrolled in the Lake County Department of Utilities Water Discount Program shall additionally receive a thirty percent (30%) discount on sewer consumption, up to a maximum of Twenty-Five Dollars and .27 cents (\$25.27) per quarterly billing cycle; such discount shall be implemented as soon as practicable by the Lake County Department of Utilities, subject to its billing operation updates.

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

* * *

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

Section 3. All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

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

Adopted by Council: _____, 2024

Monica Koudela, Council President

Submitted to the Mayor: _____, 2024

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2024

ATTEST: _____
Clerk of Council

ORDINANCE NO. 2024-66

AN ORDINANCE AMENDING CHAPTER 1167 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “AIR CONDITIONING UNITS,” AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Willowick has reviewed, heard and recommended certain amendments to the Codified Ordinances of the City of Willowick, in the best interests of the residents of the City of Willowick.

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

Section 1. Chapter 1167 of the Codified Ordinances of the City of Willowick, Ohio, titled “Air Conditioning Units,” is hereby amended to read and provide as follows:

CHAPTER 1167

~~Air Conditioning~~, External Household or Commercial Units

1167.01 DEFINED; PERMITS; LOCATION; INSPECTION.

(a) As used in this chapter, “**External Household or Commercial Unit**” or “**Unit**” means any **air conditioning unit**, appliance, instrument, device, apparatus or equipment or component thereof, used for washing, humidifying, dehumidifying or controlling the temperature of air **or electricity** in a residence or other ~~accessory~~ building and which is designed for installation in an outdoor location detached from the building which it serves, **including generators, heat pumps, and any similar appliance, machine or equipment located on the outside of a primary structure.**

(b) No ~~air conditioning~~ **Unit** shall be installed in an outdoor location in a Single Family or Multi Family, **or Business** District without first obtaining a permit therefor from the Chief Building Inspector. Applications for such permits shall be in writing, shall specify the brand name, model, dimensions and cooling capacity of the ~~air conditioning~~ **Unit**, and shall be accompanied by a drawing showing the proposed location of the **Unit**. If the proposed installation complies in all respects with this chapter and all other applicable ordinances, rules and regulations of the City, and upon payment of a fee, the Chief Building Inspector shall issue a permit therefor.

(c) In a Single Family or Multi Family District no ~~air conditioning~~ **Unit** shall be installed, placed or set (i) within a side or front yard; (ii) determination of the number of feet within any side or rear lot line will be at the discretion of the Board of Zoning Appeals; (iii) within fifteen feet of any residence other than the one being served by such air conditioning unit.

(d) Every ~~air conditioning~~ **Unit** installed in an outdoor location shall be placed upon a level, one-piece slab of concrete or similar material of such strength and thickness as to prevent breakage due to freezing or other causes.

(e) The Board of Zoning Appeals or Council may, as a condition of granting a variance from the provisions of this chapter as to location of an ~~air-conditioning~~ **Unit**, require that landscaping or other sound-deadening material be installed in connection with the installation of an ~~air-conditioning~~ **Unit** in order to prevent the sound from such ~~air-conditioning~~ **Unit** from being annoying, disturbing or injurious to the comfort, repose, peace, health or safety of nearby residents.

(f) No ~~air-conditioning~~ **Unit** shall be placed in operation until the Chief Building Inspector has inspected the same and determined that the installation and location thereof are in compliance with this chapter and all other applicable ordinances, rules and regulations of the City.

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

Section 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and the operation of its building department; wherefore, this Ordinance shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2024

Monica Koudela, Council President

Submitted to the Mayor: _____, 2024

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2024

ATTEST: _____
Clerk of Council

ORDINANCE NO. 2024-67**AN ORDINANCE AMENDING CHAPTER 1165 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “FENCES;” AND DECLARING AN EMERGENCY.**

WHEREAS, the Planning Commission of the City of Willowick has reviewed, heard and recommended certain amendments to the Codified Ordinances of the City of Willowick, in the best interests of the residents of the City of Willowick.

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

Section 1. Chapter 1165 of the Codified Ordinances of the City of Willowick, Ohio, titled, “Fences” is hereby amended to read and provide as follows:

**CHAPTER 1165
Fences**

1165.01 TITLE.

This chapter may be known as the “Fence Ordinance” of the City, and any reference to the “Fence Ordinance” of the City in any action taken by Council or any board, commission or office of the City shall be deemed to constitute a reference to this chapter unless the context otherwise indicates.

1165.02 PERMIT REQUIRED.

(a) No fence shall be constructed in any Single Family, Multi Family, Mixed Use, Apartment, Retail and Industrial District, unless approved by the Chief Building Inspector pursuant to the application procedure set forth in Section 1165.03.

(b) No fence shall hereafter be erected, altered, relocated or reconstructed in a Single Family or Multi Family District unless information is first presented to the Chief Building Inspector showing the location, dimensions, materials and the manner of construction of the fence, and the Chief Building Inspector has issued a permit for the same. No person shall commence any such work unless a permit has first been obtained.

(c) No fence permit shall be granted if, in the opinion of the Chief Building Inspector the construction, alteration, relocation or reconstruction of the proposed fence will constitute a nuisance, fire hazard, public safety hazard or traffic hazard, impair the light or movement of air in a manner tending to cause an unhealthy condition or adversely affect the reasonable use of neighboring properties.

(d) A fee shall be charged for each fence permit issued as provided in Section 1337.01(a)(7).

1165.03 HEIGHT LIMITATIONS.

(a) No fence in any Single Family, Multi Family, Mixed Use, Apartment, Retail and Industrial District shall exceed six feet in height above the existing grade line with an allowable deviance of no more than three inches to allow for clearance and/or uneven terrain.

(b) In the event that an appeal is taken to the Board of Zoning Appeals based upon a denial for failure to comply with the requirements of subsection (a) hereof, notice of such appeal shall be forwarded by the applicant to all owners of the properties abutting the rear and side yards of the property, or their written consent to the construction of such fence shall be submitted to the Board of Zoning Appeals. Notice shall be deemed provided upon mailing. It shall be the responsibility of the applicant to supply the Board of Zoning Appeals with evidence sufficient to establish the identity of the owners of the abutting property and proof of the notice called for herein.

1165.04 BARBED WIRE, ELECTRIC AND STOCKADE FENCES.

(a) No electrically charged fence shall be constructed in the City.

(b) No barbed wire shall be used on any fence, and chain-link or mesh wire fences shall be constructed without barbs and/or unfinished and sharp edges at either the top or the bottom of the fence.

~~—(c) Solid type fences shall be prohibited with the exception of any style fence with a minimum of a one-quarter inch opening between picket panels.~~

1165.05 DOUBLE FENCING.

~~—No more than one fence shall be permitted to be constructed on a property line.~~

Double fencing shall be permitted, subject to compliance with the provisions of this Chapter. However, in no event shall a fence be located more than six inches (6”) from an existing fence along the same property line.

Each property owner shall be responsible for maintaining all landscaping and vegetation on their individual property between fencing or other boundary markers.

1165.06 CONSTRUCTION OF JOINT FENCES BY ADJOINING LANDOWNERS.

(a) Abutting property owners may agree to construct a joint fence on the property line.

(b) For purposes of this Zoning Code and other provisions of these Codified Ordinances, each abutting property owner shall be responsible for constructing and maintaining such fence in compliance with this Zoning Code as aforesaid and each such owner shall be subject to the penalties for noncompliance therewith.

1165.07 FENCES IN FRONT YARDS, SIDE YARDS AND ON CORNER LOTS; PROXIMITY TO SIDEWALKS.

(a) No fence shall be allowed in a front yard, except an ornamental fence in the Single Family, Multi Family, Mixed Use, Apartment, Retail and Industrial Districts. “Ornamental fence” means a continuous structure or device intended primarily for ornamentation and not for enclosing an area, to be no more than three and one-half feet in height, running from front corner to front corner of the house, consisting of a post or posts interconnected by a top rail and one center rail and connected between the top rails and center rails with all types of material so as to emit air through eighty percent of the area of the fence, and which is situated in its entirety within twelve feet of the front line of a building or the ground level projection thereof, and between lines constituting the forward extension of lines of the sidewalk/foundations of such building, or at the corners

of a lot, so long as it does not exceed in length and width twenty-five percent of the frontal length of the lawn area and side length to the residence, respectively, and tapering from the corner to a height of one foot or less at its end. No ornamental fence shall be permitted at any other location in a front yard.

(b) No fence in the Single Family, Multi Family, Mixed Use, Apartment, Retail and Industrial Districts shall be permitted in a side yard, except that a fence shall be permitted in a side yard, which extends no further than the rear house or main building line or abuts a side entranceway door. Such a fence shall not extend toward the front line of the house or building more than two feet beyond the side entranceway door.

(c) Main buildings and houses situated on corner lots shall be bound by the same restrictions contained herein. Additionally, on corner lots, a fence may extend no more than four feet from the side of the main building or house and may not exceed four feet in height.

(d) In no circumstances shall any fence be permitted closer than four feet to a public sidewalk, except a corner front yard “ornamental” fence, which shall be no closer than one foot to a public sidewalk.

1165.08 SWIMMING POOL FENCE PERMITS.

Notwithstanding the provisions of this chapter with respect to height and location of fences, in order to protect the safety of the inhabitants of the City, the Chief Building Inspector may issue permits for the construction of fences to enclose swimming pools having height and location other than herein prescribed, upon the prior approval thereof by the Chief Building Inspector, which approval shall be granted if the Chief Building Inspector finds that such fence will meet the requirements of the ordinances of the City governing the construction and maintenance of fences enclosing swimming pools and will satisfy the requirements set forth in this section. Application for such permit shall be made in writing to the Chief Building Inspector and shall be accompanied by drawings showing the location, character and extent of such fence. The Chief Building Inspector may require additional data from the applicant reasonably related to the factors it must consider in acting upon such application.

1165.09 APPEALS FOR DENIAL OF FENCE PERMIT.

(a) Any person who is denied a permit for the construction of a fence in the City may appeal to the Board of Zoning Appeals. The appellant will pay the scheduled fee to the City with a written application on the forms provided by the Board of Zoning Appeals, at which time the Secretary of the Board of Zoning Appeals will place the appellant's request on the Board's agenda for the next available meeting date.

(b) If the Board shall find that such proposed fence is substantially in accordance with the requirements described in this chapter, notwithstanding insubstantial variances therefrom, and shall determine that the construction, alteration, relocation or reconstruction of the proposed fence will not constitute a nuisance, fire hazard, public safety hazard or traffic hazard, and further will not impair the light or movement of air in a manner tending to cause an unhealthy condition, or will not adversely affect the reasonable use of neighboring properties, the Board may recommend the granting of such permit and shall refer the matter to Council.

(c) Upon consideration of such matter and the standards set forth in this chapter, Council may order the granting of such permit by the affirmative vote of not less than a majority of its members, whereupon the Chief Building Inspector shall issue a permit in accordance with such order. In considering such appeal and such recommendation, the Board and Council may require additional data from the applicant reasonably related to the factors to be considered in taking action thereon.

1165.10 COMPLIANCE.

(a) In the event that a fence has already been constructed without a permit, or an appeal has been denied and a fence has already been constructed in violation of this chapter, the owner of the property on which the fence is located shall be notified in writing that he is in violation of this Zoning Code before the penalty set forth in Section 1131.99 will be applied.

~~—(b) It shall be the duty of each property owner to determine the property lines and to ascertain that the fence constructed does not encroach upon another lot or parcel of land. The City shall furnish such inspection as is deemed necessary to determine that the fence is constructed in accordance with plans submitted for the permit as outlined in Section 1165.02. However, the issuance of the permit by the City shall not be construed to mean that the City has determined that the fence is not encroaching upon another lot, nor shall it relieve the property owner of the duty imposed upon him or her herein. No permit shall be issued for the construction of a fence without the Applicant providing one of the following at the time of application: (1) a site plan showing the Applicant's property lines drawn by a licensed land surveyor registered in the State of Ohio, or (2) the written consent (printed name, property address, signature and date) from all property owners adjoining the proposed fence line.~~

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 in that it provides for the orderly and efficient operation of the City building department, and therefore shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

Adopted by Council: _____, 2024

Council President

Submitted to the Mayor: _____, 2024

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2024.

ATTEST: _____
Clerk of Council

“Exhibit A”:

For the next Willowick City Council meeting, please place the following items on the agenda to be declared as surplus for the purpose of destruction.

Motion to declare Samsung Galaxy S9 cell phone Serial # 353302094030981 as Surplus, Obsolete, Unneeded and Unfit for Public Use and Authorizing its Disposal.

Motion to declare Samsung Galaxy S9 cell phone Serial # 353302094118398 as Surplus, Obsolete, Unneeded and Unfit for Public Use and Authorizing its Disposal.

Motion to declare Samsung Galaxy S9 cell phone Serial # 353302094076596 as Surplus, Obsolete, Unneeded and Unfit for Public Use and Authorizing its Disposal.

Motion to declare Samsung Galaxy S9 cell phone Serial # 353302094019646 as Surplus, Obsolete, Unneeded and Unfit for Public Use and Authorizing its Disposal.