



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, September 07, 2021 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(AMENDED)

CALL MEETING TO ORDER

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

APPROVAL OF MINUTES

- [1.](#) Motion to approve the minutes of the Regular City Council Meeting of August 3rd, 2021.
- [2.](#) Motion to approve the minutes of the Special Meeting of Council of August 11th, 2021.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

3. Oath of Office for Cody Bendlock as Firefighter of the Willowick Fire Department administered by Mayor Regovich.
4. Oath of Office for Connor Kaucic as Firefighter of the Willowick Fire Department administered by Mayor Regovich.
5. Oath of Office for Anthony Kukwa as Firefighter of the Willowick Fire Department administered by Mayor Regovich.
6. Oath of Office for Timothy Zdesar as Firefighter of the Willowick Fire Department administered by Mayor Regovich.

ADMINISTRATIVE APPEALS

- [7.](#) Appeal Order No. 2021-25 Finish Line Car Wash

An Order granting a variance and exception of 8 ft. to allow a ground sign already installed to remain 2' from the sidewalk in the application of section 1349.08(d)(4) of the Codified Ordinances in Board of Zoning Appeals.

Tabled 8-3-21

- [8.](#) Administrative Appeal Order No. 2021-26 DeRosa

An Order granting a variance and exception to front yard parking to install a new driveway in the front yard in the application of Section 1163.105(a) of the Codified Ordinances in Board of Zoning Appeals.

9. Administrative Appeal Order No. 2021-27 Bogenrief 2nd #1

An Order granting a variance and exception to allow a second accessory building in the application of Section 1163.105(g) of the Codified Ordinances in Board of Zoning Appeals.

10. Administrative Appeal Order No. 2021-28 Bogenreif 2nd #2

An Order granting a variance and exception to allow a second accessory building in the application 1171.02(g) of the Codified Ordinances in Board of Zoning Appeals.

11. Administrative Appeal Order No. 2021-29 Bogenrief 2nd #3

An Order granting a variance and exception to allow 2 accessory buildings on a lot with no habitable home in the application 1171.02(h) of the Codified Ordinances in Board of Zoning Appeals.

12. Administrative Appeal Order No. 2021-30 Drum

An Order granting a variance and exception of 2' for a pool that was installed 6' from the property line. in the application of Section 1339.13(d) of the Codified Ordinances in Board of Zoning Appeals.

13. Administrative Appeal Order No. 2021-31 Trost

An Order granting a variance and exception of 4' to place a tool shed at rear yard property line 6' from neighbor's garage in the application of Section 1171.02(e) of the Codified Ordinances in Board of Zoning Appeals.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Acting Service Director – Rich Regovich

Recreation Director – Julie Kless

City Engineer – Tim McLaughlin

Finance Director – Cheryl Benedict

Law Director – Stephanie Landgraf

Police Chief – Brian Turner

Fire Chief – Joe Tennyson

Chief Housing/Zoning Inspector – Sean Brennan

Economic Development Manager – Monica Drake

WARD MATTERS

PUBLIC PARTICIPATION

a) Public statement (1 minute maximum)

b) Council response to the public

c) Public clarification (30 seconds to 1 minute for the purpose of restating or rearticulating an original question, concern, suggestion or idea)

REPORTS OF STANDING COMMITTEES

Finance – Vanni, Bisbee, Koudela

Safety – Phares, Malta, Bisbee

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

Streets, Sidewalks & Sewers – Vanni, Malta, Antosh

Tax Compliance – Koudela, Antosh, Patton

Moral Claims – Antosh, Phares, Patton

Budget – Vanni, Koudela, Patton

LIAISON REPORTS

Planning – Phares/Alternate Koudela

Board of Zoning Appeals – Koudela/Alternate Vanni

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

Recreation Board – Bisbee/Alternate Phares

Plan Review Board – Antosh

Hearts & Hammers – Malta

FUND TRANSFERS & BID AUTHORIZATIONS**CONTRACT APPROVALS****ADJOURN TO EXECUTIVE SESSION**

14. To discuss the compensation and employment of a public employee.

RETURN TO THE TABLE FROM EXECUTIVE SESSION**INTRODUCTION & CONSIDERATION OF LEGISLATION**

15. Ordinance No. 2021-37 (Safety Committee)

An Ordinance enacting Codified Ordinance 505.121 titled “wild, dangerous, exotic, endangered or undomesticated animals.”

16. Ordinance No. 2021-38 (Safety Committee)

An Ordinance enacting Codified Ordinance 505.131 titled “harboring and/or keeping of farm animals.”

17. Ordinance No. 2021-39 (Safety Committee)

An Ordinance amending Chapter 1145 of the Codified Ordinances of the City of Willowick, Ohio, titled, “Retail District”; specifically, Section 1145.03, titled “uses.”

18. Ordinance No. 2021-40 (Finance Director)

An Ordinance designating depositories for all active, inactive and interim funds of the city for the period from August 2, 2021 and ending on August 1, 2026 and declaring an emergency.

19. Ordinance No. 2021- 41 (Finance Director)

An Ordinance confirming the Mayoral appointment of Todd Shannon to the position of Director of Public Service, providing for the compensation of the Director of Public Service, repealing certain Ordinances and declaring an emergency.

Oath of office delivered to Todd Shannon, Director of Public Service.

20. Ordinance No. 2021-42 (Finance Director)

An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

21. Ordinance No. 2021-43 (Law Director)

An Ordinance amending Ordinance No. 2021-3 providing for the compensation of appointed officials and certain other employees of the City, repealing certain Ordinances and declaring an emergency.

22. Resolution No. 2021-25 (Finance Director)

A Resolution accepting the rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring an emergency.

23. Resolution No. 2021-26 (Law Director)

A Resolution authorizing the Mayor to accept and execute a Community Reinvestment Area Agreement with Lucid Investments, Inc. DBA Cleveland Pizza, Co. and 31222 Vine, LLC, and declaring an emergency.

ADD-ON

24. Ordinance No. 2021-44 (Law Director)

An Ordinance amending Ordinance No. 2021-5 providing for the compensation of seasonal and part-time employees of the City of Willowick Recreation Department for year 2021, and declaring an emergency.

MISCELLANEOUS

25. Motion to declare a 2010 Crown Victoria, VIN 2FABP7BV6AX136504 and City Tag No. 1963, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
26. Motion to declare a 2008 Crown Victoria, VIN 2FAHP71V08X164658 and City Tag No. 1927, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
27. Motion to declare a 1993 International Ambulance, VIN 1HTSLPHM6PH473559 and City Tag No. 920-01, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
28. Motion to declare a Miller Curb Builder, Serial No. JL3386 and City Tag No. 1777, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
29. Motion to declare a Manitowoc Ice Maker, Serial No. 010521219 and City Tag No. 1316, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.

30. Motion to declare a Shark Pressure Washer, Serial No. H0106-115685 and Model No. HPB-4020A, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
31. Motion to declare a Vulcan Refrigerator/Freezer, Serial No. 82975 and Model No. QR44, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
32. Motion to declare a M3 Turbo Air Freezer, Serial No. M3F2LB3014 and Model No. M3F24-1, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
33. Motion to declare a Vulcan Super Scrub 2601 Floor Scrubber, Serial No. 5526010000351JI and Model No. 602813, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its disposal.
34. Motion to declare a Fang Floor Scrubber, Serial No. 201687, declaring it as surplus, obsolete, unneeded and unfit for public use and authorizing its 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, August 03, 2021 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 - 12)

The thirteenth 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 David Phares

ABSENT

Ward 3 Councilman Charles Malta

ALSO PRESENT

Mayor Regovich, Finance Director Benedict, Law Director Landgraf, Police Chief Turner, Chief Housing and Zoning Inspector Brennan and City Engineer McLaughlin. Recreation Director Kless, Fire Chief Tennyson and Economic Development Manager Drake were absent.

APPROVAL OF MINUTES

1. Motion made by Ms. Antosh, seconded by Ms. Bisbee to approve the minutes of the Regular City Council Meeting of July 6th, 2021.

Discussion: None.

Vote: Ayes: Antosh, Bisbee, Koudela, Vanni and Phares.

Abstain: Patton.

2. Motion made by Mr. Phares, seconded by Ms. Antosh to approve the minutes of the Special City Council Meeting of July 21st, 2021.

Discussion: None.

Vote: All ayes. Motion carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

3. Motion made by Ms. Antosh, seconded by Mr. Vanni to approve a Special Resolution honoring the Willowick Wildkats Swim Team for winning the 2021 Suburban Swim League (SSL) Championship.

Discussion: None.

Vote: All ayes. Motion carried.

ADMINISTRATIVE APPEALS

4. Administrative Appeal Order No. 2021-22 Pearsons LLC #1

An order granting a variance and exception to allow an additional ground sign in the application of section 1349.08(d)(4) of the Codified Ordinances in Board of Zoning Appeals.

Motion made by Mr. Phares, seconded by Ms. Antosh to grant Administrative Appeal Order No. 2021-22.

Discussion: None.

Vote: All ayes. Motion carried.

5. Administrative Appeals Order No. 2021-23 Pearsons #2

An order granting a variance and exception of 20' to install a ground sign 5' from the property line in the application of section 1349.08(d)(4) of the Codified Ordinances in Board of Zoning Appeals.

Motion made by Mr. Phares, seconded by Ms. Antosh to grant Administrative Appeal Order No. 2021-23.

Discussion: None.

Vote: All ayes. Motion carried.

6. Administrative Appeals Order No. 2021-24 Pearsons LLC #3

An order granting a variance and exception of 40 sq. ft. for additional signage in the application of section 1349.08(c)(2)(a) of the Codified Ordinances in Board of Zoning Appeals.

Motion made by Ms. Antosh, seconded by Mr. Vanni to grant Administrative Appeal Order No. 2021-24.

Discussion: None.

Vote: All ayes. Motion carried.

7. Administrative Appeal Order No. 2021-25 Finish Line Car Wash

An order granting a variance and exception of 8 ft. to allow a ground sign already installed to remain 2' from the sidewalk in the application of section 1349.08(d)(4) of the Codified Ordinances in Board of Zoning Appeals.

Council President Patton stated a request was made by the business to table Administrative Appeal Order No. 2021-25 until the next meeting so that they may obtain the ODNR report to present to Council.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to table Administrative Appeal Order No. 2021-25.

Discussion: None.

Vote: All ayes. Motion carried.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

Dudley and Manry pools will be closing for the season this month. Funding for the Special Improvement District (SID) project is almost ready to go. There were forty-one packets sent out to the shoreline residents and thirty are confirmed projects at this time. The program includes all of Lake County and Euclid along the shoreline. Another round of funding will be looked at in December of this year to be able to have projects start up next spring. The new buildings at Shoregate are close to completion.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

Mr. Phares inquired of the forty-one SID packets going out how many were in Willowick. Mayor Regovich stated there were two or three ready to go.

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Acting Service Director – Rich Regovich

The air conditioning has been installed at Dudley. The road crew has been repairing several catch basins in the City. Also a drainage system will be put into place near the swingset at Dudley park.

Recreation Director – Julie Kless

Absent.

City Engineer – Tim McLaughlin

No written report. HB 168 is a sewer and water infrastructure bill that passed in the Ohio House of Representatives and the Senate allowing 250 million dollars for the whole State. This is separate from the local funds and money will be awarded based on the number of applications and points received. The Road Program will be starting in the next month with box-outs on Willowick Dr. and will be moving east to west. Smoke testing will begin next week in the areas of Forestgrove, Barjode, Oakdale and Vineyard.

Finance Director – Cheryl Benedict

No written report.

Law Director – Stephanie Landgraf

No written report. Resolution 2021-22 is allowing the property owner to obtain a permit to build a shore structure out into the water and the City having no objection. The Ohio Attorney General and Ohio Governor's office have stated that the Opioid Class Action Lawsuit is getting close to a settlement. In order for the City to participate a Special Meeting of Council will need to be held next week to discuss the proposal. The deadline to accept is August 13, 2021.

Discussion: Mr. Vanni inquired if Resolution 2021-22 is referring to the parcel of land where the owner wants to put a break wall up. Mr. Brennan confirmed this. Ms. Landgraf stated that this needs to be done because the structure is submerged and ODNR will not issue the permit unless the City says that they are not going to build out into the water.

Mr. Phares inquired if the City has knowledge of what the owner has planned. Ms. Landgraf stated

there has been a proposal done by a separate engineering company that the City can see however she is unaware of the exact plan.

Police Chief – Brian Turner

Written report submitted electronically. The department's newest police officer hired will be finishing up the Police Academy in early September. Once the State of Ohio administers the OPOTA (Ohio Peace Officer Training Academy) test he will begin the FTO program with the department.

Fire Chief – Joe Tennyson

Written report submitted electronically. Absent.

Chief Housing/Zoning Inspector – Sean Brennan

Written report submitted.

Economic Development Manager – Monica Drake

No report. Absent.

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)

Krista Bair, 28984 Blissfield Dr. wanted to formally introduce herself as being a candidate for the Board of Education seat for the Willoughby-Eastlake Schools. She submitted a list of questions to the Clerk and agreed that the questions could be answered after the meeting. Ms. Bair did inquire if Council could help in facilitating a Townhall for the members that are running for the Board of Education. Mr. Patton suggested Ms. Bair contact The League of Women Voters or Western Lake County Chamber of Commerce to possibly assist her due to the many districts involved.

Frank McCarty, 468 E. 328th St., read a letter that he had sent to Longaberger Homestead in Dresden, Ohio asking for their help in contributing money toward a memorial for the G.P. Griffith that sank in 1850.

REPORTS OF STANDING COMMITTEES

Finance – Vanni, Bisbee, Koudela

None.

Safety – Phares, Malta, Bisbee

None.

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

None.

Streets, Sidewalks & Sewers – Vanni, Malta, Antosh

None.

Tax Compliance – Koudela, Antosh, Patton

None.

Moral Claims – Antosh, Phares, Patton

None.

Budget – Vanni, Koudela, Patton

None.

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

Mr. Phares reported that at the July 12th Planning Commission meeting a new business, Flexology Foot Spa, 32801 Vine St. was brought before the members. Two conditions for the business were compliance of the parking spaces provided with the site plan and that all required inspections be completed. The Planning Commission voted unanimously to approve the business.

Board of Zoning Appeals – Koudela/Alternate Vanni

None.

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

None.

Recreation Board – Bisbee/Alternate Phares

None.

Plan Review Board – Antosh

None.

Hearts & Hammers – Malta

None.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

8. Motion made by Mr. Vanni, seconded by Ms. Antosh authorizing the Mayor to enter into a contract with Deric Langton of Absolutely Unbelievable Entertainment for DJ services at Manry Park for the Car Show on Sunday, August 22, 2021 for a fee of \$295.00.

Discussion: None.

Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

9. Ordinance No. 2021-32 (Finance Director)

An Ordinance establishing a Special Revenue Fund titled the Coronavirus Local Fiscal Recovery/American Rescue Plan Fund, Fund No. 228, and declaring an emergency.

Motion made by Mr. Phares, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-32.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2021-32.

Discussion: None.

Vote: All ayes. Motion carried.

10. Ordinance No. 2021-33 (Finance Director)

An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Council President Patton asked for two items of \$200.00 a piece on Ordinance No. 2021-33 to be amended as the property owner has made payment in full.

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three day rule on amended and revised Ordinance No. 2021-33.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to waive the three readings on amended and revised Ordinance No. 2021-33.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2021-33 as amended and revised.

Discussion: None.

Vote: All ayes. Motion carried.

11. Ordinance No. 2021-34 (Finance Director)

An Ordinance amending Ordinance 2021-9 to provide for additional appropriations from the General Fund (101) for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2021, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Ordinance No. 2021-34.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Vanni, seconded by Ms. Antosh to adopt Ordinance No. 2021-34.

Discussion: None.

Vote: All ayes. Motion carried.

12. Resolution No. 2021-22 (Law Director)

A Resolution setting forth no objection to the Submerged Land Lease and proposed Shore Structure application for real property located at 123 E. 324th Street, Willowick, Ohio, owned by Michael Kotula, trustee, and declaring an emergency.

Motion made by Mr. Phares, seconded by Ms. Antosh to waive the three readings on Resolution No. 2021-22.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Vanni, seconded by Ms. Antosh to approve Resolution No. 2021-22.

Discussion: None.

Vote: All ayes. Motion carried.

13. Resolution No. 2021-23 (Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to comfort control systems in the amount of \$14,480.00, for the City of Willowick, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to waive the three readings on Resolution No. 2021-23.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to approve Resolution No. 2021-23.

Discussion: None.

Vote: All ayes. Motion carried.

MISCELLANEOUS

14. Motion made by Ms. Antosh, seconded by Mr. Vanni to Authorize the Mayor to execute Amendment #2 to Agreement #32164 "Willowick Lakefront Connectivity and Downtown Redevelopment TLCI between ODOT, NOACA and the City of Willowick.

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.

ADJOURNMENT

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

Discussion: None.

Vote: All ayes. Motion carried.

Meeting was adjourned at 8:17 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL



City of Willowick
City Council Special Meeting
 Wednesday, August 11, 2021 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 245-6033 at least three working days before the meeting.

Minutes

CALL MEETING TO ORDER

In the absence of Council President Patton, the Special Meeting of Council was called to order by Mayor Regovich at 6:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

The floor was opened for nominations for President Pro Tem.

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

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

Abstain: Mr. Vanni.

ROLL CALL

PRESENT

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

ABSENT

Council President Robert Patton

ALSO PRESENT

Law Director Langraf

ADJOURN TO EXECUTIVE SESSION

RETURN TO TABLE FROM EXECUTIVE SESSION

OTHER BUSINESSOrdinance No. 2021-35 (Law Director)

An Ordinance accepting the material terms of the One Ohio Subdivision Settlement pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Bisbee to waive the three day rule on Ordinance No. 2021-35 as amended by the Law Director.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Malta to waive the three readings of Ordinance No. 2021-35 as amended by the Law Director.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to adopt Ordinance No. 2021-35 as amended by the Law Director.

Discussion: Ms. Landgraf explained that the Ordinance has to do with the class-action lawsuit filed by Ohio municipalities for the opioid crisis that originated several years back. Due to the increased expenses and devotion of resources by safety forces the municipalities joined together to file a class-action lawsuit against the drug manufacturers to recoup some of the costs. The process cannot move forward unless at least 95% of the filing municipalities accept the material terms. The Ordinance tonight is to accept the material terms to enable the next step in the class-action process to move forward.

Vote: All ayes. Motion carried.

Ordinance No. 2021-36

An Ordinance levying special assessments for acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion along properties within the City included within the Lake Communities Shoreline Special Improvement District, together with all necessary appurtenances thereto, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three day rule on Ordinance No. 2021-36.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings of Ordinance No. 2021-36.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2021-36.

Discussion: Mayor Regovich stated this Ordinance is allowing the county to attach special assessments to the property owner's taxes over a period of fifteen years after they have received funding for the Shoreline Project.

Vote: All ayes. Motion carried.

Resolution No. 2021-24

A Resolution declaring it necessary and determining to proceed with acquiring, constructing, installing equipping, improving, maintaining and repairing improvements necessary for making improvements to abate erosion along properties within the City included within the Lake Communities Shoreline Special Improvement District, together with all necessary appurtenances thereto, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to waive the three day rule on Resolution No. 2021-24.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Mr. Malta to waive the three readings of Resolution No. 2021-24.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2021-24.

Discussion: None.

Vote: All ayes. Motion carried.

ADJOURNMENT

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

Discussion: None.

Vote: All ayes. Motion carried.

The meeting was adjourned at 6:14 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

ADMINISTRATIVE APPEAL ORDER NO. 2021-25

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 8 FT. TO ALLOW A
GROUND SIGN ALREADY INSTALLED TO REMAIN 2' FROM THE SIDEWALK IN THE
APPLICATION OF SECTION 1349.08(d)(4) OF THE CODIFIED ORDINANCES IN BOARD
OF ZONING APPEALS

CASE 21-520
21250 LAKELAND LLC
FINISH LINE CAR WASH
32701 VINE ST.

WHEREAS, at its meeting of July 14, 2021, the Board of Zoning Appeals, in Case No. 21-520, heard the appeal of Finish Line Car Wash for the requested variance and has recommended to Council that the variance to Section 1349.08(d)(4) of the Codified Ordinances of the City of Willowick be **denied**; and

WHEREAS, upon review of the record presented to the BZA and consideration of the Applicant's request, the Council finds and determines that said variance and exception be _____.

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

SECTION 1. That the Applicant's variance to Section 1349.08(d)(4) of the Codified Ordinances is hereby _____.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2021-26

AN ORDER GRANTING A VARIANCE AND EXCEPTION TO FRONT YARD PARKING.
TO INSTALL A NEW DRIVEWAY IN THE FRONT YARD IN THE APPLICATION OF
SECTION 1163.105(a) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING
APPEALS

CASE 21-521
CHRISTOPHER DEROSA
691 E. 305 ST.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-521 has recommended to Council that variance and exception in the application of Section 1163.105(a) of the Codified Ordinances of the City of Willowick be granted; and

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

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

SECTION 1. That a variance and exception be granted of front yard parking to install a new driveway in the front yard in the application of Section 1163.105(a) of the Codified Ordinances.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2021-27

AN ORDER GRANTING A VARIANCE AND EXCEPTION TO ALLOW A SECOND
ACCESSORY BUILDING IN THE APPLICATION OF SECTION 1163.105(g) OF THE
CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-522
LARRY BOGENRIEF
32901 VINE ST.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-522 has recommended to Council that variance and exception in the application of Section 1163.105(a) of the Codified Ordinances of the City of Willowick be granted; and

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

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

SECTION 1. That a variance and exception be granted of front yard parking to install a new driveway in the front yard in the application of Section 1163.105(a) of the Codified Ordinances.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2021-28

AN ORDER GRANTING A VARIANCE AND EXCEPTION TO ALLOW A SECOND
ACCESSORY BUILDING IN THE APPLICATION 1171.02(g) OF THE CODIFIED
ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-522
LARRY BOGENRIEF
32901 VINE ST.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-522 has recommended to Council that variance and exception in the application of Section 1171.02(g) of the Codified Ordinances of the City of Willowick be granted; and

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

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

SECTION 1. That a variance and exception be granted to allow a second accessory structure in the application of Section 1171.02(g) of the Codified Ordinances.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2021-29

AN ORDER GRANTING A VARIANCE AND EXCEPTION TO ALLOW 2 ACCESSORY
BUILDINGS ON A LOT WITH NO HABITABLE HOME IN THE APPLICATION 1171.02(h)
OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-522
LARRY BOGENRIEF
32901 VINE ST.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-522 has recommended to Council that variance and exception in the application of Section 1171.02(h) of the Codified Ordinances of the City of Willowick be granted; and

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

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

SECTION 1. That a variance and exception be granted to allow 2 accessory buildings on a lot with no habitable home in the application of Section 1171.02(h) of the Codified Ordinances.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2021-30

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 2' FOR A POOL THAT
WAS INSTALLED 6' FROM THE PROPERTY LINE. IN THE APPLICATION OF SECTION
1339.13(d) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-523
PATRICIA DRUM
632 E. 300 ST.

WHEREAS, the Board of Zoning Appeals, in Case No. 21-523 has recommended to Council that
variance and exception in the application of Section 1339.13(d) of the Codified Ordinances of
the City of Willowick be granted; and

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

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

SECTION 1. That a variance and exception be granted of 2' for a pool that was installed
6' from the property line.in the application of Section 1339.13(d) of the Codified Ordinances.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2021-31

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 4' TO PLACE A TOOL
SHED AT REAR YARD PROPERTY LINE 6' FROM NEIGHBORS GARAGE IN THE
APPLICATION OF SECTION 1171.02(e) OF THE CODIFIED ORDINANCES IN BOARD
OF ZONING APPEALS

CASE 21-525
THOMAS TROST
31712 DOUGLAS

WHEREAS, the Board of Zoning Appeals, in Case No. 21-525 has recommended to Council that
variance and exception in the application of Section 1171.02(e) of the Codified Ordinances of
the City of Willowick be granted; and

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

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

SECTION 1. That a variance and exception be granted of 4' to place a tool shed at the
rear property line 6' from the neighbors garage in the application of Section 1171.02(e) of the
Codified Ordinances.

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

PASSED: _____ 2021 _____
President of Council

ATTEST: _____
Clerk of Council

ORDINANCE NO. 2021 - 37**AN ORDINANCE ENACTING CODIFIED ORDINANCE
505.121 TITLED “WILD, DANGEROUS, EXOTIC,
ENDANGERED OR UNDOMESTICATED ANIMALS.”**

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

Section 1. Effective from and after _____, 2021, Section 505.121 of the Codified Ordinances of the City of Willowick, entitled “Wild, Dangerous, Endangered or Undomesticated Animals” is hereby established to read and provide as follows:

505.121 Wild, Dangerous, Exotic, Endangered or Undomesticated Animals

(a) No person shall keep or permit to be kept any wild, dangerous, exotic, endangered or undomesticated animal as set forth in Section 935.01(C) of the Ohio Revised Code. This prohibition shall not apply to pet stores or to circuses or performing acts or other uses which have been duly authorized by the Zoning Inspector. The Zoning Inspector may issue a temporary permit to keep injured or infant wild animals native to the area which have been deemed to be incapable of surviving without assistance. The Zoning Inspector may order the release of any wild animal kept under a temporary permit.

(b) Any person owning a wild or exotic animal at the time of enactment of this chapter may, pending approval of the Zoning Inspector, obtain a permit to retain said wild or exotic animal provided that:

(1) A permit application is filed with the Zoning Inspector within 30 days of the effective date of this chapter.

(2) The facilities for housing and containment of said wild animal are inspected and found to be adequate to prevent such animal from escaping or injuring the public or public safety personnel acting in an official capacity.

(3) An annual permit fee of ten dollars (\$10.00) is paid by the owner to the City.

(4) Upon the death, sale, adoption, exchange, transfer, or disposal of said wild or exotic animal, the animal may not be replaced.

(5) A permit issued under this section shall be non-transferrable to any subsequent owner or occupant of the property at which such animal is harbored or kept. Any permitted animal shall be removed from the premises by the person to whom the permit was issued.

(c) Whoever violates this section is guilty of a misdemeanor of the first degree, and shall be fined not less than \$250 per animal, per day, for each day the violation exists.

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.

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

Adopted by Council: _____, 2021

Robert Patton, Council President

Submitted to the Mayor: _____, 2021

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2021

ATTEST: _____
Angela Trend, Clerk of Council

ORDINANCE NO. 2021 - 38**AN ORDINANCE ENACTING CODIFIED ORDINANCE
505.131 TITLED “HARBORING AND/OR KEEPING OF
FARM ANIMALS.”**

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

Section 1. Effective from and after _____, 2021, Section 505.131 of the Codified Ordinances of the City of Willowick, entitled “Harboring and/or Keeping of Farm Animals” is hereby established to read and provide as follows:

505.131 Harboring and/or Keeping of Farm Animals

(a) No person shall keep swine, horses, goats, cattle, llamas, alpacas, donkeys, ponies, sheep, mules, ducks, geese, roosters, turkeys or similar farm animals on premises of less than four (4) acres except as provided in this Section. In no case shall such animal be kept or maintained within 75 feet of any dwelling occupied by any person other than the owner of such animals.

(b) The owner of any barn, pen, coop, or lot, in or on which any animals are kept or harbored, shall keep said barn, pen or lot in a clean, sanitary condition and shall remove all manure or other refuse from said barn, pen or lot at least once a week. All manure kept or stored in said barn, pen or lot shall be so treated or kept as to prevent the breeding of lice, mites, or flies. All leftover food and water shall be disposed of each night.

(c) The owner of any animal permitted under this Section on the effective date of this Ordinance shall be permitted to keep such animal(s) in accordance herewith, provided that a permit application is filed with the Zoning Inspector within 30 days of the effective date of this Section. Any person keeping or harboring such animal as of the effective date of this ordinance in non-conformance with the provisions of this section shall not be permitted to replace such animal upon its death, sale or disposal except as in conformance with this Section.

(1) An annual permit fee of ten dollars (\$10.00) is paid by the Owner to the City.

(2) Upon the death, sale, adoption, exchange, transfer, or disposal of said animal, the animal may not be replaced except as in accordance with this Section.

(3) A permit issued under this section shall be non-transferrable to any subsequent owner or occupant of the property at which such animal is harbored or

kept. Any permitted animal shall be removed from the premises by the person to whom the permit was issued.

(e) Whoever violates this section is shall be guilty of a minor misdemeanor upon a first offense; shall be guilty of a fourth degree misdemeanor upon a second offense within twelve months of the first offense; and shall be guilty of a third degree misdemeanor upon three or more offenses within twelve months of the first offense.

(f) A person's act or actions which result in a violation of Section 505.131 on four (4) or more occasions in a twelve (12) month period are hereby declared a public nuisance. The Law Director is hereby authorized to bring an action in any court of competent jurisdiction for the abatement of such nuisance and/or to pursue any such other appropriate legal remedies. The provisions of this section are in addition to and independent of any criminal sanctions provided by this chapter.

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.

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

Adopted by Council: _____, 2021

Robert Patton, Council President

Submitted to the Mayor: _____, 2021

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2021

ATTEST: _____
Angela Trend, Clerk of Council

ORDINANCE NO. 2021-39

AN ORDINANCE AMENDING CHAPTER 1145 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED, “RETAIL DISTRICT”; SPECIFICALLY, SECTION 1145.03, TITLED “USES.”

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

Section 1. That Chapter 1145 of the Codified Ordinances of the City of Willowick, Ohio, titled “RETAIL DISTRICT”; specifically Section 1145.03, titled “Uses”, is hereby amended, to read and provide as follows:

1145.03 USES.

The Retail District shall have the following main uses, accessory uses, and prohibited uses:

(a) Main Uses Permitted.

- (1) Retail establishments.
- (2) Offices. Professional, administrative, medical, public, semi-public and civil offices and other civil establishments.
- (3) Professional business and service establishments. Professional, craftsman, artisan business uses and personal services when recommended by the Planning Commission and approved by City Council.
- (4) Dining facilities, full service and drive through restaurants, ice cream parlors, pizza or other specialty food establishments.
- (5) Grocery stores.
- (6) School facilities.
- (7) Health club facilities.
- (8) Motor vehicle fueling stations.
- (9) **Maximum of four (4) Entertainment device arcade(s) per 3 square mile(s).**
- (10) Mechanical amusement devices and game rooms.

(b) Accessory Uses Permitted.

- (1) Parking areas for the use of customers of the establishments permitted in Section [1145.03\(a\)](#).
- (2) Building service facilities:
 - A. Facilities for the disposal of garbage and rubbish complying with the provisions of the Building Code.
 - B. Facilities shall be provided within an enclosed service area, separate from any pedestrian or vehicular traffic, for any accessory service needs to any retail establishment.

(c) Prohibited Uses.

- (1) Retail establishments not conducive to those uses permitted in Section [1145.03\(a\)](#).
- (2) Abortion clinics.
- (3) Motels, hotels, or mobile home parks.
- (4) Adult oriented material businesses.
- (5) Used car sales with the exception of the area identified in Section [1145.02\(e\)](#).

Section 2. That the existing Section 1145.03 of the City’s Ordinance is hereby repealed in that said Section 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: _____, 2021

Robert Patton, Council President

Submitted to the Mayor: _____, 2021

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2021

ATTEST: _____
Angela Trend, Clerk of Council

ORDINANCE NO. 2021 – 40**AN ORDINANCE DESIGNATING DEPOSITORIES FOR ALL ACTIVE, INACTIVE AND INTERIM FUNDS OF THE CITY FOR THE PERIOD FROM AUGUST 2, 2021 AND ENDING ON AUGUST 1, 2026 AND DECLARING AN EMERGENCY.**

WHEREAS, the Director of Finance has recommended to this Council that JP Morgan Chase Bank, NA, Dollar Bank and Huntington National Bank, be designated as depositories of all active and interim deposits of the City for the aforesaid period..

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

SECTION 1. That JP Morgan Chase Bank, Dollar Bank and Huntington National Bank, are hereby designated as depositories of all active and interim funds of the City for the period from August 2, 2021 through August 1, 2026 and the Finance Director is hereby authorized to deposit, from time-to-time, as available, the active and interim funds of the City in any such depository or depositories as well, in her judgment, provide the best terms for the City at the time of such deposit.

SECTION 2. That the Mayor and Director of Finance be and they are hereby authorized to enter into such depository contracts with the aforesaid banking institution containing such provisions as they determine necessary in order to accomplish the purposes for which such designations are made.

SECTION 3. That such depositories shall fully comply with the provisions set forth in the Uniform Depository Act, Chapter 135 of the Ohio Revised Code, relating to security for repayment of public deposits.

SECTION 4. That the procedure for the designation of depositories herein set forth is hereby determined to be in accordance with Article VIII, Section 8.5 of the Charter of the City.

SECTION 5. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and for the further reason that it is immediately necessary to

provide for safekeeping of the City funds; wherefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____, 2021

Submitted to the Mayor for his approval
on _____, 2021

ATTEST:

Clerk of Council

President of Council

Approved by the Mayor on
_____, 2021

Mayor

ORDINANCE NO. 2021 - 41**AN ORDINANCE CONFIRMING THE MAYORAL APPOINTMENT OF TODD SHANNON TO THE POSITION OF DIRECTOR OF PUBLIC SERVICE, PROVIDING FOR THE COMPENSATION OF THE DIRECTOR OF PUBLIC SERVICE, REPEALING CERTAIN ORDINANCES AND DECLARING AN EMERGENCY.**

WHEREAS, the confirmation by Council of the mayoral appointment to the position of Director of Public Service is required pursuant to the City of Willowick Charter, Section 5.3; and

WHEREAS, the Mayor of the City of Willowick has appointed Todd Shannon to the position of Director of Public Service, commencing September 7, 2021 through to and including December 31, 2023;

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

SECTION 1. That the Council of the City of Willowick hereby confirms the mayoral appointment of Todd Shannon to the position of Director of Public Service for a term commencing September 7, 2021, through to and concluding December 31, 2023.

SECTION 2. That Todd Shannon, as Director of Public Service, shall be paid compensation for the period beginning September 7, 2021, through to and including December 31, 2023, at the rate of Three Thousand One Hundred Eighty Five & 60/100 Dollars (\$3,185.60) per bi-weekly pay period.

SECTION 3. That said Director shall respond to the inquiry of Council regarding the services of his Department and such matters that would come within his Department's responsibilities.

SECTION 4. That all ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to 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 6. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and further, provides for the usual daily operation of a

municipal department; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _____, 2021

**Submitted to the Mayor for his
approval on** _____, 2021

ATTEST:

Clerk of Council

President of Council

Approved by the Mayor on
_____, 2021

Mayor

ORDINANCE NO. 2021-42**AN ORDINANCE DIRECTING THE DIRECTOR OF FINANCE TO CERTIFY DELINQUENT ACCOUNTS TO THE LAKE COUNTY AUDITOR AND LAKE COUNTY TREASURER FOR COLLECTION AS PROPERTY TAX AND DECLARING AN EMERGENCY.**

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

<i>29100 Lakeshore Blvd</i>	<i>\$200.00</i>
<i>31602 Royalview</i>	<i>\$200.00</i>
<i>364 E 330th</i>	<i>\$200.00</i>
<i>28507 Lakeshore</i>	<i>\$200.00</i>
<i>30101 Fairway</i>	<i>\$400.00</i>
<i>30129 Forest Grove</i>	<i>\$200.00\</i>
<i>236 E 284th</i>	<i>\$400.00</i>
<i>290 E 324th</i>	<i>\$200.00</i>
<i>30409 Oakdale</i>	<i>\$200.00</i>
<i>30209 Thomas</i>	<i>\$200.00</i>
<i>444 E 327th</i>	<i>\$200.00</i>

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

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

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

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

SECTION 2. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting and all deliberations of this Council, or any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That all Ordinances or parts thereof in conflict with the provisions of this Ordinance is hereby repealed.

SECTION 4. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and further, provides for the usual daily operation of a municipal department; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _____, 2021

SUBMITTED to the Mayor for his approval
on _____, 2021

ATTEST:

Clerk of Council

President of Council

APPROVED by the Mayor on
_____, 2021

Mayor

EXHIBIT “A”

Name	Address	Parcel Number	Amount
29100 Lakeshore Blvd LLC	29100 Lakeshore Blvd	28-A-042-N-00-004-0	\$ 200.00
Alko Kosai	31602 Royalview	28-A-039-L-00-026-0	\$ 200.00
Gary Luster	364 E 330 th St	28-A-045-G-00-035-0	\$ 200.00
Robert Taylor	28507 Lakeshore BLvd	28-A-042-A-00-051-0	\$ 200.00
Michael Lipoff	30101 Fairway	28-A-041-K-00-014-0	\$ 400.00
Jillian Anderson	30129 Forestgrove	28-A-040-G-03-058-0	\$ 200.00
Louise Saeli	236 East 284 th	28-A-042-C-00-005-0	\$ 400.00
FlippingLakeCounty LTD	290 E. 324 th St	28-A-045-B-00-051-0	\$ 200.00
Magdalene Girman	30409 Oakdale	28-A-040-G-00-034-0	\$ 200.00
Castle Financial Resources	30209 Thomas	28-A-039-B-00-062-0	\$ 200.00
Johnathan Simmons	444 E 327 th St	28-A-045-H-00-071-0	\$ 200.00

ORDINANCE NO. 2021-43**AN ORDINANCE AMENDING ORDINANCE NO. 2021-3 PROVIDING FOR THE COMPENSATION OF APPOINTED OFFICIALS AND CERTAIN OTHER EMPLOYEES OF THE CITY, REPEALING CERTAIN ORDINANCES AND DECLARING AN EMERGENCY.**

WHEREAS, the Council of the City of Willowick previously passed Ordinance No. 2021-3, providing for the compensation of appointed officials and certain other employees of the City commencing the pay period effective September 7, 2021; and

WHEREAS, the Council of the City of Willowick, Ohio deems it to be in the best interest of the City and to the orderly operation of all departments of the City to adjust the compensation of certain other employees as set forth in Ordinance 2021-3.

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

SECTION 1. That the certain employees listed below shall be paid bi-weekly compensation for commencing the pay period effective September 7, 2021 and in accordance with the following rates of pay, respectively:

Chief Housing & Zoning Inspector the sum of Three Thousand One Hundred
Twenty-seven and 69/100 Dollars (\$3,127.69).

SECTION 2. That all ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed, with the specific exception that all other established rates of compensation for the appointed Officials and certain other employees set forth in Ordinance 2021-3, not modified herein, shall remain in full force and effect.

SECTION 4. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick and further, provides for the usual daily operation of a municipal department; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _____, 2021.

Submitted to the Mayor for his approval on
_____, 2021

President of Council

ATTEST:

Clerk of Council

Approved by the Mayor on
_____, 2021

Mayor

RESOLUTION NO. 2021 - 25

A RESOLUTION ACCEPTING THE RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.

WHEREAS, this Council in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2022; and

WHEREAS, the Budget Commission of Lake County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitations.

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

SECTION 1. That the rates as determined by the Budget Commission in its certification be and the same are hereby accepted.

SECTION 2. That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitations as follows for the City of Willowick.

	County Auditor's Estimate of Tax Rate to be Levied	
	<u>Inside 10 Mill Limit</u>	<u>Outside 10 Mill Limit</u>
General Fund	2.55	7.50
Bond Retirement Fund	.15	
Street Lighting Fund		.75
Fire Emergency Rescue Fund		2.50
Safety Improvement Levy		1.50
Recreation Fund		.00
Street Improvement Levy		3.00
Police Pension	.30	
Sanitary & Storm Sewer	—	<u>1.00</u>
	3.00	16.25

SECTION 3. That the clerk of this Council be and she hereby is instructed to Certify a copy of this Resolution to the County Auditor of said County.

PASSED: _____, 2021

**Submitted to the Mayor for his
approval on _____, 2021**

ATTEST:

Clerk of Council

President of Council

**Approved by the Mayor on
_____, 2021**

Mayor

RESOLUTION NO. 2021-26**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE A COMMUNITY REINVESTMENT AREA AGREEMENT WITH LUCID INVESTMENTS, INC. DBA CLEVELAND PIZZA, CO. AND 31222 VINE, LLC, AND DECLARING AN EMERGENCY.**

WHEREAS, Willowick has encouraged the development of real property and the acquisition of personal property located in the area designated as a Community Reinvestment Area; and

WHEREAS, Lucid Investments, Inc. DBA Cleveland Pizza Co. and 31222 Vine, LLC is desirous of renovating an existing structure and constructing an addition to an existing structure within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the Council of the City of Willowick, Ohio by Ordinance No. 2019-05 passed on March 19, 2019, designated the area as a Community Reinvestment Area pursuant Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective May 29, 2019, the Director of Development Services Agency of the State of Ohio determined that the aforementioned area designated in said Resolution No. 2019-05 contained the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, pursuant to Section 3735.67(A), if construction or remodeling of commercial property is to be exempted from taxation pursuant to Section 3735.67 of the Ohio Revised Code, the City and the property owner must enter into a written agreement setting forth the terms of their Agreement; and

WHEREAS, the Mayor has investigated the property owner's application and has recommended the same to the Council on the basis that the project is qualified to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of Willowick.

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

Section 1. That the Mayor is authorized to accept and execute the Commercial Reinvestment Area Agreement with Lucid Investments, Inc. DBA Cleveland Pizza Co. and 31222 Vine, LLC, in a form substantially similar to the Agreement annexed hereto as Exhibit A, on behalf of the City of Willowick.

Section 2. That it is found and determined that all formal actions of the Council relating to the adoption of this resolution 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 meetings open to the public, in compliance with all legal requirements.

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

Adopted by Council: _____, 2021

Robert Patton, Council President

Submitted to the Mayor: _____, 2021

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2021

Attest: _____
Angela Trend, Clerk of Council

COMMUNITY REINVESTMENT AREA AGREEMENT

This Agreement made and entered into by and between the **City of Willowick, Ohio**, a municipal government, with its principal place of business located at 30435 Lake Shore Blvd., Willowick, Ohio 44095 (hereinafter referred to as "Willowick") and **Lucid Investments, Inc. DBA Cleveland Pizza Co. and 31222 Vine, LLC** with its principal place of business located at 31222 Vine St., Willowick, Ohio 44095 (hereinafter referred to as "Property Owner").

WITNESSETH:

WHEREAS, Willowick has encouraged the development of real property and the acquisition of personal property located in the area designated as a Community Reinvestment Area; and

WHEREAS, Property Owner is desirous of renovating an existing structure at the location and constructing an addition to the rear of the building, installing new plumbing, public restrooms, electrical systems, HVAC system, full patio, bakery and pizza operation kitchen, in addition to parking lot improvements (hereinafter referred to as the "Project") within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the Council of the City of Willowick, Ohio by Ordinance No. 2019-05 passed on March 19, 2019, designated the area as a Community Reinvestment Area pursuant Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective May 29, 2019, the Director of Development Services Agency of the State of Ohio determined that the aforementioned area designated in said Resolution No. 2019-03 contained the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, Willowick, having the appropriate authority for the stated type of project, is desirous of providing the Property Owner with incentives available for the development of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, the Property Owner has submitted a proposed Agreement application (herein attached as Exhibit A) to Willowick, said application (hereinafter referred to as "Application"); and

WHEREAS, the Property Owner has remitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the Application to be forwarded to said department with a copy of the final Agreement; and

WHEREAS, the Mayor of Willowick has investigated the application of the Property Owner and has recommended the same to the Council of Willowick on the basis that the Property Owner is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of Willowick; and

WHEREAS, the project site as proposed by the Property Owner is located in the Willoughby-Eastlake City School District and the Board of Education of the Willoughby-Eastlake

City School District has been notified in accordance with Section 5709.83 and has been given a copy of the Application; and

Item #23.

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to set forth their Agreement with respect to matters hereinafter contained.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Property Owner shall renovate existing structure at the Project location at 31222 Vine St., Willowick, Ohio, and shall construct approximately a 650 square foot addition, together with newly paved parking area and patio in accordance herewith. Said improvements shall be constructed on the parcel listed in Exhibit "B" attached herein as the same are known and designated on the Lake County, Ohio Auditor's revised list of lots in the City of Willowick, Lake County, Ohio.

The Project will involve a total investment by Property Owner of One Million Dollars (\$1,000,000.00), plus or minus 10%, at the Project location. Included in this investment is One Million Dollars (\$1,000,000.00) for construction of the structures and Zero Dollars (\$0.00) to purchase first-used machinery and equipment and Zero Dollars (\$0.00) for new inventory.

The PROJECT will begin October 1, 2021 and all acquisition, construction and installation will be completed by October 1, 2022.

2. Property Owner shall create, within a time period not exceeding thirty-six (36) months after the commencement of construction of the aforesaid demolition and construction, the equivalent of twelve (12) new full-time permanent job opportunities and twenty-four (24) new part-time permanent job opportunities.

Property Owner schedule for hiring is as follows: Year 1: create zero (0) new jobs (construction); Year 2: create eight (8) permanent part-time jobs and seven (6) permanent full-time permanent jobs, and Year 3: create twelve (12) new permanent part-time jobs and six (6) new permanent full-time jobs.

The job creation period begins October 1, 2022, and all jobs will be in place by December 2028.

Property Owner currently has zero (0) full-time permanent employees, zero (0) part-time permanent employees, zero (0) full-time temporary employees, and zero (0) part-time permanent employees at the project site. In total, Property Owner has ten (10) full-time permanent employees and twenty-two (22) part-time permanent employees in Willowick, Lake County, Ohio.

This increase in the number of employees will result in approximately \$810,000.00 of additional annual payroll for Property Owner. The following is an itemization by the type of new jobs created: full-time permanent \$440,000.00, and part-time permanent \$370,000.00. The retention of the existing jobs will maintain the current annual payroll of \$425,000.00.

3. Property Owner shall provide to the proper Tax Incentive Review ("TIR") Council any information reasonably required by the TIR Council to evaluate the property owner's compliance with the Agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council.

4. Pursuant to the Property Owner's compliance with the terms and conditions set forth herein, Willowick hereby grants Property Owner a tax exemption for the real property improvements made to the Project site described herein pursuant to Section 3735.67 of the Ohio Revised Code and shall be in the following amounts:

<u>Exemption Term</u>	<u>Percentage of Exemption</u>
15 years	50%

Each identified project improvement will receive a fifteen (15) year exemption period. The exemption commences the first year for which the real property exemption would first be taxable were that property not exempted from taxation. No exemption shall commence after January 31, 2022 nor extend beyond January 31, 2037.

Property Owner must file the appropriate tax forms with the County Auditor to effect and maintain the exemptions covered in the Agreement.

5. ~~Property Owner shall pay an annual fee equal to the greater of one percent (1%) of the dollar value of incentives offered under the Agreement or five hundred dollars (\$500.00); provided however, that if the value of the incentives exceeds two hundred fifty thousand dollars (\$250,000.00), the fee shall not exceed two thousand five hundred dollars (\$2,500.00).~~

~~The fee shall be made payable to the City of Willowick once per year for each year the Agreement is effective on or before the first day of April, by cash or a certified check. The fee is to be made payable to the City of Willowick, c/o the Director of Finance. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 3735.671(D) of the revised code and by the tax incentive review council created under section 3735.671(D) of the revised code exclusively for the purposes of performing the duties prescribed under that section.~~

***Contingent upon approval by the Willowick City Council, the requirements under this section shall be waived. _____ (Property Owner initials) _____
_____ (Mayor initials)***

6. The Property Owner shall pay such real property taxes as are not exempted under this Agreement and are charged against such property and shall file all tax reports and returns as required by law. If Property Owner fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
7. Willowick shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.
8. If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Development Services Agency revokes certification of the area, or Willowick revokes the designation of the area, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless the Property Owner materially fails to fulfill its obligations under this Agreement and Willowick terminates or modifies the exemptions from taxation granted under this Agreement.

9. If Property Owner materially fails to fulfill its obligations under this Agreement, or if Willowick determines that the certification as to delinquent taxes required by this Agreement is fraudulent, Willowick may terminate or modify the exemptions from taxation granted under this Agreement, and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement. The City of Willowick is authorized to secure repayment of such taxes by a lien on the exempted property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property.
10. Property Owner hereby certifies that at the time this Agreement is executed, Property Owner does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which Property Owner is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753. of the Revised Code, or, if such delinquent taxes are owed, Property Owner currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Property Owner. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
11. Property Owner affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.
12. Property Owner and Willowick acknowledge that this Agreement must be approved by formal action of the legislative authority of Willowick as a condition for the Agreement to take effect. This Agreement takes effect upon such approval.
13. Willowick has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this Agreement, Property Owner is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
14. Exemptions from taxation granted under this Agreement shall be revoked if it is determined that Property Owner, any successor property owner, or any related member (as those terms are defined in Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this Agreement under Division (E) of Section 3735.671 or Section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.
15. Property Owner affirmatively covenants that it has made no false statements to the State or local political subdivisions in the process of obtaining approval of the Community Reinvestment Area incentives. If any representative of Property Owner has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, Property Owner shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic

development assistance may be guilty of falsification, a misdemeanor of the first degree pursuant to ORC Section 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Item #23.

16. This Agreement is not transferable or assignable without the express, written approval of Willowick.
17. Any notices required to be given to either party hereunder shall be sent in writing, via Certified U.S Mail, return receipt requested, and/or commercial carrier, with proof of delivery, to the following:

If to Property Owner: Derek M. Jones
4034 Skiff St.
Willoughby, OH 44094

If to City of Willowick: Richard J. Regovich, Mayor
City of Willowick
30435 Lake Shore Blvd.
Willowick, Ohio 44095

17. Upon execution of this Agreement, the City of Willowick shall forward a copy of the agreement to the Director of Development Services within fifteen (15) days after the Agreement is executed by both parties.

IN WITNESS WHEREOF, the City of Willowick, Ohio, by Richard Regovich, its Mayor, and pursuant to Resolution No. 2021-_____, has caused this instrument to be executed this _____ day of _____, 2021 and 31222 Vine, LLC by Derek M. Jones, its _____ and Lucid Investments, Inc. DBA Cleveland Pizza Co. by Derek M. Jones its _____, has caused this Agreement to be executed on this _____ day of _____, 2021.

CITY OF WILLOWICK:

By: _____
Richard Regovich, Mayor

Lucid Investments, Inc. DBA Cleveland Pizza Co.:

By: _____

Printed Name

Its: _____

31222 Vine, LLC:

By: _____

Printed Name

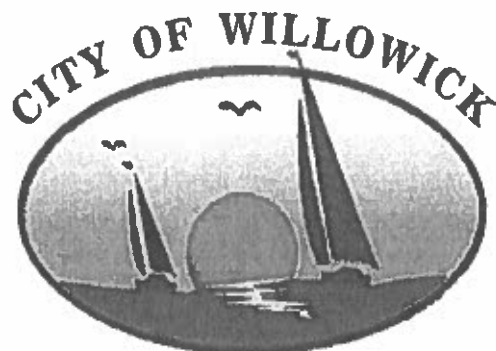
Its: _____

Approved as to form:

Item #23.

Stephanie E. Landgraf, Law Director
City of Willowick

_____, Legal Counsel for Property Owner



PROPOSED AGREEMENT for Community Reinvestment Area Tax Incentives between the City of Willowick, located in the County of Lake and Derek Michael Jones.

- I. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

31222 Vine, LLC
Enterprise Name

Derek M. Jones
Contact Person

4034 Skiff St. Willoughby, Ohio 44094
Address

216-972-0058
Telephone Number

- b. Project site:

31222 Vine St. Willowick, Ohio 44095
Address

Derek M. Jones
Contact Person

216-972-0058
Telephone Number

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site.

I will be moving my Cleveland Pizza delivery & carryout business currently located at 29810 Lakeshore Blvd. Willowick, Ohio 44095, expanding it unto a full-service bar and restaurant while also moving our Corporate Office located at 4034 Skiff St. Willoughby, Ohio 44094, and our Commissary located at 31128 Vine Str into the same building

- b. List primary 6-digit North American Industry Classification System (NAICS) # 722511

Business may list other relevant SIC numbers.

2045, 2099, 5812

- c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred:

No assets will be consolidated as the assets are already maintained within the City of Willowick corporate limits. However, the company will move employment for the CEO/President, Marketing Director, District Manager, Commissary Manager, Three Full Time Commissary Employees, Social Media Manager, and Maintenance Manager along with the expansion of owned assets

- d. Form of business of enterprise (corporation, partnership, proprietorship, or other).
Corporation

3. Name of principal owner(s) or officers of the business.

Derek M Jones

4. a. State the enterprise's current employment level at the proposed project site:

There are currently 40 employees, employed by the company that will work at the proposed site.

- b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Yes X No

- c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located: from 4034 Skiff St., Willoughby, Ohio 44094 to 31222 Vine St., Willowick, Ohio 44095

- d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees): The company currently employs 72 residents of Ohio. 26 full-time, and 44 part time. All employees are permanent.

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

- 28910 Lakeshore Blvd, Willowick, OH 44095 – 33 employees: 9 FT, 24 PT
- 31128 Vine St., Willowick, OH 44095 – 4 employees: 4 FT
- 4034 Skiff St., Willoughby, OH 44094 – 5 employees: 4 FT, 1 PT

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

The City of Willowick will have no net impact. The City of Willoughby will have a net impact of 5 employees with a payroll of approximately \$250,000.

5. Does the Property Owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes ___ No X

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes ___ No X

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?

Yes ___ No X

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets).

6. Project Description:

We plan to redevelop 31222 Vine St. to house Cleveland Pizza, a limited service business as well as co-branding a full-service bar and restaurant, with an outdoor patio. We are also going to consolidate our corporate office and commissary into the facility, as well.

7. Project will begin **June 1, 2021** and be completed **April 1, 2022** provided a tax exemption is provided.

8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary):

Cleveland Pizza Co – 8 employees: 3 FT, 5 PT

Commissary – 3 employees: 3 FT

Bar/Restaurant – 20 employees: 8 FT, 12 PT

- b. State the time frame of this projected hiring: **1 year.**
- c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):
- | | | |
|---------------------|----------------------|----------------------|
| Years 1-5: | Full time – 7 | Part Time - 8 |
| Years 6-10: | Full time – 7 | Part Time - 8 |
| Years 11-15: | Full Time – 0 | Part Time - 0 |
- a. Estimate the amount of new annual payroll such new employees will add (must be itemized by full, part-time, permanent and temporary new employees): **\$850,000**
Full Time – 14 employees at an average of \$37,000/year
Part Time – 17 employees at an average of \$20,000/year
- b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: **\$850,000**
10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:
- | | |
|----------------------------------------|--------------------------|
| A. Acquisition of Buildings: | \$ 250,000 |
| B. Additions/New Construction: | \$ 100,000 |
| C. Improvements to existing buildings: | <u>\$ 650,000</u> |
| Total New Project Investment: | \$1,000,000 |
11. a. Business requests the following tax exemption incentives on the improvements, (be specific as to the rate, and term), as described above:
50% for 15 years covering improvements on real property.
- b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

The business is requesting the above tax incentive as it's investing a large sum of capital into a dilapidated building that requires ore work than many other businesses would be willing to take on. By investing into this property, Vine Street will receive a much-needed investment to assist in the vitality of the entire street. In part, due to COVID, the cost of construction has jumped considerably, as compared to when the project preparation begun. This situation has created an adverse situation, and now could jeopardize the project without the assistance of the CRA tax incentive. The tax incentive will allow for our business to not only invest in the property, but will also allow our business to invest in employees, greatly increasing the city's income tax revenue.

Submission of this application expressly authorizes the City of Wickliffe to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item # 5 and to review applicable confidential records. As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation to release specific tax records to the

local jurisdiction considering the request.

The Applicant agrees to supply additional information upon request.

The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C) (1) and 2921.13(D) (1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

31222 Vine, LLC

Derek M. Jones

Name of Property Owner

03/04/2021

Date

Signature

President

Title

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Community Reinvestment Area Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.

ORDINANCE NO. 2021-44

AN ORDINANCE AMENDING ORDINANCE NO. 2021-5 PROVIDING FOR THE COMPENSATION OF SEASONAL AND PART-TIME EMPLOYEES OF THE CITY OF WILLOWICK RECREATION DEPARTMENT FOR YEAR 2021, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Willowick previously passed Ordinance No. 2021-5, providing for the compensation of seasonal and part-time employees of the Recreation Department for calendar year 2021; and

WHEREAS, the Council of the City of Willowick, Ohio deems it to be in the best interest of the City and the orderly operation of the Recreation Department of the City to adjust the compensation of seasonal and part-time employees of that Department as set forth in Ordinance 2021-5 for calendar year 2021 .

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

Section 1. Compensation for the seasonal and part-time employees of the City of Willowick Recreation Department in the year 2021 shall be paid bi-weekly and in accordance with the following hourly rates of pay:

<u>Type</u>	<u>New Hire</u>	<u>One Year Experience</u>	<u>Two Years Experience</u>	<u>Three Years Experience</u>	<u>Four Years Experience</u>	<u>Five Years or Greater Experience</u>
<i>Pools</i>						
Cashier	8.80	8.90	9.10	9.30	9.50	9.80
Spray Park	8.90	8.90	9.10	9.30	9.50	9.80
Pool Maintenance	8.80	8.90	9.10	9.30	9.50	9.80
Lifeguard	8.80	8.90	9.10	9.30	9.50	9.80
WSI	9.00	9.25	9.50	9.75	10.00	10.25
L-T-S Coordinator	11.00	12.00	13.00	14.00	15.00	16.00
Pool Manager	10.00	10.50	11.00	11.50	12.00	12.50
Aquatic Director	13.00	14.00	15.00	16.00	17.00	18.00
<i>Camp</i>						
Certified Teacher	10.00	10.50	11.00	11.50	12.00	12.50
Counselor	9.00	9.25	9.50	9.75	10.00	10.25

<i>Parks</i>						
Maintenance	10.00	11.00	12.00	13.00	14.00	15.00
<i>Act. Center</i>						
Adm. Assistant	10.00	11.00	12.00	13.00	14.00	15.00
Attendant	9.00	9.50	10.00	10.50	11.00	11.50
<i>Senior Center</i>						
Van Driver	10.00	10.50	11.00	11.50	12.00	12.50
Bus Driver (CDL)	13.00	14.00	15.00	16.00	17.00	18.00
Seasonal/Pt	Min.\$8.80	Max. \$18.00				

Section 2. That all Ordinances and parts thereof in conflict with the provisions of this Ordinance are hereby repealed.

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.

Section 4. 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 Recreation Department and that it ensures 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: _____, 2021

Robert Patton, Council President

Submitted to the Mayor: _____, 2021

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2021

ATTEST: _____
Angela Trend, Clerk of Council