



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, February 21, 2023 at 7:30 PM
City Council Chambers

ADA NOTICE

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

AGENDA

CALL MEETING TO ORDER

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

APPROVAL OF MINUTES

- [1.](#) Motion to approve the minutes of the Regular City Council Meeting of February 7, 2023.
- [2.](#) Motion to approve the minutes of the Special City Council Meeting of February 14, 2023.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

ADMINISTRATIVE APPEALS

- [3.](#) Administrative Appeal Order No. 2023-1 (Recommended by BZA)

An Order granting a variance and exception of 2' height to install an 8' high fence on the rear property line in the application of Section 1165.03(a) of the Codified Ordinances in Board of Zoning Appeals.

- [4.](#) Administrative Appeal Order No. 2023-2 (Recommended by BZA)

An Order granting a variance and exception of 10' green belt at the rear property line in the application of Section 1145.08 of the Codified Ordinances in Board of Zoning Appeals.

- [5.](#) Administrative Appeal Order No. 2023-3 (Recommended by BZA)

An Order granting a variance and exception of 16' 9" to construct an addition on the front of the building 3' 3" from the street line in the application of Section 1163.10 of the Codified Ordinances in Board of Zoning Appeals.

- [6.](#) Administrative Appeal Order No. 2023-4 (Recommended by BZA)

An Order granting a variance and exception of 12 parking spaces in the application of Section 1145.05(b)(3) 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

Service Director – Todd Shannon

Recreation Director – Julie Kless

City Engineer – Tim McLaughlin

Finance Director – Cheryl Benedict

Law Director – Stephanie Landgraf

Police Chief – Brian Turner

Fire Chief – Bill Malovrh

Chief Housing/Zoning Inspector – Sean Brennan

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, Koudela, Mohorcic

Safety – Phares, Malta, Bisbee

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

Streets, Sidewalks & Sewers – Malta, Antosh, Mohorcic

Tax Compliance – Koudela, Antosh, Patton

Moral Claims – Antosh, Phares, Patton

Budget – Koudela, Bisbee, Mohorcic

LIAISON REPORTS

Planning – Phares/Alternate Koudela

Board of Zoning Appeals – Koudela/Alternate Mohorcic

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

Recreation Board – Bisbee/Alternate Phares

Plan Review Board – Antosh

Hearts & Hammers – Malta

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

[7.](#) Ordinance No. 2023-5 (Finance Director)

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

8. Ordinance No. 2023-6 (Law Director)

An Ordinance amending Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, Titled “Streets, Utilities and Public Services Code;” specifically, Section 921.08, titled “Sanitary Sewer Rental Rates,” To provide a use charge rate based upon \$6.786 per 100 cubic feet of water, establish a minimum quarterly billing for such use charge rate of \$54.29 per 800 cubic feet of water, or part thereof.

9. Ordinance 2023-7 (Law Director)

An Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) 2023 Energized Community Grant, and declaring an emergency.

MISCELLANEOUS

10. Motion authorizing CT Consultants to obtain bids for the 2023 Pavement Striping Program.

PUBLIC PARTICIPATION

- a) Public statement (1 minute maximum)*
- b) Council response to the public*
- c) Public clarification (30 seconds to 1 minute for the purpose of restating or rearticulating an original question, concern, suggestion or idea)*

EXECUTIVE SESSION

11. To discuss collective bargaining and the compensation of public employees.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

ADJOURNMENT



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, February 07, 2023 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 - 2)

The third 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 Patrick Mohorcic
 Ward 2 Councilwoman Natalie Antosh
 Ward 2 Councilwoman Theresa Bisbee
 Ward 3 Councilman Charles Malta
 Ward 3 Councilman David Phares

ALSO PRESENT

Mayor Vanni, Finance Director Benedict, Law Director Landgraf, Fire Chief Malovrh, Police Lieutenant Mastroianni, Service Director Shannon, Recreation Director Kless, City Engineer McLaughlin and Council Clerk Trend

ABSENT

Police Chief Turner and Chief Housing & Zoning Insepctor Brennan

APPROVAL OF MINUTES

1. Motion made by Ms. Antosh, seconded by Ms. Bisbee to approve the minutes of the Regular City Council Meeting of January 17, 2023.
Discussion: None.
Vote: All ayes. Motion carried.
2. Motion made by Ms. Antosh, seconded by Ms. Bisbee to approve the minutes of the Special City Council Meeting of February 2, 2023.
Discussion: None.

Vote: Ayes: Koudela, Mohorcic, Phares, Patton, Antosh and Bisbee
Abstain: Malta

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

None.

ADMINISTRATIVE APPEALS

None.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

A meeting was held with the City of Euclid in regards to the sewer rate increase. More information will be provided at the Finance Committee meeting on February 14, 2023. Mayor Vanni requested a Special Meeting of Council following the Finance meeting. No parking times on Pendley Road during school days has been changed. The new hours are from 2:15 p.m. until 4:00 p.m. and the signs have been updated.

City representative to the Board of Health, Tom Loncala, reported the assessment amount each city, township and village needs to pay to the Lake County General Health District will not increase in 2024 due to a surplus in funds.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

None.

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Service Director – Todd Shannon

Written report submitted electronically. The traffic loop detection cameras have been installed at E. 288 St. and Lakeshore.

Recreation Director – Julie Kless

No written report. The Spring-Summer Guide is now available on the website.

City Engineer – Tim McLaughlin

No written report. The first project for the 2023 Road Program will be going out for bid, which will be for resurfacing of E. 328 St., E. 317 St. and a section of Glenhurst.

Finance Director – Cheryl Benedict

No written report. January financials and income tax reports have been sent out.

Law Director – Stephanie Landgraf

No written report.

Police Chief – Brian Turner

No written report.

Fire Chief – Bill Malovrh

No written report. Mr. Malta received a shift coverage report from Chief Malovrh coverage is currently at 98.2%.

Chief Housing/Zoning Inspector – Sean Brennan

No written 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)

None.

REPORTS OF STANDING COMMITTEES

Finance – Bisbee, Koudela, Mohorcic

There will be a Finance Committee meeting on Tuesday, February 14, 2023 at 6:00 p.m.

Safety – Phares, Malta, Bisbee

No report.

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

No report.

Streets, Sidewalks & Sewers – Malta, Antosh, Mohorcic

No report.

Tax Compliance – Koudela, Antosh, Patton

No report.

Moral Claims – Antosh, Phares, Patton

At the Thursday, January 26, 2023 Moral Claims Committee meeting the members voted 3-0 to recommend reimbursement of \$1000.00 to Kerri and Dave Noga to cover their insurance deductible for sewer backup damages incurred to their basement after the line was jetted by the city.

Motion made by Mr. Malta, seconded by Ms. Bisbee to accept the recommendation from the Moral Claims Committee to reimburse Kerri and Dave Noga \$1000.00 for their insurance deductible.

Discussion: Ms. Koudela agrees with the moral claim however she would like to see the city and the resident split the cost of the deductible as neither party was at fault.

Vote: Ayes: Mohorcic, Malta, Phares, Patton and Bisbee

Nays: Koudela, and Antosh (5-2 motion passed)

Budget – Koudela, Bisbee, Mohorcic

No report. Budget Hearings are on Saturday, February 11, 2023 at 8:00 a.m.

LIAISON REPORTS

Planning – Phares/Alternate Koudela

No report.

Board of Zoning Appeals – Koudela/Alternate Mohorcic

No report.

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

No report.

Recreation Board – Bisbee/Alternate Phares

No report.

Plan Review Board – Antosh

No report.

Hearts & Hammers – Malta

Mr. Malta stated the Hearts & Hammers Fundraiser was a success raising approximately \$12,400.00 and he thanked Ms. Antosh and Ms. Koudela for their help.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

3. Motion made by Ms. Antosh, seconded by Mr. Malta authorizing the Mayor to enter into a contract with The Ohio Association of Chiefs of Police, Inc. Advisory Services Division, for the Pre-Assessment process and Assessment Center process for the rank of Chief on Saturday, April 22, 2023 not to exceed \$5,900.00.
Discussion: None.
Vote: All ayes. Motion carried.
4. Motion made by Mr. Mohorcic, seconded by Ms. Antosh authorizing the Mayor to enter into a contract with Sunset Cinema LLC for the purpose of the Outdoor Family Movie Night at Dudley Park scheduled for July 22, 2023 at a cost of \$1450.00.
Discussion: None.
Vote: All ayes. Motion carried.
5. Motion made by Mr. Malta, seconded by Ms. Antosh authorizing the Mayor to enter into a contract with Mr. Level Concrete Leveling for a fee not to exceed \$15,000.00 for joint repairs for the Fairway trunk storm sewer between Forestgrove Rd and E. 293rd Street.
Discussion: Mr. Phares inquired if this was part of the Pilot Project. Mr. McLaughlin stated that it was not.
Vote: All ayes. Motion carried.
6. Motion made by Mr. Mohorcic, seconded by Ms. Antosh authorizing the Mayor to enter into a contract with Civica for payroll software in the amount of \$49,860.
Discussion: Ms. Bisbee inquired if a new PC will be needed. Finance Director Benedict stated Council approved the hardware during Phase I last year.
Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

7. Ordinance No. 2023-3 (Finance Director)

An Ordinance providing for the compensation of appointed officials and certain other employees of the City, repealing certain Ordinances and declaring an emergency.

Motion made by Mr. Phares, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2023-3.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2023-3.

Discussion: None.

Vote: All ayes. Motion carried.

8. Ordinance No. 2023-4 (Law Director)

An Ordinance amending Chapter 921 of the Codified Ordinances of the City of Willowick, Ohio, titled "Sewers Generally"; specifically Section 921.08, titled "Sanitary Sewer Flat Rates, and declaring an emergency."

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Ordinance No. 2023-4.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to adopt Ordinance No. 2023-4.

Discussion: None.

Vote: All ayes. Motion carried.

9. Resolution No. 2023-2

A Resolution to approve authorizations (Then and Now Certificate) to Comfort Control Systems in the amount of \$5,293.00, for the City of Willowick, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Resolution No. 2023-2.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2023-2.

Discussion: None.

Vote: All ayes. Motion carried.

10. Resolution No. 2023-3

A Resolution to approve authorizations (Then and Now Certificate) to Telecommunications Department in the amount of \$4,182.90, for the City of Willowick, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Resolution No. 2023-3.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to approve Resolution No. 2023-3.

Discussion: None.

Vote: All ayes. Motion carried.

11. Resolution No. 2023-4

A Resolution to approve authorizations (Then and Now Certificate) to Huntington National Bank in the amount of \$75,801.20, for the City of Willowick, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Resolution No. 2023-4.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to approve Resolution No. 2023-4.

Discussion: None.

Vote: All ayes. Motion carried.

12. Resolution No. 2023-5

A Resolution to approve authorizations (Then and Now Certificate) to Morton Salt in the amount of \$6,533.03, for the City of Willowick, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Resolution No. 2023-5.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2023-5.

Discussion: None.

Vote: All ayes. Motion carried.

13. Resolution No. 2023-6

A Resolution to approve authorizations (Then and Now Certificate) to City of Wickliffe in the amount of \$3,648.73, for the City of Willowick, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Resolution No. 2023-6.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2023-6.

Discussion: None.

Vote: All ayes. Motion carried.

14. Resolution No. 2023-7

A Resolution to approve authorizations (Then and Now Certificate) to Melzer's Fuel Service in the amount of \$12,094.11, for the City of Willowick, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Phares to waive the three readings on Resolution No. 2023-7.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Malta to approve Resolution No. 2023-7.

Discussion: None.

Vote: All ayes. Motion carried.

15. Resolution No. 2023-8

A Resolution authorizing the Mayor of the City of Willowick to enter into a Memorandum of Understanding with the Board of Lake County Commissioners, for funding to purchase, license and maintain MySeniorCenter software in the City Senior Center, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Ms. Bisbee to waive the three readings on Resolution No. 2023-8.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to approve Resolution No. 2023-8.

Discussion: None.

Vote: All ayes. Motion carried.

16. Resolution No. 2023-9

A Resolution authorizing the Mayor of the City of Willowick to enter into a Memorandum of Understanding with the City of Eastlake and City of Willoughby for the Vine Street Resurfacing Project through the Ohio Department of Transportation's 2024 Urban Paving Program, and declaring an emergency.

Motion made by Ms. Antosh, seconded by Mr. Mohorcic to waive the three readings on Resolution No. 2023-9.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Antosh to approve Resolution No. 2023-9.

Discussion: None.

Vote: All ayes. Motion carried.

MISCELLANEOUS

17. Motion made by Ms. Antosh, seconded by Mr. Mohorcic authorizing the Service Director to advertise and accept bids for grass-cutting for City facilities for the year 2023.

Discussion: Mr. Phares inquired if a new contract is done every year. Mr. Shannon stated the contract is for three years with an option to extend for two additional years.

Vote: All ayes. Motion carried.

18. Motion made by Ms. Antosh, seconded by Ms. Bisbee to authorize the Mayor to enter into a 1-year lease with Kurtz Bros., Inc. for property located at 32800 Lakeland Boulevard, Willowick, Ohio.

Discussion: None.

Vote: All ayes. Motion carried.

19. Motion made by Mr. Mohorcic, seconded by Ms. Antosh authorizing an expenditure in the amount of \$29,100 to Ciuni and Panichi for preparation of the city's financial statements to conform to Generally Accepted Accounting Principles (GAAP).

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. Mohorcic to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

Meeting adjourned at 8:11 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL



City of Willowick
City Council Special Meeting

Tuesday, February 14, 2023 at 7:00 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 Special Meeting of Council was called to order at 7:00 p.m. by Council President Patton.

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENT

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

ALSO PRESENT

Mayor Vanni, Finance Director Benedict, Law Director Landgraf, Service Director Shannon and City Engineer McLaughlin.

OTHER BUSINESS

Ms. Bisbee stated the Finance Committee's recommendation to Council is to increase the sewer rental rates by 25%. This will balance the account for the year and also matches the increase from the City of Euclid.

Motion made by Mr. Phares, seconded by Ms. Bisbee to adopt the recommendation of the Finance Committee to increase the sewer rental rate by 25%.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Antosh to authorize the Mayor to resolve the Euclid sewer rental rate dispute without going to arbitration.

Discussion: None.

Vote: All ayes. Motion carried.

ADJOURNMENT

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

Discussion: None.

Vote: All ayes. Motion carried.

Meeting adjourned at 7:03 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

ADMINISTRATIVE APPEAL ORDER NO. 2023-1

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 2' HEIGHT TO INSTALL
AN 8' HIGH FENCE ON THE REAR PROPERTY LINE IN THE APPLICATION OF
SECTION 1165.03(a) OF THE CODIFIED ORDINANCES IN BOARD OF ZONING
APPEALS

CASE 21-556
DEREK JONES, CLEVELAND PIZZA
31222 VINE ST.

WHEREAS, at its meeting of January 11, 2023, the Board of Zoning Appeals, in Case No. 21-556, heard the appeal of Derek Jones, Cleveland Pizza for the requested variance and has recommended to Council that the variance to Section 1165.03(a) of the Codified Ordinances of the City of Willowick be **granted**; 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 1165.03(a) of the Codified Ordinances is hereby _____.

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

PASSED: _____ 2023 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2023-2

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 10' GREEN BELT AT THE
REAR PROPERTY LINE IN THE APPLICATION OF SECTION 1145.08 OF THE CODIFIED
ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-556
DEREK JONES, CLEVELAND PIZZA
31222 VINE ST.

WHEREAS, at its meeting of January 11, 2023, the Board of Zoning Appeals, in Case No. 21-556, heard the appeal of Derek Jones, Cleveland Pizza for the requested variance and has recommended to Council that the variance to Section 1145.08 of the Codified Ordinances of the City of Willowick be **granted**; 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 1145.08 of the Codified Ordinances is hereby _____.

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

PASSED: _____ 2023 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2023-3

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 16' 9" TO CONSTRUCT AN ADDITION ON THE FRONT OF THE BUILDING 3' 3" FROM THE STREET LINE IN THE APPLICATION OF SECTION 1163.10 OF THE CODIFIED ORDINANCES IN BOARD OF ZONING APPEALS

CASE 21-556
DEREK JONES, CLEVELAND PIZZA
31222 VINE ST.

WHEREAS, at its meeting of January 11, 2023, the Board of Zoning Appeals, in Case No. 21-556, heard the appeal of Derek Jones, Cleveland Pizza for the requested variance and has recommended to Council that the variance to Section 1163.10 of the Codified Ordinances of the City of Willowick be **granted**; 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 1163.10 of the Codified Ordinances is hereby _____.

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

PASSED: _____ 2023 _____
President of Council

ATTEST: _____
Clerk of Council

ADMINISTRATIVE APPEAL ORDER NO. 2023-4

AN ORDER GRANTING A VARIANCE AND EXCEPTION OF 12 PARKING SPACES IN
THE APPLICATION OF SECTION 1145.05(b)(3) OF THE CODIFIED ORDINANCES IN
BOARD OF ZONING APPEALS

CASE 21-556
DEREK JONES, CLEVELAND PIZZA
31222 VINE ST.

WHEREAS, at its meeting of January 11, 2023, the Board of Zoning Appeals, in Case No. 21-556, heard the appeal of Derek Jones, Cleveland Pizza for the requested variance and has recommended to Council that the variance to Section 1145.05(b)(3) of the Codified Ordinances of the City of Willowick be **granted**; 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 1145.05(b)(3) of the Codified Ordinances is hereby _____.

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

PASSED: _____ 2023 _____
President of Council

ATTEST: _____
Clerk of Council

ORDINANCE NO. 2023 - 5**AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF WILLOWICK, STATE OF OHIO, DURING THE CALENDAR YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.**

SECTION 1. Be it ordained by the Council of the City of Willowick, State of Ohio, that to provide for the current expenses and other expenditures of said City of Willowick during the calendar year ending December 31, 2023, that the following sums be and they are hereby set aside and appropriated as follows:

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

GENERAL FUND**Security of Persons & Property****Safety Communications Dept.****Personal Services**

Wages - Clerk Dispatchers	101.100.5136	498,000.00
Wages - Overtime	101.100.5199	6,000.00
Total Salaries & Wages		504,000.00

Other

Hospitalization	101.100.5210	126,500.00
P. E. R. S.	101.100.5220	69,700.00
Medicare	101.100.5260	7,350.00
Uniform Allowance	101.100.5270	-
Schools & Training	101.100.5513	2,400.00
Total Other Expense		205,950.00
Total Safety Communications Department		709,950.00

Police Law Enforcement**Personal Services**

Wages - Police Officers	101.101.5135	2,100,900.00
Wages - School Guards	101.101.5137	19,300.00
Retirement Benefit Payout	101.101.5195	-
Wages - Overtime	101.101.5199	125,000.00
Total Wages and Salaries		2,245,200.00

Other

Hospitalization	101.101.5210	465,800.00
P. E. R. S.	101.101.5220	4,200.00
Police State Pension (Transfer)	101.101.5230	325,000.00
Medicare	101.101.5260	32,700.00
Uniform Allowance	101.101.5270	1,000.00
Telephone	101.101.5324	13,700.00
Insurance	101.101.5330	30,000.00
Gas & Oil	101.101.5420	50,000.00
Small Equip & Supplies	101.101.5430	19,500.00
Schools & Training	101.101.5513	18,000.00
Office Supplies	101.101.5521	9,000.00
Prisoner Care	101.101.5532	7,000.00
DARE Expenses	101.101.5534	-

Public Relations & Education	101.101.5535	1,400.00
Emergency 9-1-1	101.101.5560	4,900.00
Radio	101.101.5561	19,000.00
Maintenance & Repair	101.101.5564	48,200.00
Miscellaneous Expenses	101.101.5568	2,300.00
Capital Improvement	101.101.5600	-
Total Other Expense		1,051,700.00
Total Police Department		3,296,900.00

Fire Prevention & Inspection**Personal Services**

Wages - Director/Chief	101.102.5120	69,094.00
Wages - Firefighters & Officers	101.102.5138	839,455.00
Wages - Secretary	101.102.5191	27,765.00
Retirement Benefit Payout	101.102.5195	-
Wages - Overtime	101.102.5199	550.00
Total Wages & Salaries		936,864.00

Other

Hospitalization	101.102.5210	33,500.00
P. E. R. S.	101.102.5220	7,816.00
Police & Fire Pension	101.102.5230	12,854.00
Medicare	101.102.5260	13,585.00
Social Security	101.102.5265	50,341.00
Clothing - Original Issue	101.102.5271	16,500.00
Replacement Safety Clothing	101.102.5272	27,500.00
Telephone	101.102.5324	4,600.00
Insurance	101.102.5330	16,000.00
EMS Collection Fees	101.102.5385	17,050.00
Gas & Oil	101.102.5420	11,500.00
Small Equip & Supplies	101.102.5430	18,315.00
Vehicle Lease Payments	101.102.5434	3,050.00
Schools & Training	101.102.5513	7,700.00
Office Supplies	101.102.5521	4,500.00
Honor Guard	101.102.5533	-
Public Relations & Education	101.102.5535	6,000.00
Radio	101.102.5561	3,850.00
Maintenance & Repair	101.102.5564	27,500.00
Capital Imp. Fire	101.102.5611	-
Transfer for Fund 208	101.102.5901	-
Total Other Expense		282,161.00
Total Fire Department		1,219,025.00

Public Health & Welfare**Other**

Health District Charges	101.201.5392	150,000.00
Total Other Expense		150,000.00
Total Public Health & Welfare		150,000.00

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

Wages - Parks - Regular	101.301.5140	178,822.35
Wages - Summer Employees	101.301.5143	14,280.00
Retirement Benefit Payout	101.301.5195	-
Wages - Overtime	101.301.5199	8,000.00
Total Wages & Salaries		201,102.35

Other

Hospitalization	101.301.5210	72,600.00
Cobra Hospitalization	101.301.5211	-
P. E. R. S.	101.301.5220	28,200.00
Medicare	101.301.5260	2,925.00
Electricity & Heating	101.301.5320	65,000.00
Water	101.301.5322	7,000.00
Gas & Oil	101.301.5420	8,000.00
Small Equip & Supplies	101.301.5430	1,500.00
Vehicle Lease Payments	101.301.5434	15,800.00
Cleaning Supplies	101.301.5460	11,000.00
Park Repairs	101.301.5563	33,500.00
Maintenance & Repair	101.301.5564	1,000.00
Capital Improvements	101.301.5600	-
Total Other Expense		246,525.00
Total Parks Department		447,627.35

Swimming Pools**Personal Services**

Wages - Leisure & Regular	101.302.5150	112,000.00
Total Wages & Salaries		112,000.00
P.E.R.S.	101.302.5220	15,900.00
Medicare	101.302.5260	1,650.00
Water	101.302.5322	5,500.00
Small Equip & Supplies	101.302.5430	7,000.00
Swimming Pool Supplies	101.302.5451	3,500.00
Swimming Pool Chemicals	101.302.5452	22,000.00
Training	101.302.5513	3,000.00
Swimming Pool Repairs	101.302.5566	5,000.00
Total Other Expense		63,550.00
Total Swimming Pools		175,550.00

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

Wages - Director/Chief	101.303.5120	90,600.00
Wages - Leisure - Regular	101.303.5150	70,000.00
Wages - Playground Supervisor	101.303.5151	65,000.00
Wages - Ball Diamond	101.303.5153	11,000.00
Wages - Secretary	101.303.5191	47,500.00
Wages - Overtime	101.303.5199	800.00
Total Wages & Salaries		284,900.00

Other

Hospitalization	101.303.5210	40,700.00
P. E. R. S.	101.303.5220	39,900.00
Medicare	101.303.5260	4,150.00
Insurance	101.303.5330	27,000.00
Contract Umpires	101.303.5350	2,500.00
Contract Officials	101.303.5351	5,000.00
Contract Instructors	101.303.5354	1,000.00
Small Equipment & Supplies	101.303.5430	9,200.00
League Supplies	101.303.5433	2,800.00
Vehicle Lease Payments	101.303.5434	5,200.00
Fee Fund Supplies	101.303.5454	3,500.00
Recreation Program Supplies	101.303.5456	32,000.00
Concessions	101.303.5457	1,000.00
Youth Basketball Expenses	101.303.5458	5,000.00
Youth Baseball Expenses	101.303.5459	5,000.00
Paver Bricks Engraving	101.303.5470	200.00
Training	101.303.5513	1,500.00
Office Supplies	101.303.5521	9,800.00
Maintenance & Repair	101.303.5564	17,500.00
Capital Improvement	101.303.5600	-
Grant March	101.303.5602	-
Capital Improvement - Grant	101.303.5613	-
Total Other Expense		212,950.00
Total Recreation		497,850.00

Housing & Building Inspection

Wages - Director/Chief	101.401.5120	87,435.00
Wages - Housing Inspectors	101.401.5125	87,745.00
Wages - Secretary	101.401.5191	48,500.00
Retirement Benefit Payout	101.401.5195	-
Wages - Overtime	101.401.5199	500.00
Total Wages & Salaries		224,180.00

Other

Hospitalization	101.401.5210	63,200.00
P. E. R. S.	101.401.5220	31,500.00
Medicare	101.401.5260	3,300.00
Professional Services	101.401.5319	-
Telephone	101.401.5324	960.00
Contract Services	101.401.5354	10,000.00
Gas & Oil	101.401.5420	4,000.00
Small Equip & Supplies	101.401.5430	1,000.00
Vehicle Lease Payments	101.401.5434	12,000.00
Schools & Training	101.401.5513	1,000.00
Office Supplies	101.401.5521	6,000.00
Maintenance & Repair	101.401.5564	9,400.00
Misc Expenses	101.401.5568	-
Capital Improvements	101.401.5600	-
Total Other Expense		142,360.00
Total Building Department		366,540.00

Vacant Property Inspection**Personal Services**

Wages - Vacant Property Inspector	101.403.5124	-
-----------------------------------	--------------	---

Total Wages & Salaries		-
-----------------------------------	--	---

Other

P. E. R. S.	101.403.5220	-
-------------	--------------	---

Medicare	101.403.5260	-
----------	--------------	---

Telephone	101.403.5324	-
-----------	--------------	---

Gas & Oil	101.403.5420	-
-----------	--------------	---

Office Supplies	101.403.5521	-
-----------------	--------------	---

Equipment Maintenance	101.403.5564	-
-----------------------	--------------	---

Total Other Expense		-
----------------------------	--	---

Total Vacant Property Inspection Department		-
--	--	---

Garbage & Refuse Collection**Other**

Yardwaste Disposal	101.501.5362	2,000.00
--------------------	--------------	----------

Curbside Recycling	101.501.5363	2,000.00
--------------------	--------------	----------

Total Other Expense		4,000.00
----------------------------	--	----------

Total Refuse Collection		4,000.00
--------------------------------	--	-----------------

Transportation**Personal Services**

Wages - Regular	101.601.5140	149,880.00
-----------------	--------------	------------

Wages - Service Summer Employees	101.601.5143	-
----------------------------------	--------------	---

Retire Benefit Payout	101.601.5195	-
-----------------------	--------------	---

Wages - Overtime	101.601.5199	10,000.00
------------------	--------------	-----------

Total Wages & Salaries		159,880.00
-----------------------------------	--	------------

Other

Hospitalization	101.601.5210	44,500.00
-----------------	--------------	-----------

P. E. R. S.	101.601.5220	22,500.00
-------------	--------------	-----------

Medicare	101.601.5260	2,325.00
----------	--------------	----------

Telephone	101.601.5324	-
-----------	--------------	---

Engineering Fees	101.601.5360	-
------------------	--------------	---

Sand - Gravel - Concrete	101.601.5410	-
--------------------------	--------------	---

Small Equipment & Supplies	101.601.5430	2,500.00
----------------------------	--------------	----------

Tools	101.601.5440	1,500.00
-------	--------------	----------

Maintenance & Repair	101.601.5564	1,200.00
----------------------	--------------	----------

Capital Improvement	101.601.5600	5,000.00
---------------------	--------------	----------

Heavy Equipment Replacement	101.601.5601	-
-----------------------------	--------------	---

Transfer to State Highway Imp.	101.601.5902	-
--------------------------------	--------------	---

Total Other Expense		79,525.00
----------------------------	--	-----------

Total Transportation		239,405.00
-----------------------------	--	-------------------

Technology Dept.**Personal Services**

Wages - IT Director	101.700.5170	-
Wages - Part Time	101.700.5198	2,402.00
Total Wages & Salaries		2,402.00

Other

P. E. R. S.	101.700.5220	340.00
Medicare	101.700.5260	40.00
Professional Services	101.700.5319	22,000.00
Internet	101.700.5325	9,000.00
Network Equipment & Supplies	101.700.5431	18,000.00
Total Other Expense		49,380.00
Total Technology Dept.		51,782.00

Mayor's Office**Personal Services**

Wages - Mayor	101.701.5105	24,000.00
Wages - Safety Director	101.701.5106	17,500.00
Wages - Secretary	101.701.5191	50,485.00
Wages - Overtime	101.701.5199	1,500.00
Total Wages & Salaries		93,485.00

Other

Hospitalization	101.701.5210	800.00
P. E. R. S.	101.701.5220	13,200.00
Medicare	101.701.5260	1,375.00
Contract Services	101.701.5354	-
Small Equip & Supplies	101.701.5430	500.00
Schools & Training	101.701.5513	3,500.00
Total Other Expenses		19,375.00
Total Mayor's Office		112,860.00

Finance Administration**Personal Services**

Wages - Director/Chief	101.702.5120	110,590.00
Wages - Finance Staff	101.702.5160	107,950.00
Retirement Benefit Payout	101.702.5195	-
Total Wages & Salaries		218,540.00

Other

Hospitalization	101.702.5210	72,700.00
P. E. R. S.	101.702.5220	30,600.00
Medicare	101.702.5260	3,200.00
Contract Employees	101.702.5354	-
Bank Service Charges	101.702.5383	-
Small Equip & Supplies	101.702.5430	19,000.00
Schools & Training	101.702.5513	2,000.00
Capital Improvements	101.702.5600	50,000.00
Total Other Expense		177,500.00
Total Finance Department		396,040.00

Legal Administration**Personal Services**

Legal Retainer	101.703.5114	79,125.00
Total Wages & Salaries		79,125.00

Other

P. E. R. S.	101.703.5220	11,100.00
Medicare	101.703.5260	1,155.00
Legal Advertising	101.703.5310	4,000.00
Consulting Services	101.703.5318	40,500.00
Law Books & Periodicals	101.703.5512	500.00
Schools & Training	101.703.5513	500.00
Miscellaneous Expenses	101.703.5568	500.00
Total Other Expense		58,255.00
Total Legal Department		137,380.00

Administrative Support Service Dept.**Personal Services**

Wages - Director/Chief	101.704.5120	89,020.00
Wages - Secretary	101.704.5191	50,482.00
Wages - Overtime	101.704.5199	500.00
Total Wages & Salaries		140,002.00

Other

Hospitalization	101.704.5210	62,500.00
P. E. R. S.	101.704.5220	19,700.00
Medicare	101.704.5260	2,050.00
Uniforms	101.704.5270	20,000.00
Telephone	101.704.5324	2,160.00
Contract Services	101.704.5354	15,000.00
Gas & Oil	101.704.5420	12,000.00
Small Equip & Supplies	101.704.5430	6,500.00
Vehicle Lease Payments	101.704.5434	8,000.00
Schools & Training	101.704.5513	12,000.00
Office Supplies	101.704.5521	6,000.00
Radio	101.704.5561	500.00
Maintenance & Repair	101.704.5564	5,500.00
Stormwater Management	101.704.5604	9,000.00
Total Other Expense		180,910.00
Total Service Department		320,912.00

Legislative**Personal Services**

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

Other

P. E. R. S.	101.705.5220	8,125.00
-------------	--------------	----------

Medicare	101.705.5260	850.00
Small Equip & Supplies	101.705.5430	1,000.00
Miscellaneous Expenses	101.705.5568	10,000.00
Total Other Expense		19,975.00
Total General Govt.		77,975.00

Municipal Court Costs & Fees**Other**

Court Costs & Fees	101.706.5315	60,000.00
Jury & Witness Fees	101.706.5316	10.00
Total Other Expense		60,010.00
Total Municipal Court		60,010.00

Civil Service Commission**Other**

Civil Service Operations	101.707.5317	7,000.00
Training	101.707.5513	500.00
Total Other Expense		7,500.00
Total Civil Service Commission Operations		7,500.00

Lands & Buildings**Personal Services**

Wages - Regular	101.708.5140	53,045.00
Wages - Overtime	101.708.5199	4,000.00
Total Wages & Salaries		57,045.00

Other

Hospitalization	101.708.5210	21,700.00
P. E. R. S.	101.708.5220	8,000.00
Medicare	101.708.5260	850.00
Electricity & Heating	101.708.5320	80,000.00
Water	101.708.5322	5,000.00
Landscaping Services	101.708.5352	40,000.00
Contract Cleaning Service	101.708.5353	-
Street Signs	101.708.5364	5,000.00
Small Equip & Supplies	101.708.5430	9,700.00
Cleaning Supplies	101.708.5460	17,000.00
Maintenance & Repair	101.708.5564	122,500.00
Capital Improvements	101.708.5600	-
Total Other Expense		309,750.00
Total Lands & Buildings		366,795.00

Engineering**Other**

Engineering Fees	101.709.5360	60,000.00
Total Other Expense		60,000.00
Total Engineering Fees		60,000.00

County Auditor Deductions**Other**

State Auditors Fees	101.710.5380	60,000.00
State Property Admin. Fees	101.710.5386	320.00
County Treasurer Fees	101.710.5390	30,500.00
Workers Compensation	101.710.5391	185,000.00
County Election Fees	101.710.5393	4,200.00
County Delinquent Land Advertising	101.710.5394	500.00
Total Other Expense		280,520.00
Total County Auditor Deductions		280,520.00

Administrative Support**Other**

Contingent Liability	101.711.5220	5,000.00
Professional Services	101.711.5319	10,000.00
Telephone	101.711.5324	32,000.00
Insurance	101.711.5330	32,000.00
Unemployment Compensation	101.711.5331	4,000.00
Charge for Income Tax Collections	101.711.5340	120,000.00
Ohio Municipal League	101.711.5371	2,500.00
Codification	101.711.5372	6,000.00
Land Acquisitions	101.711.5375	-
Demolition Costs	101.711.5376	20,000.00
Small Equip & Supplies	101.711.5430	5,000.00
Network Equip & Supplies	101.711.5431	-
Schools & Training	101.711.5513	-
BWC Grant Expenses	101.711.5516	-
Office Supplies	101.711.5521	18,000.00
Miscellaneous Expenses	101.711.5568	16,000.00
Capital Improvements	101.711.5600	-
Transfer to Fund 301	101.711.5904	-
Transfer to Fund 401	101.711.5905	-
Transfer to Fund 220	101.711.5906	-
Transfer to Fund 218	101.711.5909	-
Transfer to Fund 211	101.711.5913	-
Transfer to Fund 213	101.711.5916	-
Transfer to Fund 222	101.711.5920	-
Transfer to Fund 240	101.711.5921	-
Transfer to Fund 230	101.711.5923	-
Transfer to Fund 420	101.711.5924	-
Transfer to Fund 225	101.711.5925	-
Transfer to Fund 227	101.711.5934	-
Refunds	101.711.5971	8,000.00
Unclaimed Funds	101.711.5972	2,000.00
Advance Fund 214	101.711.5975	-
Advance Fund 213	101.711.5976	-
Advance Fund 223	101.711.5989	-
Advance Fund 205	101.711.5990	280,000.00
Advance Fund 224	101.711.5992	-
Advance Fund 225	101.711.5993	-

Advance Fund 227	101.711.5995	-
Advance Fund 420	101.711.5998	-
Total Other Expense		560,500.00
Total Administrative Support		560,500.00

Public Relations

Public Relations	101.713.5535	-
Total Public Relations		-

Economic Development

Professional Services	101.714.5319	3,650.00
Contract Services	101.714.5354	10,000.00
Total Economic Development		13,650.00

TOTAL GENERAL FUND: 9,552,771.35

SECTION 3. That there be appropriated from the Street Construction, Maintenance & Repair Fund:

SCM&R FUND**Personal Services**

Wages - Summer Employment	202.601.5143	-
Wages - Service - Regular	202.601.5185	244,950.00
Retirement Benefit Payout	202.601.5195	-
Wages - Overtime	202.601.5199	12,000.00
Total Wages & Salaries		256,950.00

Other

Hospitalization	202.601.5210	79,800.00
P. E. R. S.	202.601.5220	36,000.00
Medicare	202.601.5260	3,750.00
Street Signs	202.601.5364	15,000.00
Freeway Maintenance	202.601.5366	37,000.00
Street Resurface & Repair	202.601.5367	24,000.00
Street Lining	202.601.5368	100,000.00
Small Equipment & Supplies	202.601.5430	1,500.00
Vehicle Lease Payments	202.601.5434	23,800.00
Tools	202.601.5440	4,500.00
Maintenance & Repair	202.601.5564	30,000.00
Contract Construction	202.601.5600	-
Heavy Equipment Replacement	202.601.5601	175,000.00
Note Principal	202.711.5703	-
Note Interest	202.711.5704	-
Total Other Expense		530,350.00
TOTAL SCM&R FUND		787,300.00

SECTION 4. That there be appropriated from the State Highway Fund:

STATE HIGHWAY IMPROVEMENT FUND**Other**

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

SECTION 5. That there be appropriated from the Street Lighting Fund:

STREET LIGHTING FUND

Other

Street Lighting	204.502.5326	205,000.00
Engineering Fees	204.502.5360	-
State Property Tax Admin. Fees	205.502.5386	24.00
County Treasurer Fees	204.502.5390	2,500.00
Small Equipment & Supplies	204.502.5430	1,500.00
Equipment Maintenance	204.502.5564	-
Capital Improvement	204.502.5600	-
Total Other Expense		209,024.00
TOTAL STREET LIGHTING FUND		209,024.00

SECTION 6. That there be appropriated from the Sewer Disposal Water Pollution Control Fund (Sewer Revenue):

SEWER REVENUE FUND

Personal Services

Wages - Regular	205.503.5140	310,470.00
Wages - Summer Employees	205.503.5143	-
Retirement Benefit Payout	205.503.5195	-
Wages - Overtime	205.503.5199	7,500.00
Total Wages & Salaries		317,970.00

Other

Hospitalization	205.503.5210	104,500.00
P. E. R. S.	205.503.5220	44,600.00
Medicare	205.503.5260	2,800.00
Wickliffe Sewer Charges	205.503.5323	60,000.00
Insurance	205.503.5330	14,000.00
Contract Services	205.503.5354	-
Euclid Disposal Plant	205.503.5361	2,581,250.00
Sewer Maintenance	205.503.5367	38,500.00
Lake County Billing Fees	205.503.5382	88,500.00
County Treasurer Fees	205.503.5390	10,500.00
Gas & Oil	205.503.5420	20,000.00
Small Equipment & Supplies	205.503.5430	1,500.00
Vehicle Lease Payments	205.503.5434	15,800.00
Schools & Training	205.503.5513	750.00
Maintenance & Repair	205.503.5564	3,000.00
Miscellaneous Expenses	205.503.5568	-
Sewer Lateral Repairs	205.503.5569	-
Capital Improvements	205.503.5600	-
General Refunds	205.503.5971	1,000.00
Engineering Fees	205.709.5360	25,000.00
Legal Fees	205.711.5318	3,000.00
Note Principal	205.711.5703	219,180.00

Note Interest	205.711.5704	3,210.00
Transfer to Fund 422	205.711.5919	-
Return of Advance to Fund 101	205.711.5977	-
Engineering Fees	205.913.5360	-
E. 328th St. Sewer	205.913.5600	-
Advance to Fund 430	205.915.5994	-
Total Other Expense		3,237,090.00
TOTAL SEWER REVENUE FUND		3,555,060.00

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

POLICE & FIRE CAPITAL IMPROVEMENT FUND

Other

Small Equipment - Police	207.101.5430	34,800.00
Capital Improvements - Police	207.101.5610	-
Lease Principal-Police	207.101.5703	93,700.00
Lease Interest-Police	207.101.5704	7,800.00
Small Equipment - Fire	207.102.5430	36,000.00
Capital Improvements - Fire	207.102.5611	37,000.00
State Property Tax Admin. Fees	207.710.5386	15.00
County Treasurer Fees	207.710.5390	3,000.00
Note Principal-Fire	207.711.5703	122,100.00
Note Interest-Fire	207.711.5704	13,585.00
Transfer to Fund 301	207.711.5904	-
Advance to Fund 223	207.711.5989	-
Total Other Expense		348,000.00
TOTAL POLICE & FIRE CAPITAL FUND		348,000.00

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

FIRE EMERGENCY RESCUE FUND

Personal Services

Wages - Director/Chief	208.102.5120	56,535.00
Wages - Firefighters & Officers	208.102.5138	686,825.00
Wages - Secretary	208.102.5191	22,720.00
Retirement Benefit Payout	208.102.5195	-
Wages - Overtime	208.102.5199	450.00
Total Wages & Salaries		766,530.00

Other

Hospitalization	208.102.5210	27,500.00
P. E. R. S.	208.102.5220	6,395.00
Police & Fire Pension	208.102.5230	10,517.00
Medicare	208.102.5260	11,115.00
Social Security	208.102.5265	41,190.00
Clothing - Original Issue	208.102.5271	13,500.00
Replacement Safety Clothing	208.102.5272	22,500.00
Telephone	208.102.5324	3,765.00
Insurance	208.102.5330	13,000.00
Engineering Fees	208.102.5360	-
EMS Collection Fees	208.102.5385	13,950.00

State Property Tax Admin. Fees	208.102.5386	40.00
County Treasurer Fees	208.102.5390	7,500.00
Gas & Oil	208.102.5420	9,000.00
Small Equipment & Supplies	208.102.5430	14,985.00
Vehicle Lease Payments	208.102.5434	2,500.00
Schools & Training	208.102.5513	6,300.00
EMS Grant Expenses	208.102.5515	-
Office Supplies	208.102.5521	3,590.00
Radio	208.102.5561	3,150.00
Maintenance & Repair	208.102.5564	22,500.00
Capital Improvements	208.102.5600	-
Total Other Expense		232,997.00
TOTAL FIRE EMERGENCY RESCUE FUND		999,527.00

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

SANITARY & STORM SEWER LATERAL LEVY FUND

Personal Services

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

Other

P. E. R. S.	211.503.5220	-
Medicare	211.503.5260	-
Engineering	211.503.5360	30,000.00
State Property Tax Admin. Fees	211.503.5386	14.00
County Treasurer's Fees	211.503.5390	1,500.00
Sewer Lateral Repairs	211.503.5569	170,000.00
Capital Improvements	211.503.5600	-
Total Other Expense		201,514.00
TOTAL SANITARY & STORM SEWER LATERAL LEVY FUND		201,514.00

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

STREET IMPROVEMENT LEVY FUND

Other

Engineering Fees	213.601.5360	-
Street Resurfacing & Repair	213.601.5367	705,000.00
Street Lining	213.601.5368	-
Miscellaneous Expenses	213.601.5568	-
Legal Fees	213.711.5318	-
State Property Tax Admin. Fees	213.711.5386	94.00
County Treasurer Fees	213.711.5390	9,050.00
Return Advance Fund 101	213.711.5977	-
Engineering Fees-2020 Road Program OPWC	213.914.5360	-
Street Resurfacing-2020 Road Program OPWC	213.914.5600	-
Transfer-Fund 431	213.916.5934	-
Total Other Expense		714,144.00
TOTAL STREET IMPROVEMENT LEVY FUND		714,144.00

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

RECREATION IMPROVEMENT LEVY FUND

Other

Maintenance & Repair	214.302.5564	10,000.00
Miscellaneous Expenses	214.302.5568	-
Pool Capital Improvements	214.302.5614	-
Small Equip & Supplies	214.303.5430	4,200.00
Miscellaneous Expenses	214.303.5568	-
Recreation Capital Improvements	214.303.5600	170,000.00
Engineering	214.709.5360	-
Legal Fees	214.711.5318	-
State Property Tax Admin. Fees	214.711.5386	8.00
County Treasurer Fees	214.711.5390	800.00
Return of Advance to Fund 101	214.711.5977	-
Total Other Expense		185,008.00
TOTAL RECREATION IMPROVEMENT LEVY FUND		185,008.00

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

PERMISSIVE LICENSE FEE FUND

Other

Traffic Signals	215.601.5326	40,000.00
Traffic Lights	215.601.5328	16,000.00
Insurance	215.601.5330	10,500.00
Engineering	215.601.5360	-
Street Signs	215.601.5364	3,000.00
Street Resurface & Repair	215.601.5367	35,000.00
Street Lining	215.601.5368	-
Gas & Oil	215.601.5420	20,000.00
Equipment Maintenance	215.601.5564	-
Miscellaneous Expenses	215.601.5568	-
Capital Improvement	215.601.5600	-
Total Other Expense		124,500.00
TOTAL PERMISSIVE LICENSE FEE FUND		124,500.00

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

DUI EDUCATION & ENFORCEMENT FUND

Other

DUI Education & Enforcement	217.101.5530	1,500.00
Capital Improvement	217.101.5600	-
Total Other Expense		1,500.00
TOTAL DUI EDUCATION & ENFORCEMENT FUND		1,500.00

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

DRUG LAW ENFORCEMENT FUND

Other

Equipment & Supplies	218.101.5430	200.00
----------------------	--------------	--------

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

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

SENIOR CITIZENS CENTER FUND

Personal Services

Wages	220.304.5120	46,850.00
Retirement Benefit Payout	220.304.5195	-
Wages - Part Time	220.304.5198	21,220.00
Total Wages & Salaries		68,070.00

Other

Hospitalization	220.304.5210	10,000.00
P. E. R. S.	220.304.5220	9,600.00
Medicare	220.304.5260	1,000.00
Electricity & Heating	220.304.5320	4,000.00
Gas & Oil	220.304.5420	-
Small Equip & Supplies	220.304.5430	3,000.00
Program Supplies	220.304.5453	3,000.00
Office Supplies	220.304.5521	4,000.00
Maintenance & Repair	220.304.5564	5,000.00
United Way Expenses	220.304.5567	-
Capital Improvement	220.304.5600	-
Levy Fund	220.304.5603	88,000.00
Total Other Expense		127,600.00
TOTAL SENIOR CITIZENS CENTER FUND		195,670.00

SECTION 16. That there be appropriated from the Emergency Management Fund:

EMERGENCY MANAGEMENT FUND

Other

Transfer to Fund 208	221.711.5901	-
Transfer to Fund 202	221.711.5903	-
Transfer to Fund 205	221.711.5907	-
Transfer to Fund 101	221.711.5911	-
Transfer to Fund 221	221.711.5924	-
Total Other Expense		-
TOTAL EMERGENCY MANAGEMENT FUND		-

SECTION 17. That there be appropriated from the Homeland Security Grant Fund:

HOMELAND SECURITY GRANT FUND

Other

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

TOTAL HOMELAND SECURITY GRANT FUND

-

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

Return of Advance to 101 224.711.5977

-

CDBG - Hearts & Hammers 224.950.5517

-

Professional Services 224.951.5319

-

Total Other Expense

-

TOTAL COMMUNITY BLOCK GRANT FUND

-

SECTION 19. That there be appropriated from the Lakefront Connectivity & Downtown Redevelopment Grant Fund:**LAKEFRONT CONNECTIVITY & DOWNTOWN REDEVELOPMENT GRANT FUND****Other**

Professional Services 225.711.5319

-

Return of Advance to Fund 101 225.711.5977

-

Total Other Expense

-

TOTAL LAKEFRONT CONNECTIVITY & DOWNTOWN GRANT FUND

-

SECTION 20. That there be appropriated from the Coronavirus Relief Grant Fund:**CORONAVIRUS RELIEF GRANT FUND****Personal Services**

Wages 226.715.5140

-

Wages - Overtime 226.715.5199

-

Total Wages & Salaries

-

Other

P.E.R.S 226.715.5220

-

Police Pension-City 226.715.5230

-

Medicare 226.715.5260

-

Social Security 226.715.5265

-

Professional Services 226.715.5319

-

Unemployment 226.715.5331

-

Small Equipment & Supplies 226.715.5430

-

Network Equipment & Supplies 226.715.5431

-

Cleaning Supplies 226.715.5460

-

Office Supplies 226.715.5521

-

Small Business Grants 226.715.5568

-

Capital Improvements 226.715.5600

-

Total Other Expense

-

TOTAL CORONAVIRUS RELIEF GRANT FUND

-

SECTION 21. That there be appropriated from the NOPEC Grant Fund:**NOPEC GRANT FUND****Other**

Engineering Fees 227.709.5360

-

Capital Improvements	227.711.5600	-
Return of Advance to Fund 101	227.711.5977	217,841.00
Total Other Expense		217,841.00
TOTAL NOPEC GRANT FUND		217,841.00

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

LOCAL FISCAL RECOVERY/ARPA FUND

Other

Small Equipment & Supplies	228.101.5430	-
Capital Improvement	228.503.5600	22,500.00
Capital Improvement-CC HVAC	228.711.5600	-
Capital Improvements-E. 328th St. Sewer Phase 2	228.915.5600	-
Total Other Expense		22,500.00
TOTAL LOCAL FISCAL RECOVERY/ARPA FUND		22,500.00

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

LAW ENFORCEMENT TRUST FUND

Other

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

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

LAW ENFORCEMENT CONT. TRAINING FUND

Other

Schools & Training	232.101.5513	-
Total Other Expense		-
TOTAL LAW ENFORCEMENT CONT. TRAINING FUND		-

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

EARNED BENEFITS FUND

Other

Retirement Benefit Payout-Dispatchers	240.100.5195	28,000.00
Retirement Benefit Payout-Police	240.101.5195	90,000.00
Retirement Benefit Payout-Parks	240.301.5195	-
Retirement Benefit Payout-Building	240.401.5195	-
Retirement Benefit Payout-Sewers	240.503.5195	4,400.00
Retirement Benefit Payout-Mayor's Office	240.701.5195	-
Retirement Benefit Payout-Finance	240.702.5195	-
Total Other Expense		122,400.00
TOTAL EARNED BENEFITS FUND		122,400.00

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

FIRE LOSS CLAIMS FUND**Other**

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

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

BOND RETIREMENT FUND**Other**

Legal Fees	301.711.5318	-
Registrar Fees	301.711.5384	-
State Property Tax Admin. Fees	301.711.5386	6.00
County Treasurer Fees	301.711.5390	500.00
Bond Principal	301.711.5701	-
Bond Interest	301.711.5702	-
Note Principal	301.711.5703	34,068.00
Note Interest	301.711.5704	-
Total Other Expense		34,574.00
TOTAL BOND RETIREMENT FUND		34,574.00

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

MUNICIPAL TAX INCREMENT EQUIV. FUND**Other**

Misc. Expenses	302.204.5568	40,000.00
Capital Improvement	302.204.5600	44,000.00
State Property Tax Admin. Fees	302.711.5386	56.00
County Treasurer Fees	302.710.5390	7,000.00
Legal Fees	302.711.5318	-
Miscellaneous Expenses	302.711.5568	-
Capital Improvement	302.711.5600	-
Note Principal	302.711.5703	-
Note Interest	302.711.5704	-
PILOT Reimbursement to W/E Schools	302.711.5720	200,000.00
Total Other Expense		291,056.00
TOTAL MUNICIPAL TAX INCREMENT EQUIV. FUND		291,056.00

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

CAPITAL IMPROVEMENT FUND**Other**

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

TOTAL CAPITAL IMPROVEMENT FUND

-

SECTION 30. That there be appropriated from the Stormwater Management Capital Improvement Fund:**STORMWATER MANAGEMENT CAPITAL IMPROVEMENT FUND****Other**

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

SECTION 31. That there be appropriated from the Sanitary Sewer Capital Improvement Fund:**SANITARY SEWER CAPITAL IMPROVEMENT FUND****Other**

Capital Improvements	422.503.5600	-
Engineering Fees	422.709.5360	-
Legal Fees	422.711.5318	-
Note Principal	422.711.5703	-
Note Interest	422.711.5704	-
Total Other Expense		-
TOTAL SANITARY SEWER CAPITAL IMPROVEMENT FUND		-

SECTION 32. That there be appropriated from the E. 329th Sewer Improvement Phase 2 Fund:**E. 329TH SEWER IMPROVEMENT PHASE 2 FUND****Other**

Transfer-Fund 205	429.912.5907	153,245.01
Total Other Expense		153,245.01
TOTAL E. 329TH SEWER IMPROVEMENT PHASE 2 FUND		153,245.01

SECTION 33. That there be appropriated from the E. 328th Sewer Improvement Phase 2 Fund:**E. 328TH SEWER IMPROVEMENT PHASE 2 FUND****Other**

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

SECTION 34. That there be appropriated from the Police Pension Fund:**POLICE PENSION FUND****Other**

Police Pension City Liability	801.101.5230	428,000.00
State Property Tax Admin. Fees	801.101.5386	10.00
County Treasurer Fees	801.101.5390	1,000.00

Total Other Expense	429,010.00
TOTAL POLICE PENSION FUND	429,010.00

SECTION 35. That there be appropriated from the Security Deposits Fund:

SECURITY DEPOSITS FUND

Other

Engineering Fees	802.711.5360	3,000.00
Deposit Refunds	802.711.5970	11,000.00
Unclaimed Funds	802.711.5972	2,000.00
Total Other Expense		16,000.00
TOTAL SECURITY DEPOSIT FUND		16,000.00

SECTION 36. That there be appropriated from the Donations & Bequests Fund:

Other

Donation Purchases	803.811.5800	30,000.00
Total Donations & Bequests Fund		30,000.00
TOTAL DONATIONS & BEQUESTS FUND:		30,000.00

TOTAL ALL FUNDS	18,336,844.36
------------------------	----------------------

SECTION 37. That the Finance Director is hereby authorized to make expenditures or payments from any of the foregoing appropriations upon receiving proper certification and vouchers therefore, approved by the Board of Officers authorized by law to approve the same, or an Ordinance or Resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

SECTION 38. All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 3.12 of the Charter of the City of Willowick and Section 121.22 of the Ohio Revised Code.

SECTION 39. That the Clerk of Council be and she is hereby requested to deliver a certified copy of this Ordinance to the Lake County Auditor.

SECTION 40. That this Ordinance is hereby declared and determined to be an emergency measure necessary for the preservation of the public peace, health and safety of said City for the reason that immediate provision must be made for the appropriation herein provided for and it shall, therefore, be in effect immediately upon its approval by the Mayor of the City.

PASSED: _____, 2023

Submitted to the Mayor for his approval
on _____, 2023

ATTEST:

Council President

Approved by the Mayor on _____, 2023

Clerk of Council

Mayor

ORDINANCE NO. 2023-6

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 \$6.786 PER 100 CUBIC FEET OF WATER, ESTABLISH A MINIMUM QUARTERLY BILLING FOR SUCH USE CHARGE RATE OF \$54.29 PER 800 CUBIC FEET OF WATER, OR PART THEREOF.

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

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

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

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

921.08 SANITARY SEWER RENTAL RATES.

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

(b)(1) Every person, firm or corporation whose lots, lands or premises are served by a connection with the sanitary sewerage system of the City shall pay for discharging sewage, industrial wastes, waste or other liquids either directly or indirectly into the sanitary sewerage system, a sewer rental charge based upon the quantity of metered water used in or upon such lots, lands, or premises and such charge shall be determined as follows: Each 100 cubic feet of water, or part thereof, measured through any one water meter, at the use charge rate of ~~Five Dollars and .429 cents (\$5.429)~~ **Six Dollars and .786 cents (\$6.786)** and the minimum quarterly billing for such use charge rate shall be ~~Forty-Three Dollars and Forty-Three cents (\$43.43)~~ **Fifty-Four Dollars and .29 cents (\$54.29)** per 800 cubic feet of water, or part thereof per quarter.

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

* * *

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

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

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

Adopted by Council: _____, 2023

Robert Patton, Council President

Submitted to the Mayor: _____, 2023

Michael J. Vanni, Mayor

Approved by the Mayor: _____, 2023

ATTEST: _____
Angela Trend, Clerk of Council

ORDINANCE 2023-7

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2023 ENERGIZED COMMUNITY GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Willowick, Ohio (the “CITY” or “GRANTEE”) is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is eligible for one or more NOPEC Energized Community Grant(s) for 2023 (“NEC Grant(s)”) as provided for in the NEC Grant Program guidelines; and

WHEREAS, the GRANTEE wishes to enter into a Grant Agreement with NOPEC, Inc. in substantially the form presented to this Council to receive one or more NEC Grant(s); and

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

SECTION 1. This Council of the GRANTEE (the “Council”) finds and determines that it is in the best interest of the GRANTEE to enter into the Grant Agreement to accept the NEC Grant(s) for 2023, and authorizes the Mayor to execute the Grant Agreement to accept the NEC Grant(s) funds.

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

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare and dignity of the residents of the City of Willowick, insofar as it ensures the orderly and uninterrupted efficient operation of the City and applications for grant funding.

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

Adopted by Council: _____, 2023

Robert Patton, Council President

Submitted to the Mayor: _____, 2023

Michael Vanni, Mayor

Approved by the Mayor: _____, 2023

ATTEST: _____
Angela Trend, Clerk of Council

NOPEC 2023 ENERGIZED COMMUNITY

GRANT AGREEMENT

This Grant Agreement (the “Agreement”) is made and entered into by and between NOPEC, Inc. (“Grantor”), and the City of Willowick, Lake County, Ohio (“Grantee”; “Grantor” and “Grantee,” the “Parties”) regarding a grant by Grantor to Grantee to be used primarily for energy efficiency or energy infrastructure updates in accordance with NOPEC Energized 2023 Community Grant criteria, guidelines and requirements (“NOPEC Policy”).

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter set forth, the Parties hereby agree as follows:

1. **Grant of Funds.** Grantor hereby grants a NOPEC Energized 2023 Community Grant (“NEC Grant”) to Grantee in the amount calculated by Grantor based on the number of natural gas and/or electric accounts served by Grantor in Grantee in accordance with NOPEC Policy in the amount determined by Grantor (“Funds”), for the purposes set forth in Grantee’s Grant Disbursement Request, as amended, and incorporated by reference into this Agreement.

2. **Use of Funds.** Grantee shall use the Funds granted by Grantor for qualified use as outlined in the program policies. Funds shall be paid in accordance with NOPEC Policy. NEC Grant disbursements shall be accompanied by a completed Disbursement Request Form with the expenditures supported by contracts, invoices, vouchers, and other data as appropriate as supporting documents. All disbursements for qualified use in accordance with the program policies must be submitted by November 30, 2025. If Grantee does not request disbursements by Grantor on or before such date, Grantee shall forfeit any unused Funds for the NOPEC 2023 Grant year.

3. **Accounting of Funds.** Grantee shall keep all Funds and make all disbursements and expenditures consistent with the manner in which all public funds are kept by Grantee in accordance with applicable law.

4. **Term.** The Parties agree that this Agreement shall begin on January 1, 2023, and shall expire on December 31, 2023, and shall be automatically renewed annually unless Grantor discontinues the NEC Grant program for any subsequent year or Grantee is no longer a NOPEC member in good standing, as defined herein, or Grantor requires a new Grant Agreement from Grantee.

5. **Renewable Energy Credits.** Grantee shall be entitled to claim Renewable Energy Credits, carbon credits, or NOx allowances and/or allowances arising under other trading programs that may be established in the future for the work completed using grant funding. Grantor reserves the right to claim/apply for such allowances if Grantee does not claim such allowances or this Agreement terminates. Grantee must notify Grantor if Grantee does not wish to trade or sell any such credits or assets.

6. **Records, Access and Maintenance.** Grantee shall establish and maintain all records associated with the Funds in accordance with the Ohio Public Records Act and shall promptly make available to Grantor all of its records with respect to matters covered by this Agreement, and for Grantor to audit, examine and make copies from such records. Grantee

agrees to share and release all of its utility and other data with NOPEC, Inc. and Northeast Ohio Public Energy Council and its consultant(s) in order to measure, verify and otherwise track savings from energy efficiency and for such other related uses as Grantor shall require.

7. **Property and Equipment Purchases.** All items purchased by Grantee from the Funds granted herein are and shall remain the property of Grantee.

8. **Inability to Perform.** In the event that Grantee does not or cannot complete or perform its obligations under this Agreement, Grantee shall immediately notify Grantor in writing. Grantor, with the approval of the Committee formed to award NEC Grants (the “Committee”), and Grantee shall jointly identify amendments or suitable uses that meet NOPEC Policy.

9. **Dispute Resolution.** In the event Grantee desires clarification or explanation of, or disagrees with, any matter concerning the Agreement, or the interpretation or application of any and all federal or state statutes, rules, regulations, laws or ordinances, the matter must be submitted in writing to Grantor, which shall convene the Committee to review and decide the matter. All decisions of the Committee shall be final and binding upon Grantee, and non-appealable.

10. **Termination.**

(a) If Grantor determines that Grantee has failed to perform any requirements of this Agreement, or if Grantee is in default under any provision of this Agreement, or upon just cause, as shall be determined by the Committee, Grantor, upon approval by the Committee, may terminate the Agreement at any time after providing Grantee with written notice and a period of at least thirty (30) days to cure any and all defaults under this Agreement. During such thirty-day cure period, Grantee shall incur only those obligations or expenditures which are necessary to enable Grantee to continue to achieve compliance with the terms of this Agreement.

(b) This Agreement shall automatically terminate if Grantee is not a NOPEC member in good standing. A NOPEC member in good standing means a Northeast Ohio Public Energy Council (“NOPEC” or “Northeast Ohio Public Energy Council”) member whose residents are receiving service from Northeast Ohio Public Energy Council’s natural gas or electric aggregation program, and which has not provided written notice to withdraw from such Northeast Ohio Public Energy Council’s natural gas or electric aggregation program.

11. **Effects of Termination.**

(a) Within sixty (60) days after termination of this Agreement, Grantee shall surrender all reports, data, documents, and other materials assembled and prepared pursuant to this Agreement which shall become the property of Grantor.

(b) The Committee also may withhold any payment of the Funds or require Grantee to return all or any part of the Funds awarded if Grantee is found to have violated the provisions of this Agreement. Notwithstanding any other provision in this Agreement, if Grantee either withdraws from membership in the Northeast Ohio Public Energy Council or from its electric or natural gas aggregation program(s) or is otherwise not a member in good standing of the Northeast Ohio Public Energy Council, Grantee shall no longer be eligible for any NEC

Grants. The provisions of this paragraph are in addition to the termination provisions of this Agreement and to any payments required under the Northeast Ohio Public Energy Council Bylaws and the Northeast Ohio Public Energy Council of Governments Agreement with its member communities in connection with any such withdrawal.

12. **Liability.** Grantee shall maintain, or cause any vendors or subcontractors to maintain, all required liability and property insurance to cover actionable legal claims for liability or loss which are the result of injury to or death of any person, damage to property caused by the negligent acts or omissions, or negligent conduct of the Grantee. To the extent permitted by law, in connection with activities conducted in connection with this Agreement, Grantee agrees to defend Grantor and pay any judgments and costs arising out of such negligent acts or omissions, and nothing in this Agreement shall impute or transfer any liability of any nature whatsoever from Grantee to NOPEC, Inc. or the Northeast Ohio Public Energy Council.

13. **Compliance with Laws.** Grantee agrees to comply with all applicable federal, state, and local laws in the performance of the funding. Grantee is solely responsible for payments of all unemployment compensation, insurance premiums, workers' compensation premiums, all income tax deductions, social security deductions, and any and all other taxes or payroll deductions required for all employees engaged by Grantee on the performance of the work authorized by this Agreement.

14. **Miscellaneous.**

(a) **Governing Law.** The laws of the State of Ohio shall govern this Agreement. All actions regarding this Agreement shall be venued in a court of competent subject matter jurisdiction in Cuyahoga County, Ohio.

(b) **Entire Agreement.** This Agreement and any documents referred to herein constitute the complete understanding of the Parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the Parties with respect to the subject matter hereof.

(c) **Severability.** Whenever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provisions of this Agreement.

(d) **Notices.** All notices, consents, demands, requests and other communications which may, or are required to be, given hereunder shall be in writing and delivered to the addresses set forth hereunder or to such other address as the other party hereto may designate from time to time:

In case of Grantor, to:
 Charles W. Keiper, II
 President
 NOPEC, Inc.
 31360 Solon Road

Suite 33
Solon, OH 44139

In case of Grantee, to:

Title: _____
Name: _____
_____, Ohio _____

(e) Amendments or Modifications. Either party may at any time during the term of this Agreement request amendments or modifications. Requests for amendment or modification of this Agreement shall be in writing and shall specify the requested changes and justification therefor. The Parties shall review the request for modification in terms of the funding uses and NOPEC Policy. Should the Parties consent to modification of the Agreement, then an amendment shall be drawn, approved, and executed in the same manner as the original Agreement.

(f) Headings. Section headings contained in this Agreement are inserted for convenience only and shall not be deemed to be a part of this Agreement.

(g) Assignment. Neither this Agreement nor any rights, duties or obligations described herein, shall be assigned or subcontracted by Grantee without the prior express written consent of Grantor.

(h) Authority. The undersigned represents and warrants to the other that each has all the necessary legal power and authority to enter into this Agreement.

(i) Determinations by Grantor Final. All determinations as to eligibility of any uses of an award of any NEC Grant, and the amount and payment schedule of a NEC Grant, will be made by Grantor and its Committee, which shall be final, conclusive and binding upon Grantee.

(j) Designation of Grantee Representative. Grantee hereby designates its [Fiscal Officer or other position] to take all actions with respect to the NEC Grant and this Agreement as may be required and Grantor shall be entitled to rely on the authority of such designated representative of Grantee in connection with this Agreement.

(k) Marketing Consent. Grantee hereby authorizes NOPEC, Inc. and Northeast Ohio Public Energy Council to use information about Grantee's grant(s) and work funded in any marketing they may conduct, and agrees to cooperate with Grantor in connection with such marketing.

[Signature Page to Follow.]

IN WITNESS WHEREOF, the Parties hereto have executed this Grant Agreement on the last date set forth below.

GRANTEE:

_____, Ohio

Individual Authorized by Grantee's
Legislation

By: _____

Title: _____

Date: _____

GRANTOR:

NOPEC, INC.

By: _____

Title: _____

Date: _____

[Signature page to NOPEC 2023 Energized Community Grant Agreement.]