



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, April 06, 2021 at 7:30 PM
City Council Chambers/ Webex

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 March 16, 2021.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

- [2.](#) A Proclamation congratulating Don and Carole Andrus for their 70th wedding anniversary on April 7th, 2021.
- [3.](#) A Special Resolution declaring the month of April as child abuse prevention month in the City of Willowick.

ADMINISTRATIVE 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**

- 4. Motion authorizing the Mayor to enter into a Month to Month contract with Spectrum Enterprise in the amount of \$89.98 for internet service at Dudley Park & Pool.

INTRODUCTION & CONSIDERATION OF LEGISLATION

- 5. Ordinance No. 2021-16 (Finance Director)

An Ordinance amending Ordinance 2021-9 to provide for additional appropriations from the Municipal Tax Increment Equivalent Fund (302) 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.

- 6. Ordinance No. 2021-17 (Law Director)

An Ordinance establishing the Northeast Ohio Public Energy Council ("NOPEC") Grant Fund, under fund number 227, and declaring an emergency.

7. Ordinance No. 2021-18 (Law Director)

An Ordinance amending Chapter 1182 of the Codified Ordinances of the City of Willowick, Ohio, titled "Flood Damage Prevention"; and declaring an emergency.

8. Resolution No. 2021-6 (Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to Lake County Telecommunications in the amount of \$3,788.03, for the City of Willowick, and declaring an emergency.

9. Resolution No. 2021-7 (Law Director)

A Resolution authorizing the Mayor of the City of Willowick to enter into a lease agreement with Lake County Council on Aging for use of the Willowick Senior Citizens' Center, and declaring an emergency.

MISCELLANEOUS

10. Motion authorizing an expenditure to Century Equipment in the amount of \$18,704.84 for a ballfield groomer and attachments.
11. Motion authorizing an expenditure to Great Lakes Telecom & Electric, LLC, in the amount of \$19,500.00 for audio and video surveillance for the Police Department and Municipal Center.
12. Motion authorizing an expenditure to ID Networks, Inc., in the amount of \$15,495.00 for a new fingerprint system and printer for the police department.
13. Motion authorizing a new liquor permit to Lucid Willowick LLC (Cleveland Pizza), 31222 Vine St., Willowick, Ohio 44095.
14. Motion to declare a phone system with city asset tag #1935 as unfit for use by the City, obsolete, and having no value, to be disposed of as surplus.
15. Motion authorizing Change Order #1 to United Survey in the deduct amount of \$188,141.70 relative to the E. 329th Street Sewer Rehabilitation Project.
16. Motion authorizing the release of retainage in the amount of \$46,158.07 to United Survey relative to the E. 329th Street Sewer Rehabilitation Project.

ADD - ON

17. Motion authorizing CT Consultants to prepare plans and bid documents and obtain bids for the 2021 Street Improvements Project and for a fee not to exceed \$35,000 in accordance with the Agreement for engineering services.

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, March 16, 2021 at 7:30 PM
 City Council Chambers/ Webex

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 - 5)

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

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

PRESENT

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

Also Present: Mayor Regovich, Finance Director Benedict, Fire Chief Tennyson, Police Chief Turner, City Engineer McLaughlin, Sewer Foreman Gross, Law Director Landgraf, Chief Housing and Zoning Inspector Brennan, Economic Director Drake and Council Clerk Trend. Recreation Director Kless was absent.

APPROVAL OF MINUTES

1. Motion to approve the minutes of the Regular City Council Meeting of March 2, 2021.

Motion made by Mr. Malta, seconded by Ms. Antosh to approve the minutes of the Regular City Council Meeting of March 2nd, 2021.

Discussion: None.

Vote: All ayes. Motion carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

2. Motion to appoint a representative to the CRA Housing Council.

Motion made by Mr. Malta, seconded by Ms. Antosh to appoint Mark Carden as the Mayor's representative to the CRA Housing Council.

Discussion: None.

Vote: All ayes. Motion carried.

3. Motion to appoint a representative to the CRA Housing Council.

Motion made by Ms. Antosh, seconded by Mr. Phares to appoint John Heckman as the Mayor's representative to the CRA Housing Council.

Discussion: None.

Vote: All ayes. Motion carried.

Law Director Landgraf stated Council members would also need to appoint two representatives to the CRA Housing Council.

Ms. Koudela nominated Mark Rising and Ms. Antosh nominated Bob Houry.

Motion made by Mr. Malta, seconded by Mr. Vanni to appoint Mark Rising as Council's representative to the CRA Housing Council.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Malta to appoint Bob Houry as Council's representative to the CRA Housing Council.

Discussion: None.

Vote: All ayes. Motion carried.

ADMINISTRATIVE APPEALS

4. Administrative Appeal Order No. 2021-1 McCuller #1

An order granting a variance and exception of 2700 sq. ft. to build a new home on a lot that is only 4800 sq. ft. in the application of section 1163.03(a) of the Codified Ordinances in Board of Zoning Appeals.

Motion made by Mr. Vanni, seconded by Ms. Antosh to grant Administrative Appeal No. 2021-1.

Discussion: None.

Vote: All ayes. Motion carried.

5. Administrative Appeal Order No. 2021-2 McCuller #2

An order granting a variance and exception of 6' 3" into the setback to build a new home at 23' 9". the requirement is 30' per the setback

map in the application of section 1163.10 of the Codified Ordinances in Board of Zoning Appeals.

Motion made by Ms. Antosh, seconded by Mr. Vanni to grant Administrative Appeal No. 2021-2.

Discussion: None.

Vote: All ayes. Motion carried.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

The pools, day camp and all other programs are going to open up and move forward as scheduled this year under the proper protocols. There is no set date yet for the Senior Center to re-open. The City will continue working with the Health Department on rat complaints.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

Mr. Phares inquired about in person Council Meetings. The Council will continue to follow the Governor's guidelines for now and continue with virtual meetings.

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Acting Service Director – Rich Regovich

Garbage was cleaned up near the SR 2 off ramp and the Lake County Engineer's Office was contacted to find out their clean up schedule.

Recreation Director – Julie Kless

No report - absent.

City Engineer – Tim McLaughlin

The Fairway pipe inspection is complete and the entire pipe will not need to be replaced but some repair will still need to be done.

Finance Director – Cheryl Benedict

No report.

Law Director – Stephanie Landgraf

Modifications were made to two chapters in the Codified Ordinances for the Safety Committee. Ms. Landgraf requested an Executive Session to discuss Collective Bargaining matters.

Discussion: Councilman Vanni inquired about making the Mayor's position full-time. Ms. Landgraf stated this would require legislation and discussion with City Council.

Police Chief – Brian Turner

Written report submitted electronically.

Fire Chief – Joe Tennyson

Written report submitted electronically.

Chief Housing/Zoning Inspector – Sean Brennan

No written report. The City website has information on rodents under the Building Department. Wendy's will be doing improvements and adding a second drive through.

Discussion: Mr. Vanni inquired about the construction at the old Walker Hardware. Mr. Brennan stated that permits are being pulled at this time.

Economic Development Manager – Monica Drake

Ms. Drake along with Councilman Phares spoke with the owner of GD Luxury Salon on Vine St. about the experiences she had during COVID as a small business owner. The City received a CRA application and there is a meeting set up to speak with the applicant.

WARD MATTERS

Mr. Phares stated the Dog at Large Ordinance in the City is working. A resident was cited with a third offense and it is being turned over to the Dog Warden. Mr. Malta wanted to thank everyone involved in the truck parade for a special needs child.

PUBLIC PARTICIPATION

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

None.

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

None.

Safety – Phares, Malta, Bisbee

Mr. Phares will be reviewing the modifications to Ordinances from the Law Director and there will also be a Safety Committee Meeting scheduled in a few weeks to discuss farm and exotic animals, bee keeping and ATV's.

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

None.

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

May 1st is tentatively set for cleaning up the parks and Heart and Hammers will be helping.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

6. Motion authorizing the Mayor to enter into a contract with McDonald Equipment Company (MECO) for the purpose of checking and maintaining the emergency generator at the service garage from March 9, 2021 until March 8, 2022 in the amount of \$490.00.

Motion made by Mr. Vanni, seconded by Ms. Antosh to authorize the contract with McDonald Equipment Company for \$490.00.

Discussion: None.

Vote: All ayes. Motion carried

7. Motion authorizing the Mayor to enter into a contract with McDonald Equipment Company (MECO) for the purpose of checking and maintaining the emergency generator at the Fire Department from March 9, 2021 until March 8, 2022 in the amount of \$550.00.

Motion made by Ms. Antosh, seconded by Mr. Vanni to enter into a contract with McDonald Equipment Company for \$550.00.

Discussion: None.

Vote: All ayes. Motion carried.

8. Motion authorizing the Mayor to enter into a contract with Cintas for standard uniform rental for the Service Department.

Motion made by Mr. Malta, seconded by Mr. Vanni to enter into a contract with Cintas.

Discussion: None.

Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

9. Ordinance No. 2021-9 (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, 2021, and declaring an emergency.

1st Reading - February 16, 2021

2nd Reading - March 2, 2021

3rd Reading - March 16, 2021

Motion made by Mr. Malta, seconded by Ms. Antosh to adopt Ordinance No. 2021-9.

Discussion: None.

Vote: All ayes. Motion carried.

10. Resolution 2021-5 (Finance Director)

A Resolution authorizing the transfer of funds from the General Fund (101) to the Police Pension Fund (801) and declaring an emergency.

Motion made by Mr. Phares, seconded by Ms. Antosh to waive the three readings of Resolution No. 2021-5.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to approve Resolution No. 2021-5.

Discussion: None.

Vote: All ayes. Motion carried.

ADD - ON

11. Ordinance No. 2021-15 (Law Director)

An Ordinance amending chapter 922 of the Codified Ordinances of the City of Willowick, Ohio, titled, "Willoughby-Eastlake wastewater collection and treatment system"; specifically, Section 922.06, titled "Fees," and declaring an emergency.

Motion made by Mr. Vanni, seconded by Mr. Phares to waive the three day rule on Ordinance No. 2021-15.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Phares, seconded by Ms. Antosh to waive the three readings of Ordinance No. 2021-15.

Discussion: None.

Vote: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Mr. Phares to adopt Ordinance No. 2021-15.

Discussion: None.

Vote: All ayes. Motion carried.

MISCELLANEOUS

12. Motion authorizing a new liquor permit to Chipolte Mexican Grill of Colorado LLC, 30480 Lakeshore Boulevard, Willowick, Ohio 44095.

Motion made by Mr. Phares, seconded by Mr. Vanni to authorize a new liquor permit to Chipolte Mexican Grill.

Discussion: None.

Vote: All ayes. Motion carried.

PUBLIC PARTICIPATION

a) Public statement (1 minute maximum)

b) Council response to the public

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

None.

ADJOURN TO EXECUTIVE SESSION

To discuss contract negotiations.

Motion made by Mr. Malta, seconded by Mr. Vanni to adjourn to Executive Session to discuss Collective Bargaining matters.

Discussion: None.

Vote: All ayes.

RETURN TO THE TABLE FROM EXECUTIVE SESSION

Motion made by Mr. Phares, seconded by Ms. Antosh to appoint and employ Allain Legal Group to serve on behalf of the city for Collective Bargaining negotiations and representation.

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.

Meeting adjourned at 8:47 p.m.

President of Council

Attest: _____

Clerk of Council



Office of the Mayor

Proclamation



hereas:

it has come to the attention of the City of Willowick that April 7th is a special day for Don and Carole Andrus; and

WHEREAS, Don and Carole were both born in Cleveland and grew up on the West Side; and

WHEREAS, Don and Carole were high school sweethearts and married on April 7th, 1951; and

WHEREAS, Don and Carole have lived in Willowick since 1957 and are the original owners of their home on Thomas St.; and

WHEREAS, Don and Carole raised 3 children, 2 girls and 1 boy who all became teachers and gave them 7 grandchildren and 1 great-grandchild; and

WHEREAS, Don is a Korean War Veteran and Carole was active in the PTA at Royalview Elementary and was the secretary of the Board Office for Willoughby-Eastlake Schools for many years.

NOW THEREFORE, I, Rich Regovich, Mayor of the City of Willowick along with members of the Willowick City Council and Staff join with their family, friends and the community in extending best wishes on this their

70th WEDDING ANNIVERSARY

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Willowick, to be affixed this 1st day of April, 2021.



MAYOR RICHARD J. REGOVICH
CITY OF WILLOWICK



Resolution

City of Willowick

A SPECIAL RESOLUTION DECLARING THE MONTH OF APRIL

AS CHILD ABUSE PREVENTION MONTH IN THE CITY OF WILLOWICK

WHEREAS, all children of our community have the right to live and grow in a safe, secure and supportive environment, enter school prepared to succeed, be able to choose healthy behaviors and grow to successful adulthood; and

WHEREAS, we the leaders of this community acknowledge that those rights are not always available to all children and although there has been significant progress to increase the safety and security of our children, we renew our commitment to protecting our most valuable resource; and

WHEREAS, during 2020, Lake County Children Services responded to over 1,900 calls regarding children and their families and as a result, Children Services worked with approximately 1,000 children who presented with a variety of issues which could not be easily resolved; and

WHEREAS, children could not be safely maintained in their homes, resulting in over 200 children being cared for by over 100 foster families, adoptive families, relatives and other alternative caregivers; and

WHEREAS, the best prevention of child abuse can only be done if we, both as a society and as individuals, take responsibility to offer parents and families the support and tools they need to provide healthy nurturing homes for their children.

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

Section 1. That the Mayor and Council of the City of Willowick on behalf of its citizenry hereby declare April as Child Abuse Prevention Month in the City of Willowick and urges the citizens of our community to join with us to become involved in activities this month and all through the year to raise awareness of child abuse and to focus our attention on providing safe environments for children and fostering confident, positive parents.

Section 2. That the Clerk of Council is hereby requested to provide copies of this Special Resolution to the Department of Job and Family Services.

PASSED: _____
President of Council

ATTEST: _____
Mayor
Clerk of Council

ORDINANCE NO. 2021 - 16

AN ORDINANCE AMENDING ORDINANCE 2021-9 TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE MUNICIPAL TAX INCREMENT EQUIVALENT FUND (302) 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.

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, 2021, that the following sums be and they are hereby set aside and appropriated as follows:

SECTION 2. That there be appropriated from the Municipal Tax Increment Equiv. Fund:

MUNICIPAL TAX INCREMENT EQUIV. FUND**Other**

County Treasurer Fees	302.710.5390	2,800.00
Total Other Expense		2,800.00
TOTAL MUNICIPAL TAX INCREMENT EQUIV. FUND		2,800.00

TOTAL ALL FUNDS		2,800.00
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SECTION 3. 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 4. 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 5. 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 6. 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: _____, 2021

Submitted to the Mayor for his approval
on _____, 2021

ATTEST:

Council President

Approved by the Mayor on
_____, 2021

Clerk of Council

Mayor

ORDINANCE NO. 2021 - 17**AN ORDINANCE ESTABLISHING THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (“NOPEC”) GRANT FUND, UNDER FUND NUMBER 227, AND DECLARING AN EMERGENCY.**

WHEREAS, in order to properly account for related revenues and expenses, including loans, grants, reimbursements or other funding sources relating to Northeast Ohio Public Energy Council (“NOPEC”) Energized Community Grant Program, it is necessary to establish a fund for the deposit and transfer of grant funds related to NOPEC Grant Fund, Fund No. 227.

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

Section 1. That there is hereby established a special revenue fund to be known as the NOPEC Grant Fund, Fund No. 227, to provide for project specific accounting records for the receipt of grant funds, revenues and expenditures associated with the Community Grant Program through NOPEC and any related and necessary design, study, and infrastructure improvements related thereto, and to maintain compliance with any and all state and federal regulatory agencies.

Section 2. That Council may transfer and deposit from grants obtained from other public or private entities, and such other sources as specified by an affirmative vote of Council to be used to fund NOPEC associated grant projects, together with all other necessary and related appurtenances thereto, and to maintain compliance with any and all state and federal regulatory agencies.

Section 3. That upon approval by Council, this Fund No. 227, shall be used solely for purposes of receipt and deposit of funds relating to the NOPEC Community Grant Program, including but not limited to its design, study, project implementation, infrastructure improvements, together with all other necessary and related appurtenances in the City, and to maintain compliance with any and all state and federal regulatory requirements.

Section 4. 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 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare of the residents of the City of Willowick; and further that there is an immediate need to provide a Fund required for proper accounting of revenues and expenditures associated with the NOPEC Community Grant Program; and that it will ensure the orderly and uninterrupted efficient operation of the City and its Finance Department.

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

Adopted by Council: _____, 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. 2021-18

AN ORDINANCE AMENDING CHAPTER 1182 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED “FLOOD DAMAGE PREVENTION”; AND DECLARING AN EMERGENCY.

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens; and

WHEREAS, the City of Willowick has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

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

Section 1. Chapter 1182 of the Codified Ordinances of the City of Willowick, Ohio titled “FLOOD DAMAGE PREVENTION” is hereby amended to read and provide as follows:

1182.01 STATEMENT OF PURPOSE.

(a) It is the purpose of these regulations to promote the public health, safety and general welfare, and to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- (6) Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize further flood blight areas;
- (7) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- (8) Minimize the impact of development on adjacent properties within the near flood prone areas;
- (9) Ensure that the flood storage and conveyance functions of the floodplain are maintained;

- (10) Minimize the impact of development on the natural, beneficial values of the floodplain;
 - (11) Prevent floodplain uses that are either hazardous or environmentally incompatible; and
 - (12) Meet community participation requirements of the National Flood Insurance Program.
- (b) In order to accomplish its purposes, these regulations include methods and provisions for:
- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
 - (2) Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
 - (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
 - (4) Controlling filing, grading, dredging, excavating, and other development which may increase flood damage; and
 - (5) Preventing or regulating the construction of flood barriers, which will unnaturally divert flood, waters or which may increase flood hazards in other areas.
- (c) These regulations shall apply to all areas of special flood hazard within the jurisdiction of the City of Willowick, including any additional areas of special flood hazard annexed by the City of Willowick, as identified in subsection (d) of this section.
- (d) For the purposes of these regulations, the following studies and/or maps are adopted:
- (1) Flood Insurance Study, Lake County, Ohio and incorporated areas and Flood Insurance Rate Map, Lake County and incorporated areas both effective ~~February 3, 2010~~ **May 4, 2021**.
 - (2) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the City of Willowick as required by Section [1182.04\(c\)](#), Subdivisions and ~~Large Scale Developments~~ **Other New Developments**.
 - (3) Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at Willowick City Hall, 30435 Lakeshore Boulevard, Willowick, Ohio 44095.
- (e) These regulations are not intended to repeal any existing ordinances including subdivision regulations, zoning or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall be followed. These regulations are not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance, easement or covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (f) In the interpretation and application of these regulations, all provisions shall be:
- (1) Considered as minimum requirements;
 - (2) Liberally construed in favor of the governing body; and

(3) Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state or federal law, such state or federal law shall take precedence over these regulations.

(g) The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the City of Willowick, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

(h) Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1182.02 DEFINITIONS.

Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

(a) “Accessory Structure.” A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

(b) “Appeal.” A request for review of the floodplain administrator's interpretation of any provision of these regulations or a request for a variance.

(c) “Base Flood.” The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one percent chance annual flood or 100-year flood.

(d) “Base (100 Year) Flood Elevation (BFE).” The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the lowest adjacent natural grade elevation plus the depth number (from 1 to 3 feet).

(e) “Basement.” Any area of the building having its floor subgrade (below ground level) on all sides.

(f) “Breakaway Wall.” A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

(g) “Coastal High Hazard Area.” An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms or seismic sources. A coastal high hazard area is identified on the City’s FIRM by the designation of Zone VE.

(h) “Development.” Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structure, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

- (i) "Enclosed Below the Lowest Floor - See "Lowest Floor."
- (j) "Executive Order 11988 (Floodplain Management)." Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.
- (k) "Federal Emergency Management Agency (FEMA)." The agency with the overall responsibility for administering the National Flood Insurance Program.
- (l) "Fill." A deposit of earth material placed by artificial means.
- (m) "Flood or Flooding." The general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters, and/or
 - (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (n) "Flood Hazard Boundary Map (FHBM)." Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.
- (o) "Flood Insurance Rate Map (FIRM) - An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.
- (p) "Flood Insurance Risk Zones." Zone designations on FHBM's and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:
 - (1) Zone A: Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are not determined.
 - (2) Zones A1-30 and Zone AE: Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.
 - (3) Zone AO: Special flood hazard areas inundated by the 100-year flood in any given year; with flood depths of one to three feet (usually sheet flow on sloping terrain); average depths are determined.
 - (4) Zone AH: Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of one to three feet (usually areas of ponding); base flood elevations are determined.
 - (5) Zone A99: Special flood hazard areas inundated by the 100-year flood with average depths of less than one foot or with contributing drainage area less than one square mile; and areas protected by levees from the base flood.
 - (6) Zone C and Zone X (unshaded): Areas determined to be outside the 500-year floodplain.
 - (7) Zone V: Coastal special flood hazard area subject to a 100-year flood from velocity hazard (wave action); base flood elevations are not determined.
 - (8) Zone VE and V1-30: Coastal special flood hazard area subject to a 100-year from velocity hazard (wave action); base flood elevations are determined.

(q) “Flood Insurance Studies (FIS).” The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

(r) “Floodproofing.” Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

(s) “Flood Protection Elevation.” The Flood Protection Elevation, or FPE, is the base flood elevation plus two feet of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the Floodplain Administrator.

(t) “Floodway.” A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community. The floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

(u) “Freeboard.” A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

(v) “Historic structure.” Any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the U. S. Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.

(4) Individually listed on the inventory of historic places maintained by the Lake County Historical Society's historic preservation program is certified by the Ohio Historic Preservation Office.

(w) “Hydrologic and hydraulic engineering analysis.” An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

(x) “Letter of Map Change (LOMC).” A Letter of Map Change is an office FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

(1) Letter of Map Amendment (LOMA) — A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.

(2) Letter of Map Revision (LOMR) - A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or a parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.

(3) Conditional Letter of Map Revision (CLOMR) – A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

(y) “Limit of Moderate Wave Action (LiMWA)P.” A line shown on a Flood Insurance Rate Map to indicate the inland limit of the 1.5-ft. breaking wave height during the base flood.

(z) “Lowest floor.” The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an "enclosure below the lowest floor" which is an unfinished or flood resistant enclosure useable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

(aa) “Manufactured home.” A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Ohio R.C. Chapter 3733.

(bb) “Mean Sea Level.” For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map are referenced.

(cc) “Manufactured home park.” As specified in the Ohio Administrative Code 4781-12-01(K), a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for manufactured homes.

(dd) “Moderate Wave Action Area (MoWA).” A special flood hazard area subject to the potential for breaking wave heights of greater than or equal to 1.5. feet, but less than 3 feet, where the primary source of flooding is storm surges, seiches. A MoWA is an area within Zone VE and a Limit of Moderate Wave Action, where identified. (Also known as “Coastal A Zone”).

(ee) “National Flood Insurance Program (NFIP).” The NFIP is a federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This

insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the federal government that states is a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the federal government will make flood insurance available within the community as a financial protection against flood loss.

(ff) “New construction.” Structures for which the “start of construction” commenced on or after the effective date of a floodplain regulation adopted by the City of Willowick and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial City of Willowick Flood Insurance Rate Map, effective December 4, 1979, any includes any subsequent improvements to such structures.

(gg) “Person.” Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies. An agency is further defined in Ohio R.C. 111.15(A)(2) as any governmental entity of the state and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, state college or university, community college district, technical college district, or state community college. "Agency" does not include the general assembly, the controlling board, the adjutant general's department or any court.

(hh) “Recreational vehicle.” A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(ii) “Registered Professional Architect.” A person registered to engage in the practice of architecture under the provisions of R.C. 4703.01 and 4703.19.

(jj) “Registered Professional Engineer.” A person registered as a professional surveyor under Ohio R.C. Chapter 4733.

(kk) “Registered Professional Surveyor.” A person registered as a professional surveyor pursuant Ohio R.C. Chapter 4733.

(ll) “Special Flood Hazard Area.” Also known as “Areas of Special Flood Hazard,” it is the land in the floodplain subject to a one percent chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, AI-30, A99, or V, VE . Special flood hazard areas may also refer to areas that are flood prone and designated from other federal, state or local sources of data, including, but not limited to, historical flood information reflecting high water marks, previously flood inundation areas, and flood prone soils associated with a watercourse.

(mm) “Start of construction.” The date the building permit was issued, provided that actual state of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the

installation on the property of accessory building, such as garages or sheds not occupied as dwellings units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

(nn) "Structure." A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

(oo) "Substantial Damage." Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(pp) "Substantial Improvement." Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term include structures, which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include:

(1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2) Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure".

(qq) "Variance." A grant of relief from the standards of these regulations.

(rr) "Violation." The failure of a structure or other development to be fully compliant with these regulations.

1182.03 ADMINISTRATION.

(a) Designation of Floodplain Administrator. The City Engineer is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

(b) Duties and Responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include, but are not limited to:

(1) Evaluate applications for permits to develop in special flood hazard areas.

(2) Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.

(3) Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.

(4) Inspect buildings and lands to determine whether any violations of these regulations have been committed.

(5) Make and permanently keep all records for public inspections necessary for the administration of these regulations including flood insurance rate maps, letters of map amendment and revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevations certificates, floodproofing certificates, VE-zone construction certifications, variances, and records of enforcement actions taken for violations of these regulations.

(6) Enforce the provisions of these regulations.

(7) Provide information, testimony, or other evidence as needed during variance hearings.

(8) Coordinate map maintenance activities and FEMA follow up.

(9) Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.

(c) Floodplain Development Permits. It shall be unlawful for any person to begin construction or other development activity including but not limited to filling, grading, construction, alteration, remodeling, or expanding any structure, or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area, as established in Section [1182.01](#)(d), until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

(d) Application Required. An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or his or her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not be limited to:

(1) Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.

(2) Elevation of the existing, natural ground where structures are proposed.

(3) Elevation of the lowest floor, including basement, of all proposed structures.

(4) Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.

(5) Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:

A. Floodproofing certification for non-residential floodproofed structure as required in Section [1182.04](#)(e).

B. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Section [1182.04](#)(d)(5) are designed to automatically equalize hydrostatic flood forces.

C. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section [1182.04](#)(i)(3).

D. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the

Federal Emergency Management Agency has provided base flood elevations but no floodway as required in Section [1182.04\(i\)\(2\)](#).

E. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section [1182.04\(i\)\(1\)](#).

F. Generation of base flood elevation(s) for subdivision and other new developments as required by Section [1182.04\(c\)](#).

G. Certification of structural designs and methods of construction for VE zone construction as required by Section 1181.041(A).

H. Certification of breakaway wall design, when applicable, as provided in Section 1182.041.

(e) Review and Approval of a Floodplain Development Permit Application.

(1) Review.

A. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No floodplain development permit application shall be reviewed until all information required in Section [1182.03\(d\)](#) has been received by the Floodplain Administrator.

B. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

(2) Approval. Within thirty days after receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If the Floodplain Administrator is satisfied that the development proposed in the floodplain development application conforms to the requirements of this ordinance, the Floodplain Administrator shall issue the permit. All floodplain development permits shall be conditional upon the commencement of work within 180 days. A floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.

(f) Inspections. The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.

(g) Post Construction Certifications Required. The following as built certifications are required after a floodplain development permit has been issued:

(1) For a new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a Federal Emergency Management Agency Elevation Certificate completed by a registered professional surveyor to record as built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood elevation, the elevation certificate may be completed by the property owner or owner's representative.

(2) For all development activities subject to the standards of Section [1182.03\(j\)\(1\)](#), a Letter of Map Revision.

(3) For new or substantially improved nonresidential structure that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed Floodproofing Certificate for Non-Residential Structures completed by a registered professional engineer or architect together with associated documentation.

(h) Revoking a Floodplain Development Permit. A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Board of Zoning Appeals in accordance with Section [1182.05](#) of these regulations.

(i) Exemption From Filing a Development Permit. An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$2500:

(j) State and Federal Development.

(1) Development that is funded, financed, undertaken or preempted by state agencies shall comply with minimum NFIP criteria.

(2) Before awarding funding or financing or granting a license, permit, or other authorization for a development that is or is to be located within a 100-year floodplain, a state agency shall require the applicant to demonstrate to the satisfaction of the agency that the development will comply with minimum NFIP criteria and any applicable local floodplain management resolution or ordinance as required by Ohio Revised Code Section 1521.13. This includes, but is not limited to:

(a) Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Commerce and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 4781-12.

(b) Majority facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.

(3) Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 – Floodplain Management.

(a) Each federal agency has responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget requests reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of EO 11988.

(j) Map Maintenance Activities. To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the City of Willowick's flood maps, studies and other data identified in Section [1182.01](#)(d) accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

(1) Requirement to Submit New Technical Data.

A. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:

1. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
2. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
3. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
4. Subdivision or other new development proposals the establishment of base flood elevations in accordance with Section 1182.04(c).

B. It is the responsibility of the applicant to have technical data, required in accordance with Section 1182.03(j)(1), prepared in a format required for a conditional letter of map revision or letter of map revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.

C. The Floodplain Administrator shall require a conditional letter of map revision prior to the issuance of a floodplain development permit for:

1. Proposed floodway encroachments that increase the base flood elevation; and
2. Proposed development which increases the base flood elevation by more than one foot in riverine areas where FEMA has provided base flood elevations but no floodway.

D. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a letter of map revision from FEMA for any development proposal subject to Section 1182.03(j)(1)A.

(2) Right to Submit New Technical Data. The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or plan metric details. Such a submission shall include appropriate supporting documentation in writing by the Mayor of the City of Willowick, and may be submitted at any time.

(3) Annexation/Detachment. Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the City of Willowick have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City of Willowick's flood insurance rate map accurately represent the City of Willowick boundaries, include within such notification a copy of a map of the City of Willowick suitable for reproduction, clearly showing the new corporate limits or the new area for which the City of Willowick has assumed or relinquished floodplain management regulatory authority.

(k) Data Use and Flood Map Interpretation. The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

(1) In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a federal, state, or other source.

(2) Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.

(3) The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1182.05, Appeals and Variances.

(4) Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this ordinance applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development.

(l) Substantial Damage Determinations. Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such a damage event, the Floodplain Administrator shall:

- (1) Determine whether damaged structures are located in special flood hazard areas;
- (2) Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- (3) Require owners of substantially damaged structures to obtain floodplain development permit prior to repair, rehabilitation, or reconstruction.

Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims.

1182.031 USE OF PRELIMINARY FLOOD INSURANCE RATE MAP (FIRM) AND/OR FLOOD INSURANCE STUDY (FIS) DATA

(A) Zone A:

(1) Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall reasonably be utilized as best available data.

(2) When all appeals have been resolved and a notice of final food elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

(B) Zones AE, A1-30, AH, AO, VE, and V1-30:

(1) BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of BFE and floodway data contained in an existing effective FIS and FIRM, subject to the following restrictions:

(a) Where BFEs increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety and property of their citizens are protected.

(b) Where BFEs decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.

(2) If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the encroachment performance standard of Section 4.9(B) since the data in the draft or preliminary FIS represents the best data available.

(C) Zones B, C and X:

(1) Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zone B, C or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, AO, VE, OR V1-30. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety and property of their citizens are protected.

1182.04 USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION.

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Section [1182.01](#)(d) or [1182.03](#)(k)(1):

(a) Use Regulations.

(1) Permitted Uses. All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by the City of Willowick are allowed provided they meet the provisions of these regulations.

(2) Prohibited Uses.

A. Private water supply systems in all special flood hazard areas identified by FEMA, permitted under Section 3701 of the Ohio Revised Code.

B. Infectious waste treatment facilities in all special flood hazard areas, permitted under Ohio R.C. Chapter 3734.

(b) Water and Wastewater Systems. The following standards apply to all water supply, sanitary sewerage and waste disposal systems in the absence of any more restrictive standard provided under the Ohio Revised Code or applicable state rules:

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;

(2) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

(3) On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

(c) Subdivisions and Other New Developments.

(1) All subdivision proposals and all other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;

(2) All subdivision proposals and all other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;

(3) All subdivision proposals and all other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and

(4) In all areas of special hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least fifty lots or five acres, whichever is less.

(5) The applicant shall meet the requirement to submit technical data to FEMA in Section 1182.03(j)(1)A.4. when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1182.04(c)(4).

(d) Residential Structures.

(1) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (subsection (d)(1) of this section) and construction materials resistant to flood damage (subsection (d)(2) of this section) are satisfied.

(2) New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.

(3) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) New construction and substantial improvement of any residential structure including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation.

(5) New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets the following standards:

A. Be used only for the parking of vehicles, building access, or storage; and

B. Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters; or

C. Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom all such openings being no higher than

one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors.

(7) Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 1182.04(d).

~~(8) In AO and AH Zones, new construction and substantial improvement shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.~~

(e) Nonresidential Structures.

(1) New construction and substantial improvement of any commercial, industrial or other nonresidential structure in Zones A, A1-30, AE, AO and AH, when designated on the City's FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 11821.031 shall meet the requirements of Section 1182.04(d)(1) through (3) and 1182.04(d)(5) through (7).

(2) New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:

A. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;

B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

C. Be certified by a registered professional engineer or architect, through the use of a federal emergency management agency floodproofing certificate, that the design and methods of construction are in accordance with Section 1182.04(e)(2)A. and B.

(f) Accessory Structures. Structures that are 600 square feet or less which are used for parking and storage only are exempt from elevation or dry floodproofing standards within zones A, A1-30, AE, AO and AH designated on the City's FIRM. Such structures must meet the following standards:

- (1) They shall not be used for human habitation;
- (2) They shall be constructed of flood resistant materials;
- (3) They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
- (4) They shall be firmly anchored to prevent flotation;

(5) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the flood protection elevation; and

(6) They shall meet the opening requirements of Section [1182.04\(d\)\(5\)C](#).

(g) Recreational Vehicles. Recreational vehicles on sites within zones A, A1-A30, AE, AO, or AH must meet at least one of the following standards:

(1) They shall not be located on sites in special flood hazard areas for more than 180 days; or

(2) They must be fully licensed and ready for highway use; or

(3) They must be placed on the site pursuant to a floodplain development permit issued under Section 1182.03 and meet all standards of Section 1182.04(d).

(h) Gas or Liquid Storage Tanks. Within Zone A, A1-A30, AE, AO or AH, new or substantially improved above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

(i) In Zones V or VE, new or substantially improved above ground gas or liquid storage tanks shall be elevated with the bottom of the lowest horizontal supporting member above BFE on the landward side of buildings.

(ii) In Zones V or VE, new or substantially improved underground gas or liquid storage tanks must be installed below the lowest eroded ground elevation.

(i) Assurance of Flood Carrying Capacity. Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:

(1) Development in Floodways.

A. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or

B. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:

1. Meet the requirements to submit technical data in Section [1182.03\(j\)\(1\)](#);

2. An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;

3. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;

4. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action to their property; and

5. Concurrence of the Mayor of the City of Willowick and the Chief Executive Officer of any other communities impacted by the proposed actions.

(2) Development in Riverine Areas with Base Flood Elevations but No Floodways.

A. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than one foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or

B. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:

1. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
2. Section [1182.04\(i\)\(1\)B.](#), items 1 through 3 and 5.

(3) Alterations of a Watercourse. For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the “bankfull stage.” The field determination of “bankfull stage” shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a federal, state, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

A. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.

B. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.

C. The applicant shall be responsible for providing the necessary maintenance for altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the City of Willowick specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.

D. The applicant shall meet the requirements to submit technical data in Section [1182.03\(j\)\(1\)A.3.](#) when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

1182.041 DEVELOPMENT STANDARDS FOR COASTAL HIGH HAZARD AREAS AND MoWA AREAS.

(A) The requirements of Section 1182.041 apply to development in coastal high hazard areas designated Zone V or VE on the community’s effective FIRM.

(B) All new construction and substantial improvements shall be elevated on pilings or columns that may be armored as necessary to withstand Lake Erie ice forces so that:

(1) The bottom of the lowest horizontal structural member supporting the lowest floor (excluding the pilings or columns) is elevated to or above the flood protection elevation, and

(2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

(a) Water loading values should be those associated with the base flood.

(b) Wind loading values shall be those defined according to the American Society of Civil Engineers 7-13. Minimum design loads and associated criteria for buildings and other structures, or current version adopted by Ohio Board of Building Standards.

(c) A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting provisions of Section 1182.041(C)(1) and (2).

(C) All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

(1) For the purpose of Section 1182.041(C), a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot.

(2) Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or where so required by local or state code) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet all of the following conditions:

(a) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

(b) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to the American Society of Engineers 7-16. Minimum design loads and associated criteria for buildings and other structures, or equivalent standard.

(3) All space enclosed by breakaway walls, open wood lattice-work, or insect screening below the lowest floor shall be used solely for parking of vehicles, building access, or storage.

(D) The use of fill or redistributed existing fill, placed after the initial identification of Zones V, VE, or V1-30 on the community's FIRM, for structural support of buildings is prohibited.

(E) Alteration of sand dunes that will increase potential flood damage is prohibited.

(F) Placement or substantial improvement of manufactured homes must comply with Section 1182.041(A) to (F).

(G) Recreational vehicles must either:

- (1) Be on site for fewer than 180 consecutive days;
- (2) Be fully licensed and ready for highway use; or
- (3) Comply with Section 1182.041(A) to (E).

1182.05 APPEALS AND VARIANCES.

(a) Appeals Board Established.

(1) The Willowick City Council shall appoint an Appeals Board consisting of three members. The members shall serve three-year terms after which they shall be reappointed or replaced by the City Council. Each member shall serve until his or her successor is appointed.

(2) A chairperson shall be elected by the members of the Appeals Board. Meetings of the Appeals Board shall be held as needed and shall be held at the call of the Chairperson, or, in his or her absence, the Acting Chairperson. All meetings of the Appeals Board shall be open to the public except that the Appeals Board may deliberate in executive session as part of quasi-judicial hearings in accordance with the law. The Appeals Board shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of all official actions. Records of the Appeals Board shall be kept and filed with the Clerk of City Council, located at 30435 Lakeshore Boulevard, Willowick, Ohio 44095.

(b) Powers and Duties.

(1) The Appeals Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these regulations.

(2) Authorized variances in accordance with Section [1182.05](#)(d) of these regulations.

(c) Appeals. Any person affected by any notice and order, or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the Appeals Board provided that such person shall file, within ten days of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the Appeals Board. Upon receipt of the notice of appeal, the Appeals Board shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

(d) Variances. Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.

(1) Application for a Variance.

A. Any owner, or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain Administrator, who upon receipt of the variance shall transmit to the Appeals Board.

B. Such application at a minimum shall contain the following information: Name, address, and telephone number of the applicant; legal description of the property; parcel map; description of the existing use; description of the proposed use; location of the floodplain; description of the variance sought; and reason for the variance request.

C. All applications for a variance shall be accompanied by a variance application fee in the amount of thirty-five dollars (\$35.00).

(2) Notice for Public Hearing. The Appeals Board shall schedule and hold a public hearing within thirty days after the receipt of an application for a variance from the Floodplain Administrator. Prior to the public hearing, a notice of such hearing shall be given in a newspaper of general circulation in the community at least ten days prior to the date of the hearing.

(3) Public Hearing. At such public hearing, the applicant shall present such statements and evidence as the Appeals Board requires. In considering such variance applications, the Appeals Board shall consider and make findings of fact on all evaluations, all relevant factors, and standards specified in other sections of these regulations and the following factors:

- A. The danger that materials may be swept onto other lands to the injury of others.
- B. The danger to life and property due to flooding or erosion damage.
- C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- D. The importance of the services provided by the proposed facility to the community.
- E. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
- F. The necessity to the facility of a waterfront location, where applicable.
- G. The compatibility of the proposed use with existing and anticipated development.
- H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
- I. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
- K. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(4) Variances shall only be issued upon:

- A. A showing of good and sufficient cause.

B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.

C. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.

D. A determination that the structure or other development is protected by methods to minimize flood damages.

E. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Upon consideration of the above factors and the purposes of these regulations, the Appeals Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of these regulations.

(6) Other Conditions for Variances.

A. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

B. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Section [1182.05\(d\)\(3\)A. to K.](#) have been fully considered. As the lot size increases beyond one half acre, the technical justification required for issuing the variance increases.

C. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(e) Procedure at Hearings.

(1) All testimony shall be given under oath.

(2) A complete record of the proceedings shall be kept, except confidential deliberations of the Appeals Board, but including all documents presented and a verbatim record of the testimony of all witnesses.

(3) The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.

(4) The Administrator may present evidence or testimony in opposition to the appeal or variance.

(5) All witnesses shall be subject to cross examination by the adverse party or their counsel.

(6) Evidence that is not admitted may be proffered and shall become part of the record for appeal.

(7) The Board shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.

(8) The Board shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing or the decision may be issued within a reasonable time after the hearing.

(f) Appeal to the Court. Those aggrieved by the decision of the Appeals Board may appeal such decision to the Lake County Court of Common Pleas, as provided in Ohio R.C. Chapter 2506.

1182.06 ENFORCEMENT.

(a) Compliance Required.

(1) No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulation and all other applicable regulations which may apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit as stated in Section [1182.03\(i\)](#).

(2) Failure to obtain a floodplain development permit shall be in violation of these regulations and shall be punishable in accordance with Section [1182.06\(c\)](#).

(3) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section [1182.06\(c\)](#).

(b) Notice of Violation. Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, he shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall:

- (1) Be put in writing on an appropriate form;
- (2) Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action, which, if taken, will effect compliance with the provisions of these regulations;
- (3) Specify a reasonable time for performance;
- (4) Advise the owner, operator, or occupant of the right to appeal;
- (5) Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

(c) Violations and Penalties. Violation of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be strict liability offense, and shall constitute an unclassified misdemeanor. Any person who violates these regulations or fails to comply with any of its requirements shall upon conviction thereof be fined an amount not to exceed five hundred dollars (\$500.00). Each day of such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Willowick from taking such other lawful action as is necessary to prevent or remedy any violation. The City of Willowick shall prosecute any violation

Section 2. The existing Chapter 1182 of the City's Codified Ordinances is hereby repealed in that said Section and 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.

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 in that it provides for the proper and safe management of flood waters within the City of Willowick, and therefore shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

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

RESOLUTION NO. 2021 - 6**A RESOLUTION TO APPROVE AUTHORIZATIONS (THEN AND NOW CERTIFICATE)
TO LAKE COUNTY TELECOMMUNICATIONS IN THE AMOUNT OF \$3,788.03, FOR
THE CITY OF WILLOWICK, AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code 5705.41(D)(1) provides that if prior certification of funds by the Fiscal Officer was not obtained before the contract or order involving the expenditure of money was made, then the Fiscal Officer may instead certify; and

WHEREAS, that there was at the time of the making of such contract or order and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund, free from any previous encumbrances; and

WHEREAS, the Fiscal Officer is accordingly certifying that there were appropriations available and funds in the treasury or in the process of collection at the time the contract or order was made (then), and there are still sufficient appropriations and funds in the treasury or in the process of collection at the time the certificate is being issued (now); and

WHEREAS, the amount of the certificate exceeds \$3,000.00.

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

Section 1. It is hereby certified that both at the time of the making of the attached contract(s) or order(s) and at the date of execution of this certificate, the amount of funds required to pay this contract(s) or order(s) has been appropriated for the purpose of this contract or order, attached hereto, and is in the treasurer or in the process of collection to the credit of the fund free from any previous encumbrances.

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

Section 3. This Resolution constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick; and so that the certificate meets the timeliness requirement of the Ohio State Auditor; wherefore, this Resolution shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor.

PASSED: _____, 2021

Robert Patton, President of Council

SUBMITTED to the Mayor for his approval
on _____, 2021

APPROVED by the Mayor on
_____, 2021

ATTEST:

Angela Trend, Clerk of Council

Richard J. Regovich, Mayor

DATE: March 24, 2021
TO: Willowick Police Department
RE: Open invoices

In reviewing invoices from the 1st quarter, I found this invoice still open. I received payment from the fire department only.

We are all aware there has been delays or problems with the mail and due to COVID. I was verifying the status of attached invoice, in case the payment has been lost in the mail.

Thank you in advance for your cooperation with this matter. If you have any questions, please feel free to contact me at extension 440-350-2586 or by email deb.koubeck@lakecountyohio.gov.

Thank you

Debbie Koubeck
Secretary

158 E. Jackson Street
Painesville, Ohio 44077
440-350-2586



INVOICE

Date Printed: 01/04/2021

Work Order #: 1010204
Title: 1st Quarter Backbone
Originator: 1st Quarter Backbone

Total Labor Cost: 0.00
Total Part Cost: \$3788.03
Total Other Cost: \$0.00
Total Cost: 3788.03

To Account: 60000025-234

Work requested:

Backbone Maintenance Fee

1st Quarter - January, February, and March

Action Taken:

Bill To:

Name	Addr #1 City	State/Province	Postal Code
Willowick Police Department	30435 Lakeshore Blvd. Willowick	Ohio	44095

Please fill out and sign the areas listed below:

Billing Period: Quarter 1

From Account:

Dept. Head Sign:

Please sign and return to: Lake County Telecommunications
158 E. Jackson Street
Painesville, Ohio 44077

PAY DUE

RESOLUTION NO. 2021-7

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WILLOWICK TO ENTER INTO A LEASE AGREEMENT WITH LAKE COUNTY COUNCIL ON AGING FOR USE OF THE WILLOWICK SENIOR CITIZENS' CENTER, AND DECLARING AN EMERGENCY.

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

Section 1. That the Mayor of the City of Willowick is hereby authorized to enter into the written contract with the Lake County Council on Aging for the use of the Willowick Senior Citizens Center in a form substantially similar to the Lease Agreement annexed as Exhibit A, and incorporated herein, and to execute any and all documentation necessary to formalize the validity and implementation of that Contract.

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

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

Adopted by Council: _____, 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

LEASE AGREEMENT

This Lease Agreement ("Lease") is made and effective May 1, 2021 by and between City of Willowick ("Lessor") and Lake County Council on Aging ("Lessee").

Lessor is the owner of land and improvements commonly known as 321 E. 314th Street, in the City of Willowick, County of Lake, State of Ohio and described as the Willowick Senior Citizens' Center (the "Building").

Lessor makes available for lease a portion of the Building together with the following furnishings and appliances: HVAC equipment, gym, kitchen and all electrical fixtures subject to the terms and conditions in this Agreement.

Lessor desires to lease the Leased Premises to Lessee, and Lessee desires to lease the Leased Premises from Lessor for the term, at the rental and upon the covenants, conditions and provisions herein set forth.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed:

1. Term.

Lessor hereby leases the Leased Premises to Lessee, and Lessee hereby leases the same from Lessor, for an "Initial Term" of twelve (12) months beginning May 1, 2021 and ending April 30, 2022, unless renewed or extended by mutual agreement of the parties.

2. Rental.

Lessee shall pay to Lessor, during the Initial Term, quarterly rent. Rent shall be calculated by averaging the City's monthly bill for the Building's water, electric, and gas utilities for the same months during calendar year 2019; Lessee shall be responsible and pay any amounts in excess of the City's quarterly average as rent.

Rent shall be invoiced by the City of Willowick to the Lessee quarterly.

Each installment payment shall be due in advance on the first day of each quarter (January 1 – March 31), (April 1 – June 30), (July 1 – September 30), (October 1 – December 31) during the lease term to Lessor, either in person or by mail, to the City of Willowick, 30435 Lakeshore Blvd., Willowick, Ohio 44095.

3. Use

The Leased Premises may be used and occupied by Lessee for purposes of weekly food preparation and distribution to Lake County Senior Citizens, and any other ancillary or associated purposes of the Lake County Council on Aging, and for no other purpose,

providing that Lessee also must comply with all applicable zoning ordinances. Notwithstanding the forgoing, Lessee shall not use the Leased Premises for the purposes of storing, manufacturing or selling any explosives, flammables or other inherently dangerous substance, chemical, thing or device.

4. Sublease and Assignment.

Lessee shall not sublease all or any part of the Leased Premises, or assign this Lease in whole or in part without Lessor's consent.

5. Repairs.

During the Lease term, Lessee shall make, at Lessee's expense, after prior written notice to the Lessor, all necessary repairs to the Leased Premises occupied by the Lessee. Repairs shall include such items as routine repairs of floors, plumbing, kitchen equipment, walls, ceilings, and other parts of the Leased Premises damaged or worn through normal occupancy, except for major mechanical systems or the roof, exterior walls, structural foundations or subject to the obligations of the parties otherwise set forth in this Lease. All repairs shall be subject to review and acceptance by the Lessor and/or its authorized representative.

6. Alterations and Improvements.

All personal property, equipment, machinery, trade fixtures and temporary installations, whether acquired by Lessee at the commencement of the Lease term or placed or installed on the Leased Premises by Lessee thereafter, shall remain Lessee's property free and clear of any claim by Lessor. Lessee shall have the right to remove the same at any time during the term of this Lease provided that all damage to the Leased Premises caused by such removal shall be repaired by Lessee at Lessee's expense.

7. Insurance.

If the Leased Premises or any other part of the Building is damaged by fire or other casualty resulting from any act or negligence of Lessee or any of Lessee's agents, employees or invitees, rent shall not be diminished or abated while such damages are under repair, and Lessee shall be responsible for the costs of repair not covered by insurance.

Lessor shall maintain fire and extended coverage insurance on the Building and the Leased Premises in such amounts as Lessor shall deem appropriate. Lessee shall be responsible, at its expense, for fire and extended coverage insurance on all of its personal property, including removable trade fixtures, located in the Leased Premises.

Lessee and Lessor shall, each at its own expense, maintain a policy or policies of comprehensive general liability insurance with respect to the respective activities of each in the Building with the premiums thereon fully paid on or before due date, issued by and

binding upon some insurance company approved by Lessor, such insurance to afford minimum protection of not less than \$1,000,000 combined single limit coverage of bodily injury, property damage or combination thereof. Lessor shall be listed as an additional insured on Lessee's policy or policies of comprehensive general liability insurance, and Lessee shall provide Lessor with current Certificates of Insurance evidencing Lessee's compliance with this Paragraph. Lessee shall obtain the agreement of Lessee's insurers to notify Lessor that a policy is due to expire at least (10) days prior to such expiration. Lessor shall not be required to maintain insurance against thefts within the Leased Premises or the Building.

8. Utilities.

Lessor shall pay all charges for water, sewer, gas, electricity, telephone and other services and utilities used by Lessee on the Leased Premises during the term of this Lease unless otherwise expressly agreed in writing by Lessor. Lessee shall not, without the Lessor's written consent, use any equipment or devices that utilizes excessive electrical energy or which may, in Lessor's reasonable opinion, overload the wiring or interfere with electrical services to other Lessees.

9. Signs.

Following Lessor's written consent, Lessee shall have the right to place on the Leased Premises, at locations selected by Lessee, any temporary directional signs which are permitted by applicable zoning ordinances and private restrictions. Lessor may refuse consent to any proposed signage that is in Lessor's opinion too large, deceptive, unattractive or otherwise inconsistent with or inappropriate to the Leased Premises or use of any other Lessee

10. Entry.

It is understood by both parties that the Building will continue to be utilized daily by the Lessor as the City of Willowick Senior Center during the Term of this Lease. Accordingly, Lessor shall have the right to enter upon the Leased Premises at all times, provided Lessor shall not thereby unreasonably interfere with Lessee's affairs on the Leased Premises.

11. Parking.

During the term of this Lease, Lessee shall have the non-exclusive use in common with Lessor, other Lessees of the Building, their guests and invitees, of the non-reserved common automobile parking areas, driveways, and footways, subject to rules and regulations for the use thereof as prescribed from time to time by Lessor.

12. Building Rules.

Lessee will comply with the rules of the Building adopted and altered, from time to time, by Lessor, provided that they do not materially impair the Lessee's right and purpose of the occupancy of the premises, unrestricted except as otherwise specified within this lease. Lessee, will cause all of its agents, employees, invitees and visitors to do so; all changes to such rules will be sent by Lessor to Lessee in writing.

13. Damage and Destruction.

If the Leased Premises or any part thereof or any appurtenance thereto is so damaged by fire, casualty or structural, then Lessee and Lessor shall have the right to terminate this Lease as of the date of such damage, in writing, with Notice to the other party.

14. Default.

If default shall at any time be made by Lessee in the payment of rent when due to Lessor as herein provided, and if said default shall continue for fifteen (15) days after, Lessor shall have the right to terminate this Lease, in addition to any other right or remedy available to Lessor on account of any Lessee default, either in law or equity.

15. Notice.

Any notice required or permitted under this Lease shall be deemed sufficiently given or served if sent by United States certified mail, return receipt requested, addressed as follows:

If to Lessor to:

Richard J. Regovich, Mayor
30435 Lakeshore Blvd.
Willowick, Ohio 44095

If to Lessee to:

Joseph Tomsick
Lake County Council on Aging
8520 East Ave.
Mentor, Ohio 44060

Lessor and Lessee shall each have the right from time to time to change the place notice is to be given under this paragraph by written notice thereof to the other party.

16. Waiver.

No waiver of any default of Lessor or Lessee hereunder shall be implied from any omission to take any action on account of such default if such default persists or is

repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by Lessor or Lessee shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.

17. Headings.

The headings used in this Lease are for convenience of the parties only and shall not be considered in interpreting the meaning of any provision of this Lease.

18. Successors.

The provisions of this Lease shall extend to and be binding upon Lessor and Lessee and their respective legal representatives, successors and assigns.

19. Consent.

Lessor shall not unreasonably withhold or delay its consent with respect to any matter for which Lessor's consent is required or desirable under this Lease.

20. Compliance with Law.

Lessee shall comply with all laws, orders, ordinances and other public requirements now or hereafter pertaining to Lessee's use of the Leased Premises. Lessor shall comply with all laws, orders, ordinances and other public requirements now or hereafter affecting the Leased Premises.

21. Final Agreement.

This Agreement terminates and supersedes all prior understandings or agreements on the subject matter hereof. This Agreement may be modified only by a further writing that is duly executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

Lessor:

City of Willowick

By: _____
Mayor

Lessee:

Lake County Council on Aging

By: _____
Authorized Agent

Prepared For:	Julie Kless, Director of Recreation	Quote No:	Q70227
	City of Willowick	Expires Date:	06/07/2021
	Manry Park		
	30100 Arnold Drive		
	Willowick, Ohio 44095		
		Contract:	Sourcewell 062117-TTC
		Payment Terms:	Net 15 (Upon Credit Approval)
		Sales Person:	Tim Hughes
			thughes@centuryequip.com
			(330) 354-9641

Configuration Product Details

Qty	ID	Name	MSRP	% OFF MSRP	Ext Award
1	08703	Sand Pro 3040	\$19,909.00	21.8 %	\$15,568.84
1	L10017	Rahn Groomer	\$3,136.00	0 %	\$3,136.00
Sub Total					\$18,704.84

Totals

Equipment Total (Toro – Trades + Allied)	\$18,704.84
Set Up Total	\$0.00
Freight Total	\$0.00
State Sales Tax	\$0.00
Miscellaneous	\$0.00
Grand Total	\$18,704.84

Accepted By: _____ Date: _____

Great Lakes Telecom & Electric, LLC

Item #11.

P.O. BOX 379
WADSWORTH, OH. 44282
PHONE: 419-846-3809 FAX: 419-846-3810 CELL: 330-472-9489

PAGE 1 OF 2

WILLOWICK CITY HALL
30435 LAKE SHORE BLVD.
WILLOWICK, OHIO
44095

FEBRUARY 3, 2021

ATTENTION: MAYOR / SAFETY DIRECTOR
RICHARD J. REGOVICH

SUBJECT: AUDIO & VIDEO SURVEILLANCE
POLICE DEPARTMENT

ESTIMATE # 21-E015

DEAR MAYOR REGOVICH

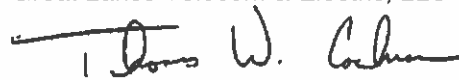
WE PROPOSE TO FURNISH THE NECESSARY LABOR AND MATERIALS FOR THE SUBJECT PROJECT IN ACCORDANCE WITH THE ATTACHED SCOPE OF WORK FOR THE SUM OF \$19,500.00 (NINETEEN THOUSAND FIVE HUNDRED DOLLARS).

THIS PROPOSAL IS BASED ON ALL WORK BEING PERFORMED DURING NORMAL WORKING HOURS. THIS QUOTATION WILL REMAIN VALID FOR OUR ACCEPTANCE OF YOUR PURCHASE ORDER OR CONTRACT WITHIN THIRTY DAYS AFTER THE ABOVE DATE.

ALL OF OUR WORK IS GUARANTEED FOR ONE YEAR AFTER THE ITEM WAS PHYSICALLY INSTALLED.

WE THANK YOU FOR THIS OPPORTUNITY TO BE OF SERVICE.

SINCERELY,
Great Lakes Telecom & Electric, LLC



Thomas W. Cochran
GENERAL MANAGER

PAGE 2 OF 2
FEBRUARY 3, 2021
EST. # 21-E015

SCOPE OF WORK

LABOR:

1. DISCONNECT AND REMOVE EXISTING VIDEO SURVEILLANCE SYSTEM.
2. DISTRIBUTE CATEGORY 6 CABLING TO EXISTING CAMERA LOCATIONS.
3. TERMINATE AND CERTIFY CABLING AND CONNECTIVITY HARDWARE.
4. INSTALL CAMERAS AND NETWORK VIDEO RECORDER.
5. PROGRAM SYSTEM

MATERIAL:

1. 32 CHANNEL NVR.
2. 16 IP SURVEILLANCE CAMERAS.
3. 2 ANALOG TO DIGITAL CONVERTERS
4. CATEGORY 6 CMP RATED CABLE.
5. CONNECTIVITY HARDWARE.
6. CABLE SUPPORT HARDWARE.

CLARIFICATION'S:

ANY CHANGE IN THE ABOVE SCOPE OF WORK WILL CONSTITUTE A DEDUCTION FROM OR ADDITION TO THE QUOTED PRICE.

UNLESS SPECIFICALLY STATED HEREIN, THIS PROPOSAL DOES NOT INCLUDE MATERIAL OR LABOR ALLOWANCES TO CORRECT NATIONAL ELECTRICAL CODE VIOLATIONS.

THIS QUOTATION DOES NOT INCLUDE ADDITIONAL LABOR, MATERIAL AND TESTING COSTS THAT MIGHT BE INCURRED DUE TO THE PRESENCE OF ANY HAZARDOUS SUBSTANCE THAT MAY EXIST IN THE WORK AREA. SHOULD WE ENCOUNTER A HAZARDOUS SUBSTANCE ON THE SITE WE WILL QUIETLY STOP WORK AND NOTIFY YOU IMMEDIATELY.



OH - Criminal Livescan Pricing

ID Networks, Inc.

7720 Jefferson Road, Ashtabula, OH 44004

Phone: (440)992-0062 Fax: (440)992-1109

John Wheelock | Inside Sale Manager | jwheelock@idnetworks.com

QUOTE #: 20-1112-01

DATE: 11/12/2020

BILL TO: Willowick Police Department
 20435 Lakeshore Blvd
 Willowick, Oh 44095
 Lt Jeffrey Mastroianni
 440-585-1234
jmastroianni@cityofwillowick.com

SHIP TO:

ITEM #	DESCRIPTION	QTY	UNIT PRICE	EXT PRICE
1	ID Networks Criminal Livescan Booking Station package includes: <ul style="list-style-type: none"> FingerRoll Livescan Software LSCAN 500 10-Print & Palm Print Capture Device Desktop PC – WIN10 64 bit, Intel Core i3 Processor, 8GB RAM, 1TB HD UPS - 750VA Tower Line-Interactive 120V with USB port 	1	\$15,495	\$15,495
2	FBI Certified Lexmark Network Printer with Duplexer and Additional Tray	1	Included	Included
3	Onsite Installation, Training & Travel	1	Included	Included
4	1 st Year Warranty and Maintenance – Included in pricing	1	Included	Included
BASE SYSTEM PRICE				\$15,495
EQUIPMENT OPTIONS (10% annual maintenance, for applicable options)				
5	Existing Livescan Interface in place with Sundance	1	Included	Included
6	Ruggedized Cabinet with 22" LCD Display – Upgrade	0	\$3,200	
7	NIST Compliant Camera Capture Kit – camera, mounts, electronics, cables (includes PTZ control with keyboard through livescan software)	0	\$1,495	
8	Lighting Kit – 2 point lighting system	0	\$495	
9	Photo Capture Software Add-on for Automatic NIST Best Practices Correction – includes automatic face centering, cropping, background & lighting correction, and pose orientation	0	\$595	
10	ImageNet Police Booking, Photo Management & Investigative Line-Up Software - price based on user licenses	2 User Licenses 10 User Licenses 25 User Licenses	\$4,995 \$7,995 \$14,995	
EQUIPMENT OPTION TOTAL				\$0
TOTAL SYSTEM COST				\$15,495

NOTES

- Our full-coverage maintenance plan is included for one year.
- Annual Maintenance for LiveScan System:
 - Standard Support – \$3,495 (\$ includes Mon-Fri, 8:00 AM - 5:30 PM EST support with 2-4 hour response for initial service calls (same day shipment of parts).



OH - Criminal Livescan Pricing

TERMS & CONDITIONS OF SALE	
Standard Payment Terms	50% down payment with written purchase order, balance due after installation and training.
Delivery & Installation	<p>Delivery plans will be scheduled after the receipt of your written purchase order and appropriate down payment, as applicable.</p> <p>Facility preparation for electrical service, furniture, mounting requirements and networking, is the responsibility of the customer. Our delivery commitment is subject to the customer facility preparation being completed in advance.</p>
Onsite Training	1 day of training has been included. Training personnel and schedules will be agreed upon in advance of the delivery. Additional training or technical support services from ID Networks are available at a daily rate of \$895, plus travel expenses.
State Interface and Submission for Fingerprints & EFTS Information	An FBI AFIS Interface is included in packaged pricing above, pending further discussion and clarification. Submission to other archives or AFIS centers may be subject to a one-time charge. Call for a quotation.
Upgrade Options	Many Upgrade options and interfaces are available with the FingerRoll Livescan system. Please call for further details.
3 rd Party Software or Services	Special items or software interfaces which may need our development, or the development and cooperation of a third party, will require separate planning with the customer and any third parties. ID Networks is not responsible for the delays of the customer or third parties and likewise, payments by the customer to ID Networks shall not be held up due to non-ID Networks delays.
Remote Access to Livescan	We expect the customer to install a phone line or internet line nearby the Livescan in order for ID Networks ONLY to conduct remote support activities. 24x7 access is requested by ID Networks and software access. ID Networks access will be password controlled for access.
Network Connections	State network connections shall be located nearby the Livescan by the customer in order that such connections can be made as appropriate. ID Networks shall coordinate state connectivity, as applicable.
Price Guarantees	All pricing contained herein is subject to a 90 day limit.
Authorized Service	As part of our state pricing, ID Networks will provide 2-4 hour response for initial service calls, Monday-Friday, 8:30 AM – 5:00 PM EST, with same day shipment of parts and software, unless otherwise contracted. Weekend and 24x7 coverage are available to those agencies requiring that level of service. Call for quotation.

Customer Approval:

 Name & Title

 Signature & Date

 Purchase Order #

NOTICE TO LEGISLATIVE
AUTHORITYOHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

5358044		NEW	LUCID WILLOWICK LLC 31222 VINE ST WILLOWICK OH 44095
PERMIT NUMBER		TYPE	
ISSUE DATE			
03 11 2021			
FILING DATE			
D1 D2 D3			
PERMIT CLASSES			
43	187	C	C88342
TAX DISTRICT		RECEIPT NO.	

FROM 03/24/2021

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED 03/24/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/26/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C NEW 5358044

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council☐ Township Fiscal OfficerCLERK OF WILLOWICK CITY COUNCIL
30435 LAKESHORE BLVD
WILLOWICK OHIO 44095

Angela Trend

From: Brian Turner
Sent: Wednesday, March 31, 2021 2:27 PM
To: Angela Trend
Subject: RE: Lucid Liquor License request

Angie,

The Police Department has no objections to this request.

Brian C. Turner, Chief of Police
30435 Lakeshore Blvd.
Willowick OH 44095
P - 440-585-1234
F - 440-585-3770

From: Angela Trend <atrend@cityofwillowick.com>
Sent: Wednesday, March 31, 2021 1:46 PM
To: Brian Turner <bturner@cityofwillowick.com>
Subject: Lucid Liquor License request

Brian,

Could you please let me know if the Police Department has any objection to the liquor permit request from Lucid Willowick LLC at 31222 Vine St.?

Angie Trend

Administrative Assistant to the Mayor and Clerk of Council
City of Willowick
30435 Lake Shore Blvd.
Willowick, OH 44095
Phone: (440) 585-3700, ext. 230
Fax: (440) 585-3220

CHANGE ORDER NO.: 1 - Final

DATE: 10/29/2020

PROJECT NAME: E. 329th Street Sewer Rehabilitation

OWNER: City of Willowick

CONTRACTOR: United Survey, Inc.

PROJECT NO.: 190862

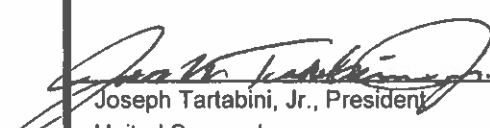
DESCRIPTION: This change order represents final line item adjustments for quantities actually installed.

CONTRACT PRICE:


ORIGINAL CONTRACT PRICE:	\$1,342,093.60
NET PRIOR CHANGE ORDERS:	\$0.00
CURRENT CONTRACT PRICE:	\$1,342,093.60
NET AMOUNT THIS CHANGE ORDER:	(\$188,141.70)
REVISED CONTRACT PRICE:	\$1,153,951.90

CONTRACT TIME:

CONTRACT DATE:	11/12/2020
ORIGINAL COMPLETION DATE:	6/26/2020
CURRENT COMPLETION DATE:	6/26/2020
AMOUNT OF TIME EXTENSION:	61
REVISED COMPLETION DATE:	8/26/2020

ACCEPTED BY:

 Joseph Tartabini, Jr., President
 United Survey, Inc.
11/25/2021
DATE**APPROVALS:**Rich Regovich
Mayor

DATE

APPROVAL RECOMMENDED BY:

 Daniel Bonham, LEED AP
 CT Consultants, Inc.
2/11/21
DATECheryl Benedict
Finance Director

DATE

OWNER: City of Willowick			Change Order No.: 1 - Final			PROJECT NO.: 190862			DATE: 10/29/2020		
PROJECT: E. 329th Street Sewer Rehabilitation											
REF. NO.	ODOT ITEM NO.	DESCRIPTION	CONTRACT QTY	UNIT	UNIT PRICE	EXTENDED TOTALS	TOTAL QTY	TOTAL \$	NET CHANGE QTY	NET CHANGE \$	
1	SPC	PRECONSTRUCTION VIDEO DOCUMENTATION, AS PER PLAN	1.00	LS	\$1,000.00	\$1,000.00	1.00	\$1,000.00	0.00	\$0.00	
2	SPC	BONDS AND INSURANCES, AS PER PLAN	1.00	LS	\$20,000.00	\$20,000.00	1.00	\$20,000.00	0.00	\$0.00	
3	603	8 INCH X 6 INCH WYE OR TEE REPLACEMENT IN MAIN, AS PER PLAN	5.00	EACH	\$3,000.00	\$15,000.00	0.00	\$0.00	(5.00)	(\$15,000.00)	
4	SPC	LATERAL INTERNAL TELEVISION INSPECTION, FROM MAINLINE OR CLEAN OUT, AS PER PLAN	112.00	EACH	\$2,750.00	\$308,000.00	116.00	\$319,000.00	4.00	\$11,000.00	
5	SPC	8 INCH - 15 INCH SANITARY SEWER HEAVY CLEANING, AS PER PLAN	1,500.00	FT	\$1.00	\$1,500.00	0.00	\$0.00	(1,500.00)	(\$1,500.00)	
6	SPC	6 INCH CURED-IN-PLACE PIPE LINING - LATERAL, AS PER PLAN	92.00	EACH	\$1,250.00	\$115,000.00	87.00	\$108,750.00	(5.00)	(\$6,250.00)	
7	SPC	8 INCH CURED-IN-PLACE PIPE LINING, AS PER PLAN	1,500.00	FT	\$30.00	\$45,000.00	616.20	\$18,486.00	(883.80)	(\$26,514.00)	
8	SPC	10 INCH CURED-IN-PLACE PIPE LINING - SHORT LINER, AS PER PLAN	8.00	EACH	\$3,000.00	\$24,000.00	2.00	\$6,000.00	(6.00)	(\$18,000.00)	
9	SPC	MAINLINE TEE AND LATERAL SEALING WITH CIPP	56.00	EACH	\$1,250.00	\$70,000.00	8.00	\$10,000.00	(48.00)	(\$60,000.00)	
10	SPC	LATERAL-TO-MAINLINE CONNECTION, AS PER PLAN	56.00	EACH	\$100.00	\$5,600.00	32.00	\$3,200.00	(24.00)	(\$2,400.00)	
11	SPC	CONNECTION REINSTATEMENT, AS PER PLAN	5.00	EACH	\$3,000.00	\$15,000.00		\$0.00	(5.00)	(\$15,000.00)	
12	604	FIELD TEE CONNECTION, AS PER PLAN	100.00	VERT FT	\$180.00	\$18,000.00	97.50	\$17,550.00	(2.50)	(\$450.00)	
13	604	MANHOLE REHABILITATION CLEANING AND LINING, 48 INCH DIAM., AS PER PLAN	56.00	EACH	\$2,200.00	\$123,200.00	51.00	\$112,200.00	(5.00)	(\$11,000.00)	
14	611	STORM CLEAN-OUT TEE CONNECTION STRUCTURE, AS PER PLAN	10.00	PAIR	\$10,000.00	\$100,000.00	7.00	\$70,000.00	(3.00)	(\$30,000.00)	
15	611	6 INCH SANITARY AND STORM SEWER LATERAL REPLACEMENT, INCLUDING NEW TEST TEE/CLEAN OUT ASSEMBLIES, AS PER PLAN	1,600.00	FT	\$10.00	\$16,000.00	1,527.00	\$15,270.00	(73.00)	(\$730.00)	
16	SPC	8 INCH - 15 INCH CONDUIT INTERNAL TELEVISION INSPECTION, INCLUDING LIGHT CLEANING, AS PER PLAN	222.00	SY	\$90.00	\$19,980.00	222.00	\$19,980.00	0.00	\$0.00	
17	611	TYPE "A" PAVEMENT REPLACEMENT (CONCRETE), ROADWAY, AS PER PLAN	2.00	EACH	\$3,500.00	\$7,000.00	0.00	\$0.00	(2.00)	(\$7,000.00)	
18	611	CATCH BASIN CURB INLET, AS PER PLAN	8.00	EACH	\$1,500.00	\$12,000.00	17.00	\$25,500.00	9.00	\$13,500.00	
19	611	INLET ADJUSTED TO GRADE, METHOD D.1., (brick) AS PER PLAN	10.00	EACH	\$950.00	\$9,500.00	18.00	\$17,100.00	8.00	\$7,600.00	
20	623	MANHOLE ADJUSTED TO GRADE, METHOD D.1 (brick), AS PER PLAN	1.00	EACH	\$450.00	\$450.00	0.00	\$0.00	(1.00)	(\$450.00)	
21	638	MONUMENT BOX ADJUSTED TO GRADE	2.00	EACH	\$400.00	\$800.00	3.00	\$1,200.00	1.00	\$400.00	
22	254	VALVE BOX ADJUSTED TO GRADE, RISER RING, AS PER PLAN	587.00	SY	\$13.00	\$7,631.00	792.00	\$10,296.00	205.00	\$2,665.00	
23	254	PAVEMENT PLANING, ASPHALT CONCRETE, AS PER PLAN	4,150.00	SY	\$4.40	\$18,260.00	4,104.66	\$18,060.50	(45.34)	(\$199.50)	
24	255	PAVEMENT PLANING, PORTLAND CEMENT CONCRETE, FULL DEPTH PAVEMENT REMOVAL AND RIGID REPLACEMENT, CLASS QC MS, T=8", AS PER PLAN	1,250.00	SY	\$85.00	\$106,250.00	1,086.00	\$92,310.00	(164.00)	(\$13,940.00)	

H:\2019\190862\PHASE4 Construction Engineering\Chg Ord\01 CHG ORD Pg 1 & 2.xls

OWNER: City of Willowick		Change Order No.: 1 - Final		PROJECT NO.: 190862		DATE: 10/29/2020				
PROJECT: E. 329th Street Sewer Rehabilitation										
REF. NO.	ODOT ITEM NO.	DESCRIPTION	CONTRACT		UNIT PRICE	EXTENDED TOTALS	TOTAL		NET CHANGE	
			QTY	UNIT			QTY	\$	QTY	\$
25	407	TACK COAT, TRACKLESS TACK	1,062.00	GAL	\$3.00	\$3,186.00	480.00	\$1,440.00	(582.00)	(\$1,746.00)
26	422	SINGLE CHIP SEAL, TYPE A	8,853.00	SY	\$2.20	\$19,476.60	9,191.00	\$20,220.20	338.00	\$743.60
27	448	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22, AS PER PLAN	430.00	CY	\$160.00	\$68,800.00	364.28	\$58,284.80	(65.72)	(\$10,515.20)
28	448	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22, AS PER PLAN	307.00	CY	\$180.00	\$55,260.00	306.53	\$55,175.40	(0.47)	(\$84.60)
29	452	6 INCH NON-REINFORCED CONCRETE DRIVES AND APRONS, CLASS QC MS, INCLUDING REMOVAL, AS PER PLAN	160.00	SY	\$80.00	\$12,800.00	86.10	\$6,888.00	(73.90)	(\$5,912.00)
30	608	4 INCH CONCRETE WALK, INCLUDING REMOVAL, AS PER PLAN	800.00	SF	\$8.00	\$6,400.00	400.50	\$3,204.00	(399.50)	(\$3,196.00)
31	609	CURB, TYPE 2-A, INCLUDING REMOVAL, AS PER PLAN	240.00	FT	\$50.00	\$12,000.00	510.15	\$25,507.50	270.15	\$13,507.50
32	680	SPECIAL - SITE RESTORATION	1.00	LS	\$5,000.00	\$5,000.00	0.00	\$0.00	(1.00)	(\$5,000.00)
33	SPC	CONTINGENCY/DISCRETIONARY ALLOWANCE	1.00	LS	\$100,000.00	\$100,000.00	0.97	\$97,329.50	(0.03)	(\$2,670.50)
TOTALS						\$1,342,093.60	\$1,153,951.9		(\$188,141.70)	