

**CITY OF WILLOWICK
LAKE COUNTY, OHIO
MINUTES AND PROCEEDINGS OF REGULAR MEETING OF COUNCIL**

DATE: June 4, 2019
PLACE: City Hall
TIME: 7:30 p.m.

The tenth meeting of Council of 2019 was called to order by Council President Patton at 7:30 p.m., followed by the Pledge of Allegiance to the Flag and Invocation.

Present: Council members Vanni, Malta, Reho, Patton, Pintar, Turk and Koudela
Also Present: Mayor Regovich, Law Director Landgraf, Finance Director Benedict, Fire Chief Posipanka, Police Chief Turner, Service Director Pauley, Recreation Director Kless, Chief Housing and Zoning Inspector Brennan, City Engineer Lannon, Council Clerk Wovrosh, and Economic Development Manager Monica Drake.

Approval of Minutes

Motion by Mr. Malta, seconded by Mr. Reho to approve the minutes of the Regular Meeting of Council of May 21, 2019.

Discussion: None.

Vote: Ayes: Vanni, Malta, Reho, Pintar, Turk, Koudela. Abstain: Patton. The motion carried.

Appointments, Special Resolutions & Proclamations

None.

Administrative Appeals

None.

Reports and Communications from the Mayor/Safety Director

Mayor Regovich reported the following:

- Thanks to Recreation Director Kless and her staff for their work with the parade which went off without a hitch. We held our first community involvement for the Lakefront Development project at the St. Mary Magdalene festival. Thanks to Councilman Vanni and Councilwoman Turk who came to help. We were able to get good feedback to see what people would like.
- The State of Ohio has approved the CRA (Community Reinvestment Area). This is a good tool to get development moving. We will be developing the protocol and hope to have that done shortly.
- The entrance to the library parking lot has been fixed. They are working with the Land Bank to buy the house next door. Their thought for the immediate future is a reading garden.
- House Bill 6, the Clean Energy Bill, has passed the House and is now in the Senate. This bill will save the two nuclear power plants in Ohio that are responsible for 90% of Ohio's renewable energy, though they produce only 22% of the energy in Ohio. This needs to happen quickly to save Davis-Besse which represents 1,400 jobs. The economic impact if the Perry plant would close would be around \$500 million. They hope to have it before the Governor by July 1.

Council Discussion of the Mayor's Report

Mr. Malta said that the house behind the Library has been an eyesore for the neighbors for a long time and wondered if the process could be speeded up. Hearts & Hammers could possibly assist with cleaning up the backyard. The Mayor will check to see where the Library is in the process.

General Communications & Reports – Directors & Officials

Service Director Rob Pauley: Written report submitted. The 2019 Road Repair Program will begin June 10. Saturday, June 8 is the county Household Hazardous Waste drop-off at the Fairgrounds. The Construction and Major Project Updates report is updated every two weeks and can be found on the city's website. Mr. Malta confirmed that the work on High Tee will not include curbs and aprons.

Recreation Director Julie Kless: No written report. She thanked Maureen Brennan and Scott Ritchey for their hard work on the parade along with the Police and Service Departments. She also thanked the local sponsors who enabled us to have the parade this year: Papa Joe's, True Vine Industries, Alesci's, Tuscan Italian Restaurant and Rudy's Meats.

City Engineer: No written report.

Finance Director Cheryl Benedict: No written report.

Law Director Stephanie Landgraf: No written report.

Police Chief Brian Turner: May report submitted electronically. 1) In light of recent speeding complaints, the StealthStat device was placed on E. 300 monitoring traffic on E. 300th between W. Willowick and Forestgrove for a week. Result: Northbound traffic had 6,398 vehicles with average speed of 23 mph. Southbound was 7,853 vehicles with an average speed of 24 mph. This indicates that though speeding may take place, it is not constant widespread speeding. They will continue monitoring using the device in areas of concern throughout the year. 2) Someone in the city found a bank bag containing almost \$5,200 and turned it into the Police Department. It was returned to the grateful owner. This speaks to the type of residents in our city. Mayor Regovich said that a wallet found at the festival was turned in and returned to the owner, another example of our residents. 3) Officers were involved in a high-speed pursuit of a bank robber out of Mentor a couple of weeks ago, and the suspect was stopped and taken into custody on the freeway in Wickliffe. On May 31 they were involved in the pursuit of an individual with multiple warrants who was taken to the hospital after an accident. 4) The same day shoplifters at Aldi's were apprehended; one person involved feigned a seizure and had to be taken to the hospital. All suspects had bedbugs, so the officers involved had to deal with that when they returned to the station. This is a microcosm of what the department has been dealing with recently. Any cuts to Police Department personnel would be devastating. We know the financial position of the city, but the department cannot afford to lose anyone. Mr. Malta inquired if cars parked on lawns automatically receive tickets since this is a problem in summer. Chief Turner stated that warnings are usually given the first time if the vehicle is moved right away.

Fire Chief Bob Posipanka: May report submitted electronically.

Chief Housing and Zoning Inspector Sean Brennan: Written report submitted.

Monica Drake, Economic Development Manager: It is exciting to have the approval by the State of Ohio for the CRA. She and the Mayor attended a House Bill 51 informational meeting pertaining to private property owners being able to create a special improvement district along the lakefront to be able to protect the lakefront. They are working with ODNR and reaching out to other entities that are more experienced in special improvement districts to gain their expertise. We are excited about the TLCI Stakeholders meeting that will help kick off the planning of this project. Mr. Pintar asked if autonomous shuttles such as Columbus Smart had had been considered for the Vine Street Corridor project. Ms. Drake said it is a great suggestion though we are not that far along on this project yet. We will hire a consultant to do the planning study when we are ready to begin. Laketrans will get an LPA (Local Public Agency Agreement) in place with ODOT and then we can do an RFP (Request for Proposal) for consultants.

Ward Matters

Mr. Malta reported that the intersection of Edgewood and Fairway has a lot of holes that need patching.

Public Participation

Sandy Bontempo of 480 Cole Plaza addressed several items: 1) There is a large pothole at the corner of E. 300 and Barjode. Mr. Pauley will look into it. He stated that any resident can email or call the Service Department to report potholes. 2) The Wellness Walk Path floods on a regular basis which makes it hard to use. Recreation Director Kless said we received a \$50,000 matching grant for this project which would deal with drainage issues and also make the paths a little wider. Ms. Drake is looking into getting matching funds from the county, but we are not sure if this project qualifies. 2) In the absence of Angela Vanek in Ward 3 who has been supportive of the Palumbo family, she reported that Angela has had requests for 75 more signs from the community. They do not approve of the money being invested by the Legal Department regarding the appeal and request that it be withdrawn. Mr. Patton referred her to the Mayor's remarks which were posted on the News5 Cleveland.com website on 5/29 and updated on 5/30 which sets forth the city's position: "At this time we are waiting for the Industrial Commission to set a hearing to address Mrs. Palumbo's appeal to the District hearing's office." The appeal is being prosecuted by the Palumbo family. He asked that those who are interested carefully read the Mayor's complete remarks that were posted. 4) There was a request for additional information about the Lakefront Development Project from a resident who does not want something in his backyard. Mayor Regovich noted that the lakefront development is a work in process that only pertains at this time to the property that the city controls and does not touch on private property. He does not see us going beyond the footprint that we have here. There is a process that involves a committee, and we began community outreach this past weekend. Anyone can get involved at any time.

Ryan Lose of 30533 Willow Lane said a resident was inquiring if there is a list of bad renters (who destroy houses). Ms. Landgraf noted that it shows up on an individual's record if the person has been evicted. A landlord would have to pursue a cause of action in a court in order to get that to follow a tenant from house to house, and many landlords do not do that. A list would be subjective. Her recommendation is not to do this since there is already something in place for that purpose. Landlords have access to this before they rent and can do background requirements and investigations in which prior evictions will show up on their record.

Anthony Frank of 614 Carrington Court inquired who is responsible for trimming a couple huge limbs that overhang E. 293rd. Ms. Landgraf stated that if they are interfering with the lines, it is the responsibility of the Illuminating Company. If they are overhanging the street, the resident should notify the Service Department who trim what they can when notified. Mayor Regovich can contact our liaison to CEI by email so that we have a record of this request. Mr. Frank also inquired what can be done about repetitive noise ordinance violations. Ms. Landgraf noted that the penalties increase with the prosecution of repetitive noise violations. It is worth reporting each time if it is repetitive and a nuisance. Chief Turner will discuss this situation with him further.

Reports of Standing Committees

Finance: No report. Joint Budget/Finance Committee meeting was held prior to the meeting. The first half centered on the overview through May 31 which shows we are trending as we expected. The discussion then moved to options for the immediate future: Go back to the ballot, make more cuts, or a vote by City Council to make an increase. The recommendation from the Committee (4-0 vote) is to go back to the ballot for a .5 income tax increase in November. Ms. Landgraf will prepare the legislation for the next meeting. He also reported that as expected, the Sewer Revenue Fund is in trouble. This is due in part to Euclid passing along costs that they have incurred to us. We also need funds to continue making improvements that need to be done. He and Mr. Lannon will hold a meeting late summer, then have

another joint Budget/Finance Committee meeting at the end of the year in the fourth quarter to seriously consider increasing the sewer rates.

Safety: No report. Mayor Regovich requested a meeting to discuss some good things that the Fire Department brought to him.

Service, Utilities & Public Lands: No report.

Streets, Sidewalks & Sewers: No report.

Tax Compliance: No report.

Moral Claims: No report.

Budget: No report.

Liaison Reports

Mr. Malta reported that Tuesday night is project night. Contact Ms. Turk if interested in participating. He invited those who are interested to attend the next meeting.

Fund Transfers and Bid Authorizations

None.

Contract Approvals

None.

Introduction & Consideration of Legislation

None.

Miscellaneous

None.

Public Participation

Ryan Lose of 30533 Willow Lane said that a resident inquired if the Police Department maintains a list of residents who have video security cameras at their house in the event that they need access to footage if a crime were committed in the neighborhood. Police Chief Turner said that there is currently no list, but it is a work in process. It involves such things as the rights of residents, etc. Mr. Lose then inquired what five mills would bring in per discussion at the Budget/Finance meeting. It was confirmed that one mill is \$250,000 which would require five mills to bring in \$1.2 million. Regarding the tax increase, Mr. Lose said that there are people who will always vote no and those who will always vote yes. It is the people in the middle that we need to reach. He feels that the last one failed due to lack of information and that there needed to be more specifics about how the money in the General Fund would be used. Ms. Benedict stated that there may be a misconception about the General Fund. It is not a free-for-all account. About 78% of the fund is salaries, wages and benefits, the majority of which is for the safety forces. Mayor Regovich noted that the percentage is increasing, so the amount that goes to other things which is everything else in the City such as Recreation is getting smaller. If the General Fund doesn't get bigger, then there will be cuts. We have not had an increase in over 20 years. It would be difficult to run a household without an increase in salary in that amount of time, and the same is true of the city.

Bryon White of 30550 Willow Lane inquired if Council is allowed to have private meetings/private conversations during a public Council meeting and inquired what the conversation between the Council President and the Law Director following the first public portion of this meeting was about. Mr. Patton stated that he and the Law Director discuss procedural matters. There is nothing illegal about having those brief conversations to seek her advice as legal counsel for the city. The Law Director knows the

Sunshine Laws for the state of Ohio. If we were to deliberate about an ordinance or have a discussion about an ordinance or vote in private in a non-public meeting that was not properly noticed, that would be illegal.

Mr. White asked what has changed since a statement several months ago indicating that the people have voted. He wonders why they feel people would change their minds. He felt as did Council that the information was provided to the voters before. Would a consultant be used again? Mr. Vanni replied that nothing has changed, and the problem has not gone away. He stands by what he said, that the people voted and we will do the will of the people. However, there is no harm in going back to the people since it will not cost the city anything. In talking with people in his ward, they indicated that the previous ballot issue was bad timing with the property tax from the county, and they also could not understand the wording on the ballot. Some people don't want to pay more money in taxes. He personally would not vote for a consultant again. We have to do a better job of getting the information out. If it goes down this time, we have to cut, and it will be personnel.

Mr. Vanni agreed with Mr. White that this is difficult since it comes at the same time as the sewer. We are trying to be as upfront with our residents as we possibly can. We have the costs that are being passed on to us by Euclid, and we have improvements that we have to keep making to our own system, and it is very expensive. We have not increased the tax in 23 years, yet expenses have increased in that time. We have done a pretty good job of balancing it. The only thing that was passed on to the residents was the garbage. Mr. Patton agreed with Councilman Vanni that nothing has changed, and he has not changed his position from last year. He will not stand in the way of putting it on the ballot again because the people should have an opportunity to be heard. Mayor Regovich said that we need to do a better job of communicating because people didn't understand. This time people may understand more, and conversations he has had since then indicate that they may have a better understanding. He would rather have the vote of the people to give direction which is what we have wanted since Day 1. Next year and the year after are going to cost us more just in contracts, and we cannot absorb that cost. We have been absorbing the increase in sewer costs from Euclid for five years, and we can't do that anymore. We can't get grant money because we don't have the funds for matching grants, so we are losing out on thousands of dollars in grant money. All of our levies that were passed in 1986, and we are collecting 1986 money.

Adjournment

Motion by Mr. Pintar, seconded by Mr. Vanni to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

The meeting adjourned at 8:27 p.m.



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL