

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

**DATE:** February 4, 2020  
**PLACE:** City Hall  
**TIME:** 7:30 p.m.

The third meeting of Council 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 Malta, Phares, Patton, Antosh, Bisbee, Koudela and Vanni.  
**Also Present:** Mayor Regovich, Law Director Landgraf, Finance Director Benedict, Police Chief Turner, Acting Fire Chief Ron Zak, Service Director Pauley, Chief Housing and Zoning Inspector Brennan, City Engineer Lannon, and Council Clerk Wovrosh. Recreation Director Kless was absent.

**Approval of Minutes**

Motion by Mr. Vanni, seconded by Ms. Antosh to approve the minutes of the Regular Meeting of Council of January 21, 2020.

Discussion: None.

Vote: Ayes: Phares, Patton, Antosh, Bisbee, Koudela, Vanni. Abstain: Malta. 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 Finance Director Benedict and her staff for their work in preparing the budget binders for the Budget Hearing meeting on Saturday, February 8.
- More complaints about rats have been received since we have warmer weather. The Health Department has requested to do an educational presentation. This was referred to the Safety Committee.
- Resolution No. 2020-9 accepts funds that are being made available to all cities and townships by the county. We will receive around \$84,000 for our road program. We may be eligible to receive additional funding from OPWC, depending on how they rank the projects.

**Council Discussion of the Mayor's Report**

None.

**General Communications & Reports – Directors & Officials**

**Service Director Rob Pauley:** Written report submitted. The schedule for Special Collections has been released by the Solid Waste District. These are posted on both the county and city websites. Some fees may apply for certain collections.

**Recreation Director Julie Kless:** Absent. No written report.

**City Engineer Tim Lannon:** Written report submitted. Included in Mr. Lannon's report is the bid results and a request to authorize the contract for the first phase of the Manry Park Exercise Trail Project.

**Finance Director Cheryl Benedict:** Written report submitted.

**Law Director Landgraf:** No written report.

**Police Chief Brian Turner:** Written report submitted electronically. In answer to a question from Mr. Patton, he stated that Willowick has never had its own SWAT team. It is part of a multi-jurisdictional team known as the Western Lake County Emergency Response Team. The Willowick Police Dept. has four members on the team.

**Acting Fire Chief Ron Zach:** Written report submitted electronically.

**Chief Housing and Zoning Inspector Sean Brennan:** Written report submitted. The Lake County Health District would like to make an educational presentation sometime in the spring regarding the rat issues. Suggestions from Council would be welcomed and can be submitted to the Mayor.

**Economic Development Manager Monica Drake:** The first residential CRA has been certified and submitted to the County Auditor, and it is anticipated that we will receive others over the next few months. She has been following up on leads for potential businesses coming into the community. Per the Mayor's request, she inquired about the Community Development Block Grant (CDBG) storefront program. The city has design criteria in various sections of the city which would need to be adhered to. The Lake County Planning Department provides 12 free hours per year to each city in Lake County, and they would be willing to assist us if we need help.

#### Ward Matters

None.

#### Public Participation

Bryon White of 30550 Willow Lane addressed several items.

1) Earlier that day he submitted a record request for the budget document for Saturday's Budget Hearing meeting and said he was told it would not be available until Saturday. He felt he was being denied a public record in a reasonable time since Council had already received it. Ms. Landgraf had spoken to the Finance Director and Clerk of Council who indicated that Mr. White had been told that he could have a copy, but no additional copies were available at this time. She also clarified that the Ohio Records Request Law does not provide him with the right to have instantaneous public records request response. It is reasonable to have a few days to respond to a public records request. Ms. Benedict stated that he was not told that he could not have them until Saturday but rather to check back on Friday when they would most likely be run for any residents who would be in attendance at the Budget Hearings.

2) Mr. White challenged the change to the agenda that indicates that residents have three minutes to make a public statement since he finds nothing about this in the Ordinances. Ms. Landgraf noted that at the final Council meeting of 2019, Mr. Patton had instituted a three-minute limit on the public statement. Roberts Rules of Order gives the administrator of a public body the right to establish orders of procedure for a public meeting. As a matter of parliamentary procedure, the President of Council has a right to place limitations on the duration of speaking. It only limits the time to ask a question, not the ability to ask a question. Mr. Patton noted that he gave notice about the time limit the last two meetings of December.

3) Mr. White asked for clarification of Ordinance 2020-14 which is related to Shoreland Circle and Lakewick Lane, inquiring why there is \$200,000 for the roads which are in very good condition. It was explained that this is in the context of a TIF (Tax Incremental Financing). When Shoreland Crossings was built over 10 years ago, per an agreement with the developer, the TIF program financed the costs associated with tearing down the western half of Shoregate and putting in the subdivision infrastructure. The city has a note for this. Under the TIF the city is able to collect the city, county, school district and library's shares of the property taxes in the form of payments in lieu of taxes (PILOTS) rather than property tax. The one-year note matures annually, and we pay a portion of the debt from the PILOTS

from those properties. The original \$2.3 million note is now a \$500,000 maturing note of which we are retiring \$300,000 with the outstanding issue being \$200,000. We have been doing this since 2008. Mr. Patton then clarified with Ms. Benedict that there will be no improvements to the right-of-way, to the road or anything else as a result of this Ordinance passing at this time. He also clarified that the \$200,000 that is contemplated in Ordinance 2020-14 is completely and solely dedicated to paying off the TIF through the PILOTS by taking out a new note. Ms. Benedict explained that we do have the capability to go in and resurface the road toward the end of the outstanding balance under this TIF, and it has been discussed.

4) He asked for an update on the posting of City Council committee minutes on the website. Mrs. Wovrosh stated that all the Council Committee meeting minutes for the last year were posted to the Council page on the website prior to the January 21 meeting.

### **Reports of Standing Committees**

**Finance:** No report.

**Safety:** No report.

**Service, Utilities & Public Lands:** No report.

**Streets, Sidewalks & Sewers:** No report.

**Tax Compliance:** No report.

**Moral Claims:** No report.

**Budget:** No report. Mr. Vanni reminded Council members that the Budget Hearing is scheduled for Saturday, February 8 beginning at 8:00 a.m.

### **Liaison Reports**

Mr. Malta thanked everyone who attended the Hearts & Hammers fundraiser, all who donated a basket and all who donated their time. It was their best fundraiser to date. This is the only means to raise funds for the group.

### **Fund Transfers and Bid Authorizations**

None.

### **Contract Approvals**

Motion by Mr. Malta, seconded by Mr. Vanni to authorize the Mayor to enter into a contract with Lake County Landscape and Supply, Inc. for the Manry Park Exercise Trail Improvements in the amount of \$157,508.00.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Ms. Antosh to authorize the Mayor to enter into a 48-month contract with First Energy Solutions for electricity for all city facilities and street lights in the amount of \$0.0367 per kilowatt hour.

Discussion: None.

Vote: All ayes. Motion carried.

### **Introduction & Consideration of Legislation**

The Fiscal Officer's Certificate was presented to the Clerk of Council prior to the introduction of the Ordinance No. 2020-14.

Ordinance No. 2020-14  
(Finance Director)

An Ordinance providing for the issuance and sale of \$200,000 of notes, in anticipation of the issuance of bonds, for the purpose of opening public streets to be known as Shoreland Circle and Lakewick Lane and thereupon improving the entire length of those public streets and an emergency access drive related thereto by, as necessary, grading, draining, paving, constructing curbs, gutters, water mains, valves, fire hydrants, sanitary sewers, storm sewers, manholes, and water and sanitary sewer service connections, and installing street lighting and traffic control signs, and improving certain easements of the City related thereto by constructing storm sewers, tees, manholes and drains, all together with the necessary appurtenances thereto, and declaring an emergency.

Motion by Mr. Malta, seconded by Ms. Antosh to waive the three readings of Ordinance No. 2020-14.

Discussion: None.

Vote: Ayes: Malta, Phares, Antosh, Bisbee, Koudela, Vanni. Abstain: Patton. Motion carried.

Motion by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2020-14.

Discussion: Ms. Benedict explained that when the TIF is paid off, all the taxes go back to the county. Our share will then be distributed between the General Fund, the Street Improvement Levy, and the various funds.

Vote: Ayes: Malta, Phares, Antosh, Bisbee, Koudela, Vanni. Abstain: Patton. Motion carried.

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The Fiscal Officer's Certificate was presented to the Clerk of Council prior to the introduction of the Ordinance No. 2020-15.

Ordinance No. 2020-15  
(Finance Director)

An Ordinance providing for the issuance and sale of \$273,435 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of improving the municipal sewerage system, and declaring an emergency.

Motion by Mr. Vanni, seconded by Ms. Antosh to waive the three readings of Ordinance No. 2020-15.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta to adopt Ordinance No. 2020-15.

Discussion: None.

Vote: All ayes. Motion carried.

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Resolution No. 2020-5  
(Finance Director)

A Resolution authorizing the transfer of funds from the Sewer Revenue Fund (205) to the Sanitary Sewer Improvement Fund (422) and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Malta to waive the three readings of Resolution No. 2020-5.

Discussion: None

Vote: All ayes. Motion carried.

Motion by Ms. Antosh, seconded by Mr. Vanni to approve Resolution No. 2020-5.

Discussion: None.

Vote: All ayes. Motion carried.

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Resolution No. 2020-6  
(Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to the City of Willoughby in the amount of \$6,405.00, for the City of Willowick, and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Malta to waive the three readings of Resolution No. 2020-6.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Ms. Antosh, seconded by Mr. Vanni to approve Resolution No. 2020-6.

Discussion: None.

Vote: All ayes. Motion carried.

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Resolution No. 2020-7  
(Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to the City of Euclid in the amount of \$130,002.32, for the City of Willowick, and declaring an emergency.

Motion by Mr. Vanni, seconded by Ms. Bisbee to waive the three readings of Resolution No. 2020-7.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Vanni to approve Resolution No. 2020-7.

Discussion: None.

Vote: All ayes. Motion carried.

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Resolution No. 2020-8  
(Finance Director)

A Resolution to approve authorizations (Then and Now Certificate) to the Lake County Treasurer in the amount of \$4,670.87, for the City of Willowick, and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Phares to waive the three readings of Resolution No. 2020-8.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Phares to approve Resolution No. 2020-8.

Discussion: None.

Vote: All ayes. Motion carried.

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Resolution No. 2020-9  
(Law Director)

A Resolution accepting Road Improvement and Economic Development Grant funds from the Board of Lake County Commissioners, Lake County, Ohio, and declaring an emergency.

Motion by Mr. Malta, seconded by Mr. Vanni to waive the three readings of Resolution No. 2020-9.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Ms. Antosh to approve Resolution No. 2020-9.

Discussion: None.

Vote: All ayes. Motion carried.

**Miscellaneous**

Motion by Ms. Antosh, seconded by Mr. Vanni to approve the renumbering of Ordinance No. 2020-8 which was approved at the January 21, 2020 meeting to Ordinance No. 2020-13 due to a duplication in numbering.

Discussion: None.

Vote: All ayes. Motion carried.

Motion by Ms. Antosh, seconded by Mr. Vanni to reschedule the March 17, 2020 Council meeting for Wednesday, March 18, 2020 at 7:30 p.m.

Discussion: None.

Vote: All ayes. Motion carried.

**Public Participation**

None.

**Adjournment**

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

Vote: All ayes. Motion carried.

The meeting adjourned at 8:02 p.m.



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**PRESIDENT OF COUNCIL**

ATTEST: Suzanne K. Worrach  
**CLERK OF COUNCIL**