

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

DATE: December 1, 2015
PLACE: City Hall
TIME: 7:30 p.m.

The twentieth meeting of Council was called to order by Council Clerk Wovrosh in the absence of Council President Patton at 7:32 p.m., followed by the Pledge of Allegiance to the Flag and Invocation.

Council Clerk Wovrosh asked for nominations for Council President Pro Tem. Mr. Regovich nominated Mr. Vanni with a second to the nomination by Mr. Reho. No further nominations were made.

Discussion: None.

Vote: Ayes: Malta, Reho, Wells, Turk and Regovich. Nays: None. Abstain: Vanni. Motion carried.

Present: Council members Vanni, Malta, Reho, Wells, Turk and Regovich.

Absent: Councilman Patton.

Also Present: Mayor Bonde, Police Chief Lazor, Fire Chief Posipanka, Law Director Lucas, City Engineer Lannon, Finance Director Benedict and Council Clerk Wovrosh. Service Director/Chief Building Inspector Dominick and Recreation Director Kless were absent.

Approval of Minutes

Motion by Mr. Malta, seconded by Mr. Reho to approve the minutes of the Regular Meeting of Council of November 17, 2015.

Discussion: None.

Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

Motion by Mr. Reho, seconded by Ms. Turk to appoint Derek Zaharewicz to the position of firefighter.

Discussion: None.

Vote: All ayes. Motion carried.

Mayor Bonde administered the Oath of Office to Mr. Zaharewicz.

Administrative Appeals

Administrative Appeal Order No. 2015-10	An Order denying a variance and exception of 3' for a fence to be 1' from the sidewalk on a corner lot in the application of Section 1165.08(c) of the Codified Ordinances in Board of Zoning Appeals
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Motion by Mr. Regovich, seconded by Mr. Malta to approve Administrative Appeal Order No. 2015-10. Discussion: Mr. Lucas explained that though there was a quorum to conduct business, a majority vote by the board (3-0) was required to grant a recommendation. None of the Administrative Appeals had a 3-0 vote. He also explained that it would require a majority vote of Council (four) to overturn the vote.

Mrs. Crookall provided a drawing for a review by Council and explained her request. Mr. Detering from the BZA was present and explained that the Board felt that this was a safety issue.

Vote: Ayes: Vanni, Malta, Wells, Turk, and Regovich. Nays: Reho. Motion to deny carried.

Administrative Appeal Order No. 2015-11	An order denying a variance and exception of 2' height for a fence on a corner lot in the application of Section 1165.08(c) of the Codified Ordinances in Board of Zoning Appeals
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Motion by Mr. Regovich, seconded by Ms. Turk to approve Administrative Appeal Order No. 2015-11.
Discussion: Mr. Detering explained that the concern with the appeal is safety since it is a corner lot.
Vote: All ayes. Motion to deny carried.

Administrative Appeal Order No. 2015-12 An Order denying a variance and exception of 13' from side of house for a fence on a corner lot in the application of Section 1165.08(c) of the Codified Ordinances in Board of Zoning Appeals

Motion by Ms. Turk, seconded by Mr. Reho to approve Administrative Appeal Order No. 2015-12.
Discussion: None.
Vote: All ayes. Motion to deny carried.

Administrative Appeal Order No. 2015-13 An Order denying a variance and exception of 1' for a fence to be 3' from the sidewalk on a corner lot in the application of Section 1165.08(c) of the Codified Ordinances in Board of Zoning Appeals

Motion by Mr. Reho, seconded by Mr. Regovich to approve Administrative Appeal Order No. 2015-13.
Discussion: None.
Vote: All ayes. Motion to deny carried.

Administrative Appeal Order No. 2015-14 An Order denying a variance and exception of 5' to allow a sign in the right of way in the application of Section 1349.08(d)(4) of the Codified Ordinances in Board of Zoning Appeals

Motion by Mr. Regovich, seconded by Mr. Reho to approve Administrative Appeal Order No. 2015-14.
Discussion: Mr. Polcar explained that the location requested is the only place on the property where a sign can be placed. He also indicated that the neighbors do not object. Mr. Detering explained there is not enough space for a free standing sign. BZA did not like the sign being right by the Speedway property; it is a very tight space.
Vote: Ayes: Vanni, Turk, and Regovich. Nays: Malta, Reho and Wells. Motion to deny carried.

Administrative Appeal Order No. 2015-15 An Order denying a variance and exception to allow a sign 5' from an abutting business lot in the application of Section 1349.08(d) of the Codified Ordinances in Board of Zoning Appeals

Motion by Mr. Reho, seconded by Mr. Regovich to approve Administrative Appeal Order No. 2015-15.
Discussion: None.
Vote: Ayes: Vanni, Turk, and Regovich. Nays: Malta, Reho and Wells. Motion to deny carried.

Reports and Communications from the Mayor/Safety Director

Mayor Bonde reported the following:

- There are several openings on Boards and Commissions: BZA (2), Civil Service (2), Planning (1) and Plan Review (1).
- He has been talking with the Lake County Council on Aging to develop a new vision of a Senior Center is and provide services for elderly who do not go to the center. Hearts & Hammers will be under the Senior Center.
- Judge John O'Donnell will swear in Council and him at the January 5, 2016 meeting. The Directors will also be sworn in by Mayor Bonde at this meeting with their terms effective back to January 1, 2016.

Council Discussion on the Mayor's Report

Mr. Vanni clarified that the Streets, Sidewalks and Sewers meeting will need to be rescheduled to follow the January 5, 2016 meeting in order for Council to be sworn in before they meet.

General Communications & Reports – Directors & Officials

Service Department Director Joe Dominick: Absent. Written report submitted.

Recreation Director Julie Kless: Absent. Written report submitted

City Engineer Tim Lannon: No written report submitted.

Finance Director Cheryl Benedict: No written report submitted.

Law Director Michael Lucas: No written report submitted. He explained the motion on the agenda to send proposed amendments related to Multi-Family Apartment District and Mixed Used District to the Planning Commission.

Police Chief Michael Lazor: No written report submitted.

Fire Chief Bob Posipanka: No written report submitted.

Chief Building Inspector Joe Dominick: Absent. No written report submitted.

Ward Matters

Mr. Malta indicated that the leaves on Mikasa Court need to be picked up. He also noted that Rick Pugh indicated that the light posts on Carrington Court are owned by CEI, and they replace the posts rather than paint them. He requested that we could contact CEI.

Mr. Regovich asked about putting the speed trailer on Shoreland in response to a request from a resident. Since the trailer is not utilized during the winter months due to potential damage from the elements, Chief Lazor said this would be considered in the spring.

Public Participation

Phil Detering of 469 Bayridge said that BZA opposed the placement of the sign for Willowick Hardware because of the location. However, he said that they would be willing to consider alternative locations if Council could provide an alternate suggestion.

Reports of Standing Committees

Finance: No report.

Safety: No report.

Service, Utilities & Public Lands: No report.

Streets, Sidewalks & Sewers: The meeting scheduled for Tuesday, January 5, 2016 will be held after the Council meeting rather than at 6:30 p.m. as previously scheduled.

Tax Compliance: No report.

Moral Claims: The committee met prior to the Council meeting. Chairwoman Turk reported that a claim from Karen Gable was brought back to the table. Based on the information that they had, they do not feel that the city would be responsible for the damage to the tire of her car. The recommendation of the Committee to Council is to deny the claim.

Motion by Mr. Reho, seconded by Mr. Regovich to deny the moral claim.

Discussion: None.

Vote: All ayes. Motion to deny carried.

Budget: The committee will work on a date for the annual Budget Hearing held in February.

Liaison Reports

Mr. Malta reported that the next Hearts & Hammers meeting will be December 2 and that the fundraiser will be held on January 30, 2016 at St. Mary Magdalene. They are looking for door prize donations.

Fund Transfers & Bid Authorizations

None.

Contract Approvals

None.

Introduction & Consideration of Legislation

Ordinance No. 2015-40 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Ms. Turk, seconded by Mr. Malta to waive the three readings of Ordinance No. 2015-40.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Regovich, seconded by Ms. Turk to adopt Ordinance No. 2015-40.
Discussion: None.
Vote: All ayes. Motion carried.

Ordinance No. 2015-41 (Finance Director) An Ordinance amending Ordinance 2015-08 to provide for additional appropriations from the General Fund (101); Law Enforcement Trust Fund (230); for current expenses and other expenditures of the City of Willowick, State of Ohio, during the calendar year ending December 31, 2015, and declaring an emergency.

Motion by Mr. Regovich, seconded by Ms. Turk to waive the three readings of Ordinance No. 2015-41.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Regovich, seconded by Mr. Malta to adopt Ordinance No. 2015-41.
Discussion: None.
Vote: All ayes. Motion carried.

Resolution No. 2015-23 (Law Director) A Resolution confirming the mayoral appointment of Joseph G. Dominick to the combined position of Director of Public Service and Chief Building Inspector, and declaring an emergency.

Resolution No. 2015-23 was tabled.

Miscellaneous

Motion by Mr. Regovich, seconded by Mr. Reho to transmit proposed amendments to Chapters 1139, 1141, and 1143, as attached, to the Planning Commission.
Discussion: None.
Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Wells to appoint Ms. Turk and Mr. Regovich to the Volunteer Fire Fighters' Dependents Fund Board.

Discussion: None.

Vote: All ayes. Motion carried.

Public Participation

None.

As a matter of information, Mayor Bonde noted he followed up on the moral claim to replace trees that was denied because the information provided indicated they were located on private property. He found that they are actually located on public property, on the city's side of the fence. Mayor Bonde asked if there would be any objection to replacing the trees, and there was none.

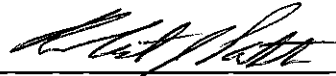
Adjournment

Motion by Mr. Wells, seconded by Ms. Turk to adjourn.

Discussion: None.

Vote: All ayes. Motion carried.

The meeting was adjourned at 8:25 p.m.



PRESIDENT OF COUNCIL

ATTEST: Susan K. Womack
CLERK OF COUNCIL