



City of Willowick
CITY COUNCIL REGULAR MEETING

Tuesday, February 02, 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

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 January 19, 2021.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

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

INTRODUCTION & CONSIDERATION OF LEGISLATION

2. Ordinance No. 2021-6

An Ordinance fixing the compensation of adult school guards and declaring an emergency.

3. Ordinance No. 2021-7

An Ordinance amending Ordinance 2020-51 to provide for additional appropriations from the General Fund (101); Sewer Revenue Fund (205); Fire Emergency Rescue Fund (208) and the Sanitary Sewer Improvement Fund (422) for current expenses and other expenditures of the City of Willowick, State of Ohio, during first quarter ending March 31, 2021, and declaring an emergency.

4. Ordinance No. 2021-8

An Ordinance providing for the issuance and sale of \$228,000 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.

5. Resolution No. 2021-2

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

MISCELLANEOUS

6. Motion to declare the following appliances from the Fire Department as unfit for use by the City, obsolete, and having no value other than scrap metal, to be disposed of as surplus; Whirlpool Washer: Model #WTW80000BW0, Serial #C33070521; Whirlpool Dryer Model #WED8000BW0, Serial #M41110048; and GE Refrigerator: Model #TBX21NITMRWH, Serial #ZL604819, City Tag #01075.

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

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MINUTES

CALL MEETING TO ORDER

The second meeting of Council of 2021 was called to order at 7:30 p.m. by Council President Patton. This is a virtual meeting pursuant to the same rules and opinions from the Attorney General's Office.

PLEDGE ALLEGIANCE

INVOCATION

ROLL CALL OF COUNCIL

PRESENT

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

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

Council President Patton stated that he would be taking the agenda out of order to swear in the Clerk of Council which is Ordinance No. 2021-2.

Oath of Office administered by Mayor Regovich to Angela Trend, Clerk of Council.

APPROVAL OF MINUTES

1. Motion to approve the minutes of the Regular City Council Meeting of January 5, 2021.

Motion by Ms. Antosh, seconded by Mr. Vanni to approve the minutes of the Regular City Council Meeting of January 5, 2021.

Discussion: None.

Voting: All ayes. Motion carried.

APPOINTMENTS, SPECIAL RESOLUTIONS & PROCLAMATIONS

None.

ADMINISTRATIVE APPEALS

None.

REPORTS & COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

Mayor & Acting Service Director Regovich reported:

The EMA (Emergency Management Association) started a brand new 911 Reverse System that went into effect this month. This is through the WEN (Wireless Emergency Notification) System. You have to sign up for it from your phone or computer and then you will be able to receive emergency information by call or text. This system will also be used to provide COVID vaccination information to those that are signed up. We will have this information on our website and on Facebook. You can sign up at reverse911.signup.info

Fairway sewer project updates: one of the houses Councilman Malta was involved with is being fixed and should be done by the end of the week. There are some other areas where the ground is giving away. The City of Wickliffe and Lake County are involved now. The city engineers are working together to find out the best solution for the pipe. More information will be provided once we get it. There is a water main break at City Hall which also affects the Police and Fire Departments. The repair will be done tomorrow and City Hall will be closed due to no water. The Police and Fire Departments will adapt accordingly.

This month The Council on Aging as well as Western Reserve Area Agency on Aging is in partnership with Dave's Market for a "Great Grocery Giveaway". This will involve five surrounding counties and Lake County will have theirs on January 26 at the Willowick Senior Center from 9 a.m. until 5 p.m. There will be 800 boxes of food and toiletries given out to people in need. People will have to register online and this information will be posted to our website and on Facebook.

COUNCIL DISCUSSION OF THE MAYOR'S REPORT

Councilman Malta requested all of the addresses on Fairway as to where more repairs will need to be done. He also asked if volunteers were needed for the grocery giveaway. The Mayor said volunteers would be helpful and that he would coordinate with Council on Aging. As far as the pipe on Fairway it appears that about every thirty feet there is a sinkhole starting. Preliminary findings may be that the whole length of the street from the Wickliffe border to E. 293 St. may need to be fixed but that is not known for sure yet.

GENERAL COMMUNICATIONS & REPORTS – Directors & Officials

Acting Service Director – Rich Regovich

Written report submitted electronically. The Service Department workers have been going through and putting touchless faucets and other touchless items into the city buildings. The Road Department has finished picking up Christmas trees. All workers and equipment are ready for the next snowfall.

Recreation Director – Julie Kless

Basketball registrations have come to an end and teams are being put together. Practices will start at the end of the month and games will begin in February. Everyone is working hard to ensure all of the safety measures are in place and that state guidelines are being followed. We are hoping for a safe and

successful season. There are also two Ordinances on the agenda for recreational fees and compensation for part-time seasonal employees.

City Engineer – Tim McLaughlin

No written report. The budget request was finalized for the year and it's time to start revisiting and finalizing this years road program. It will include some of the streets that were supposed to be done last year. A late grant from OPWC for \$250,000 and a legal issue caused some of the streets not to be able to be added on last year but will be added this year. The plan is to bid this out as early as possible to get a favorable price. There will also be a joint project with the City of Wickliffe through OPWC on Lakeland Blvd. and part of it will be coming out of our pavement program budget.

Finance Director – Cheryl Benedict

On or about December 30, 2020, the city received a third dividend check from Bureau of Worker's Compensation for \$237,167.00. These were unanticipated revenues and they totaled \$415,620.00. The budget is behind and we still have to meet with the director's. Budget packages will not be out until sometime mid next week.

Law Director – Stephanie Landgraf

No written report. Some issues are still be worked on that were addressed in the Safety Committee meeting last month with Councilman Phares. There was a meeting yesterday with Mr. McLaughlin and Mayor Regovich and they agreed to schedule an Executive Meeting for the next Council Meeting to discuss pending and or imminent litigation.

Police Chief – Brian Turner

No written report.

Fire Chief – Joe Tennyson

Written report submitted electronically. The new ambulance was put into service on Monday and has been responding to EMS calls throughout the city. It is much different than the other rescue squads and we will be operating three squads in the near future. 1612 will be going out on Monday for some body work after it sustained some damage when a car slid into it back in November with no injuries occurring. Lt. Stanley Muraski turned in his letter of resignation after 29 years of service.

Chief Housing/Zoning Inspector – Sean Brennan

Written report submitted electronically.

Economic Development Manager – Monica Drake

Absent. No written report.

WARD MATTERS

None.

PUBLIC PARTICIPATION

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

Erin Byrne, 860 E. 305 St., stated she is an ambassador for the Borgen Project which is a national organization to engage citizens locally in efforts to see stronger U.S. leadership implementing better living conditions of those who are affected by global poverty. Ms. Byrne asked Council to send letters to Senator Sherrod Brown, Senator Rob Portman and Representative Dave Joyce letting them know that the Council views global development programs as crucial for creating more customers globally and new markets for Willowick's businesses.

Council President Patton stated to Ms. Byrne that he was not familiar with her organization but it is something that could be discussed with the Council and the Mayor. He requested that Ms. Byrne email to Council information about her organization and her views so that they could read about it before any action was taken.

REPORTS OF STANDING COMMITTEES

Finance – Vanni, Bisbee, Koudela

No report.

Safety – Phares, Malta, Bisbee

No report.

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

No report.

Streets, Sidewalks & Sewers – Vanni, Malta, Antosh

No report.

Tax Compliance – Koudela, Antosh, Patton

No report.

Moral Claims – Antosh, Phares, Patton

No report.

Budget – Vanni, Koudela, Patton

The budget meeting is scheduled for February 6 at 8 a.m. Mr. Vanni proposed the idea of having the meeting in person instead of virtual due to the amount of information involved. There would plenty of room at City Hall to be able to social distance. This will be determined at the next Council Meeting.

LIAISON REPORTS

Planning – Phares/Alternate Koudela

No report.

Board of Zoning Appeals – Koudela/Alternate Vanni

No report.

Volunteer Fire Fighters' Dependents Fund Board – Antosh, Phares

No report.

Recreation Board – Bisbee/Alternate Phares

No report.

Plan Review Board – Antosh

No report.

Hearts & Hammers – Malta

The Hearts & Hammers fundraiser scheduled for the last Saturday in January is cancelled due to COVID. The fundraiser will be voted on and scheduled for the last Saturday in January 2022.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

None.

INTRODUCTION & CONSIDERATION OF LEGISLATION**2. Ordinance No. 2021-2**

An Ordinance approving and confirming the appointment of Angela Trend as Clerk of Council, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-2.

Discussion: None.

Voting: All ayes. Motion carried.

Motion made by Mr. Malta, seconded by Ms. Antosh to adopt Ordinance No. 2021-2.

Discussion: None.

Voting: All ayes. Motion carried.

3. Ordinance No 2021-3

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

Motion made by Ms. Antosh, seconded by Mr. Vanni to waive the three readings on Ordinance No. 2021-3.

Discussion: None.

Voting: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2021-3.

Discussion: None.

Voting: All ayes. Motion carried.

4. Ordinance 2021-4

An Ordinance establishing the 2021 fee schedule for the Willowick Recreation Department, repealing certain Ordinances, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Antosh to waive the three readings on Ordinance No. 2021-4.

Discussion: None.

Voting: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Phares to adopt Ordinance No. 2021-4.

Discussion: None.

Voting: All ayes. Motion carried.

5. Ordinance No. 2021-5

An Ordinance providing for the compensation of seasonal and part-time employees of the City of Willowick Recreation Department for year 2021, and declaring an emergency.

Motion made by Mr. Malta, seconded by Ms. Bisbee to waive the three readings on Ordinance No. 2021-5.

Discussion: None.

Voting: All ayes. Motion carried.

Motion made by Ms. Antosh, seconded by Mr. Vanni to adopt Ordinance No. 2021-5.

Discussion: None.

Voting: All ayes. Motion carried.

MISCELLANEOUS

6. Motion authorizing a purchase order requisition to Civica US in the amount of \$12,829.14 for the 2021 License, Support and Maintenance fee for the period of January 1, 2021 to December 31, 2021.

Motion made by Ms. Antosh, seconded by Mr. Vanni to authorize a purchase order to Civica US.

Discussion: None.

Voting: 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)

ADJOURNMENT

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

Discussion: None.

Voting: All ayes. Motion carried.

Meeting adjourned at 8:04 p.m.

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

ORDINANCE NO. 2021-6

AN ORDINANCE FIXING THE COMPENSATION OF ADULT SCHOOL GUARDS AND DECLARING AN EMERGENCY.

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

SECTION 1. That effective January 17, 2021, adult school guards shall receive compensation at a rate of Eleven Dollars and Twenty-Five Cents (\$11.25) per hour; provided, however, that in no event shall the compensation paid to any adult school guard for any one day of work be less than \$11.25.

SECTION 2. That school guards will be paid up to five (5) days' pay, per school year, when schools close for inclement weather.

SECTION 3. That Ordinance No. 2018-29, passed September 4, 2018 and any and all other ordinances or parts thereof in conflict herewith be and the same are hereby repealed effective January 17, 2021.

SECTION 4. That this Ordinance 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 daily operation of a municipal department; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _____, 2021

Submitted to the Mayor for his approval on _____, 2021

ATTEST:

Clerk of Council

President of Council

Approved by the Mayor on _____, 2021

Mayor

ORDINANCE NO. 2021 - 7

AN ORDINANCE AMENDING ORDINANCE 2020-51 TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND (101); SEWER REVENUE FUND (205); FIRE EMERGENCY RESCUE FUND (208) AND THE SANITARY SEWER IMPROVEMENT FUND (422) FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF WILLOWICK, STATE OF OHIO, DURING FIRST QUARTER ENDING MARCH 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 first quarter ending March 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 General Fund:

GENERAL FUND

Security of Persons & Property

Safety Communications Dept.

Personal Services

Wages - Overtime	101.100.5199	1,500.00
Total Salaries & Wages		1,500.00
Total Police Department		1,500.00

Lands & Buildings

Personal Services

Wages - Overtime	101.708.5199	1,000.00
Total Wages & Salaries		1,000.00
Total Lands & Buildings		1,000.00

TOTAL GENERAL FUND: 2,500.00

SECTION 3. That there be appropriated from the Sewer Disposal Water Pollution Control Fund (Sewer Revenue):

SEWER REVENUE FUND

Other

Transfer to Fund 422	205.711.5919	770.00
Total Other Expense		770.00
TOTAL SEWER REVENUE FUND		770.00

SECTION 4. That there be appropriated from the Fire Emergency Rescue Fund:

FIRE EMERGENCY RESCUE FUND

Other

Police & Fire Pension	208.102.5230	2,750.00
Total Other Expense		2,750.00
TOTAL FIRE EMERGENCY RESCUE FUND		2,750.00

SECTION 5. That there be appropriated from the Sanitary Sewer Capital Improvement Fund:

SANITARY SEWER CAPITAL IMPROVEMENT FUND

Other

Note Principal	422,711.5703	435.00
Total Other Expense		435.00
TOTAL SANITARY SEWER CAPITAL IMPROVEMENT FUND		435.00

TOTAL ALL FUNDS **6,455.00**

SECTION 6. 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 7. 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 8. 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 9. 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

Council President

Approved by the Mayor on
_____, 2021

ATTEST:

Clerk of Council

Mayor

ORDINANCE NO. 2021-8

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$228,000 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.

WHEREAS, pursuant to an Ordinance passed February 5, 2020, a \$273,435 note in anticipation of bonds, dated February 19, 2020, was issued for the purpose stated in Section 1 (the Outstanding Note) and combined with another note issue of the City into a consolidated issue pursuant to Section 133.30(B) of the Revised Code, to mature on February 18, 2021; and

WHEREAS, this Council finds and determines that the City should retire \$228,000 of the Outstanding Note with the proceeds of the notes described in Section 3 and retire \$45,435 of the Outstanding Note from other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the bonds described in Section 1 is twenty-eight years, and the maximum maturity of the notes described in Section 3, to be issued in anticipation of the bonds, is March 16, 2024;

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

Section 1. It is necessary to issue bonds of this City in the aggregate principal amount of \$228,000 (the Bonds) for the purpose of paying costs of improving the municipal sewerage system.

Section 2. The Bonds shall be dated approximately February 1, 2022, shall bear interest at the now estimated rate of 5% per year, payable on June 1 and December 1 of each year, commencing June 1, 2022, until the principal amount is paid, and are estimated to mature in thirty annual principal installments that are substantially equal. The first principal installment is estimated to be December 1, 2022.

Section 3. It is necessary to issue and this Council determines that notes in the aggregate principal amount of \$228,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the City, the Outstanding Note, all as further described in the preambles hereto. The Notes shall bear interest at a rate or rates not to exceed 4.5% per year (computed on the basis of a 360-day year consisting of twelve 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. If requested by the original purchaser, the Notes may provide that, in the event the City does not pay or make provision for payment at maturity of the debt charges on the Notes, the principal amount of the Notes shall bear interest at a different rate or rates not to exceed 10-1/2% per year from the maturity date until the City pays or makes provision to pay that principal amount. The rate or rates of interest on the Notes shall be determined by the Director of Finance in the certificate awarding the Notes in accordance with Section 6 of this ordinance (the Certificate of Award). The Notes shall be dated the date of issuance and shall mature one

year from the date of issuance, provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is up to one-hundred days less than one year from the date of issuance by setting forth that maturity date in the Certificate of Award.

Section 4. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City's paying agent (the Paying Agent), at the principal corporate trust office of The Huntington National Bank, Columbus, Ohio, or at the office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the original purchaser.

Section 5. The Notes shall be signed by the Mayor and Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the original purchaser and approved by the Director of Finance, provided that no such denomination shall be less than \$100,000 and provided further that the entire principal amount may be represented by a single note. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this ordinance. As used in this section and this ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have

no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, including the execution of a Blanket Issuer Letter of Representations in the form utilized by The Depository Trust Company.

Section 6. The Notes shall be sold at private sale by the Director of Finance at a price of not less than par and accrued interest, if any, in accordance with law and the provisions of this ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Clerk of Council, the Director of Law and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other

items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent the income from the municipal sewerage system is available for the payment of the debt charges on the Notes and Bonds and is appropriated for that purpose, the amount of that tax shall be reduced by the amount of the income so available and appropriated.

Section 10. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Notes will not be treated as an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Notes are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code. In that connection, the City hereby represents and covenants that it, together with all its subordinate entities or entities that issue obligations on its behalf, or on behalf of which it issues obligations, in or during the calendar year in which the Notes are issued, (i) have not issued and will not issue tax-exempt obligations designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code, including the Notes, in an aggregate amount in excess of \$10,000,000, and (ii) have not issued, do not reasonably anticipate issuing, and will not issue, tax-exempt obligations (including the Notes, but excluding obligations, other than qualified 501(c)(3) bonds as defined in Section 145 of the Code, that are private activity bonds as defined in Section 141 of the Code and excluding refunding obligations that are not advance refunding obligations as defined in Section 149(d)(5) of the Code) in an aggregate amount exceeding \$10,000,000, unless the City first obtains a written opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not adversely affect the status of the Notes as “qualified tax-exempt obligations”. Further, the City represents and covenants that, during any time or in any manner as might affect the status of the Notes as “qualified tax-exempt obligations”, it has not formed or participated in the formation of, or benefited from or availed itself of, any entity in order to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3) of the Code, and will not form, participate in the formation of, or benefit from or avail itself of, any such entity. The City further represents that the Notes are not being issued as part of a direct or indirect composite issue that combines issues or lots of tax-exempt obligations of different issuers.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with

respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

Section 11. In connection with the issuance of the Notes, the legal services of Squire Patton Boggs (US) LLP, as bond counsel, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution thereof by the Mayor, the Director of Finance, the Director of Law, or any one of them, are hereby authorized, ratified and approved. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

Section 12. The Clerk of Council is directed to deliver a certified copy of this ordinance to the County Auditor.

Section 13. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 14. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 15. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely retire the Outstanding Note and thereby preserve its credit; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2021

President of Council

Attest: _____
Clerk of Council

Approved: _____, 2021

Mayor

FISCAL OFFICER'S CERTIFICATE

To the Council of the City of Willowick, Ohio:

As fiscal officer of the City of Willowick, I certify in connection with your proposed issue of \$228,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds) for the purpose of paying costs of improving the municipal sewerage system (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is twenty-eight years. To the extent that notes in anticipation of the Bonds have been outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years has been deducted and taken into account in setting forth the estimated maximum maturity of the Bonds as stated in the preceding sentence.
3. The maximum maturity of the Notes is March 16, 2024 which is twenty years from the date of the original note issued for this purpose.

Dated: 1/29, 2021

Cheryl Benedict
Director of Finance
City of Willowick, Ohio

RESOLUTION NO. 2021-2

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE SEWER REVENUE FUND (205) TO THE SANITARY SEWER IMPROVEMENT FUND (422) AND DECLARING AN EMERGENCY.

WHEREAS, the City of Willowick has adopted Ordinance No. 2020-51 appropriating funds for the first quarter of the calendar year 2021; and

WHEREAS, said Ordinance requires the transfer of certain funds.

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

SECTION 1. That the following transfer is hereby authorized to be made from the Sewer Revenue Fund (205) to the account and in the amount indicated below:

**Transfer to the Sanitary Sewer Improvement Fund \$54,895.00
(422-814-4966)**

SECTION 2. That all formal actions of the Council concerning the passage of this Resolution were adopted in an open meeting, and all the deliberations of this Council, or any of its committees, that resulted in such formal actions were in meetings open to the public in compliance with all legal requirement, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That all Resolutions or parts thereof in conflict with the provisions of this Resolution are hereby repealed.

SECTION 4. That 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; wherefore, this Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: _____, 2021

Submitted to the Mayor for his approval on _____, 2021

ATTEST:

Clerk of Council

President of Council

APPROVED by the Mayor on _____, 2021

Mayor

City of Willowick

Department of Fire

30435 Lakeshore Boulevard • Willowick, Ohio 44095
Phone (440) 585-1202 • Fax (440) 585-4112
www.cityofwillowick.com



01/25/2021

Surplus Equipment

The Fire Department respectfully request of council approval to surplus list of appliances in the fire station. The appliances are old and beyond much needed repair. They only have value in scrap metal.

As you may know, washing of our uniforms is necessary to the day to day operations of our department. I have not and will not allow our firefighter/paramedics to take their uniforms home to launder. Our duty crew members can be exposed to a variety of body fluids as well as carcinogens throughout any given shift and keeping their uniforms in house prevents the spread of contamination to their families at home.

We currently have three refrigerators in our kitchen. Since the recent remodel, we no longer have the room or need for three refrigerators.

Thanks

Joseph R Tennyson
Fire Chief

- Whirlpool Washer: Model #WTW8000BW0
Serial #C33070521
"Will no longer finish a complete wash cycle"
- Whirlpool Dryer: Model #WED8000BW0
Serial #M41110048
"Door will no longer stay shut, in turn not completing a dry cycle"
- GE Refrigerator: Model #TBX21NITMRWH
Serial #ZL604819
City Tag #01075
"Extra refrigerator, no longer needed"