

# MINUTES REGULAR COUNCIL MEETING

8:11 p.m.

September 17, 2019

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 13, 2019.

## ROLL CALL

**Council Members Present:** Woodin, Tomaselli, Anderson, Carr, Harrold, Kary and McNeill

**Others Present:** Mayor Fiala, Law Director Lucas, Service Director Bock, City Engineer Sayles, Fire Chief Ungar, Police Chief Beckwith, Chief Building & Zoning Inspector Keller, Parks and Recreation Director Banker, Finance Director Bosley, Clerk Novak

The meeting was led in Prayer and Pledge of Allegiance by Councilman Kary.

## FIRE DEPARTMENT SWEARING IN CEREMONY

Mayor Fiala swore in Fire Lieutenant Joe Iliano and Firefighter Luke Farshchian.

## **Approval of Minutes**

Motion made and seconded to approve the Regular Meeting Minutes of September 3, 2019.

Roll Call	6 yes	Motion carried 6 to 0
	0 no	
	1 abstain (Woodin)	

## STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

Economic Development Committee, Ms. McNeill – No report.

Environmental Planning Committee, Mr. Kary – No report.

Finance and Audit Committee, Mr. Tomaselli – Reported he recently met with Mayor Fiala and Finance Director Bosley to go over some large scale projects and vision for the City and how to finance some of those projects. He will be giving a presentation to Council at some point.

Parks & Recreation Committee, Mr. Woodin – No report.

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Harrold – Reported a new firefighter and lieutenant were sworn in tonight.

Service Committee, Mr. Woodin – No report.

**WPCC Committee, Mr. Anderson** – Reported one item on the agenda tonight.

**Clean City Commission, Mr. Anderson** – Reported the river clean up took place with six canoes that went from Daniels Park to the Chagrin River on Reeves Road.

**Planning Commission, Mr. Kary** – Mr. Kary asked Council to review the zoning code updates that were distributed. The Planning Commission will be recommending the updates to Council soon and will hold a public hearing on the zoning map update.

**Shade Tree Commission, Ms. McNeill** – Reported that the Commission has a new Secretary, Emily Makela.

**CORRESPONDENCE:** Clerk Novak read a request from the Ohio Division of Liquor Control for a transfer from Care Auto Service, Inc. 3525 Lost National Rd., Willoughby, Ohio, 44094 to HB Soni, Inc. 3525 Lost Nation Rd., Willoughby, Ohio 44094. There were no objections.

**PUBLIC PORTION:**

**Ben Capelle, CEO, Laketran:** Mr. Capelle said the levy that Laketran operates on was passed in 1988 and has been renewed a few times, but Laketran has never asked for an increase before. He said the levy that will be on the ballot is due to an increase in dial-a-ride services and decreased funding from that state. He said if the levy fails, 30% of Laketrans' services will be cut. Mr. Capelle indicated that Willoughby was the largest recipient of dial-a-ride services in the county and 75% of the levy would go for dial-a-ride. The levy would generate about \$8.5 million a year through sales tax (.25 cents per \$100 spent). Money from the levy would also better serve companies on Tyler Boulevard.

**Steve Thompson, Superintendent, Willoughby-Eastlake Schools, Bill Parkinson, Treasurer, Willoughby Eastlake Schools** – Mr. Thompson thanked the City of Willoughby for the recent building collaboration with them. Mr. Thompson said this is the first time since 2012 that the school district is asking for money for the general operating budget. Mr. Parkinson explained the school district is in its current financial status due to House Bill 920 that keeps property taxes flat regardless of the property values and the reduction of tangible personal property tax (TPP) which is a loss of about 8% of the budget. Mr. Thompson said there are three reasons why the proposed levy is a continuous levy versus an emergency operating which is a time bound levy. First, he explained that the school district will be on the ballot 17 times out of the next 20 years with 5 emergency levies that get continually renewed. Due to House Bill 920, the school district will put a levy on the ballot in another 6 to 7 years regardless of how fiscally conservative the school system is. It would force the school system to pass a new levy while renewing a levy simultaneously. Second, when the school district is on the ballot in odd years, it costs the school district anywhere between \$30,000 to \$90,000 depending on whose on the ballot with them costing tax payers money. Thirdly, bonding is an issue due to the emergency operating levies that cause instability as a result of having to continually be on the ballot. The school district's rating has been downgraded due to the failed levy in August. The result of that in conjunction with continued renewals will cost the district millions of dollars in the span of 37 years on the bond issue alone. Therefore, it doesn't make sense to go on the ballot for another emergency operating levy. The Willoughby Eastlake School System is one of two districts in the state that primarily operate on emergency levies. Community meetings are set for September 23rd at 6:00 p.m. at South

High School and September 25th at 7:00 p.m. at North High School. He asked Council and the City for their support of the levy.

Councilman Carr voiced concerns about public engagement regarding the levies and at school board meetings. Councilwoman McNeill also voiced concerns about public engagement and educating the residents on the financial issues and levies. Mr. Thompson clarified to Councilman Woodin what a resident would be paying for the levy and confirmed that the levy on the November ballot needed to be in place prior to knowing the outcome of the August levy due to time constraints.

**Motion made and seconded that all ordinances and resolutions be read by caption only and that as to legislation not containing an emergency clause, the rules requiring that ordinances and resolutions be read on three separate days be waived.**

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

#### **NEW BUSINESS:**

##### **RESOLUTION NO. 2019-88**

**A resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies, certifying same to the Lake County Auditor, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-88 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-88.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

##### **RESOLUTION NO. 2019-89**

**A resolution authorizing the Mayor to accept a 2018 Assistance to Firefighters Grant award through the Federal Emergency Management Agency, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-89 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-89.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

### **RESOLUTION NO. 2019-90**

**A resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the revised WPCC Capacity Enhancement Project, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-90 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-90.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**MAYOR'S REPORT** – No report. Thanked Judean, Amy and Stephanie at the Senior Center for their work at the second open house within the month. Councilman Carr asked the Mayor to comment on a recent article regarding the “Soho” project (former car dealership on Euclid Avenue). Mayor Fiala said a plan has not been submitted and that Mark Sims came to the City about six months ago and suggested doing retail on the first floor of the building and micro units and remodel of the existing service area. Mayor Fiala said his comment in the article was taken incorrectly; he said that the City is not willing to look at micro units but rather higher value apartments.

### **DIRECTOR'S REPORTS**

**Law Director Lucas** – No report.

**Service Director Bock** – Reported that the supplier for the light poles at Euclid Avenue and Wilson have given a delivery date of October 1<sup>st</sup>. The installation of the poles will be done in house. He said the City has not received a response back from the railroad regarding the railroad underpass lighting that has been nonfunctional for a while. The lights are the City's responsibility; the wiring, the conduit and the lights all need to be replaced. Pricing from three different companies have been obtained ranging from \$30,000 to \$15,000. The Rt. 2 underpass lights have been turned over to the City and are not currently working. The problem with the lights has been determined and will be repaired soon.

**City Engineer Sayles** – Plains Road Force Main repair is complete; restoration work still needs to be completed.

**Fire Chief Ungar** – Thanked Council for allowing the swearing in ceremony this evening and the passage of the resolution accepting a grant.

Police Chief Beckwith – No report.

Building Inspector Keller – No report. Ms. McNeill asked if the City was planning on having landscapers register to combat final grading issues. Mayor Fiala said there were discussions on having a bond that would be withheld until final grading after landscaping is complete. Mr. Keller said registering landscapers would be difficult because they won't comply. City Engineer Sayles said years ago, money was withheld from the builder but it didn't solve the problem because the builder would walk away from the deposit. Mr. Kary said he is concerned when a landscaper comes in four years after a home was built and changes the grade. He feels that residents need to be educated on this issue.

Parks & Recreation Director Banker – Reported that Representative Dave Joyce came and toured the new Senior Center and gave the City a certificate of recognition and achievement and a flag that flew over the US Capital. She said they are working through a few issues at the Senior Center, but that membership has increased by 300 in the first month.

Finance Director Bosley – No report. Ms. Bosley left the meeting at 9:00 p.m.

**COUNCILMEN:**

Mr. Woodin – Thanked Mr. Fiala for all his work with regards to the SID.

Mr. Kary –Reported he has been working on getting street lighting replaced on Lost Nation Road particularly the area where poles were taken out when Fairway Glen was built and a light near the airport. He reported that he has heard from Patty at the airport and a contractor would be coming out to look at the poles needed and hopefully install them. He said the other lights near Fairway Glen have been scheduled and should be taken care of by mid-October.

Mr. Tomaselli – No report.

Mr. Anderson – No report.

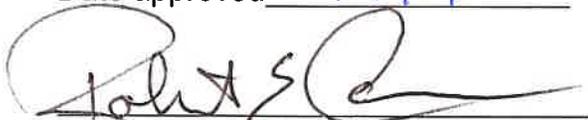
Mr. Harrold – No report.

Ms. McNeill – No report.

Mr. Carr – Reported that the primary topic at the recent Ward 4 meeting was proposed rezoning for a parcel on the west side of Rt. 91 between the apartments and the church (across from Big Turtle I). A developer would like to put in fee simple townhomes. There were a lot of comments regarding traffic concerns.

*The Regular Council Meeting adjourned at 9:34 p.m.*

Date approved 10/1/19



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor