

# MINUTES REGULAR COUNCIL MEETING

8:00 p.m.

November 19, 2019

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on November 15, 2019.

## ROLL CALL

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

**Absent:** Councilmen Tomaselli and Woodin

Motion made and seconded to excuse Councilmen Tomaselli and Woodin from tonight's meeting.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

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

The meeting was led in Prayer by Councilman Kary and Pledge of Allegiance was led by Cub Scout Pack 105 chartered by the American Legion Post 678.

## Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of November 5, 2019.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

## STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

Economic Development Committee, Ms. McNeill – No report.

Environmental Planning Committee, Mr. Kary – Reported the committee reviewed two EAS's with some recommendations being sent to the Planning Commission. There are two items on the agenda tonight.

Finance and Audit Committee, Mr. Tomaselli – Absent.

Parks & Recreation Committee, Mr. Woodin – Absent.

Personnel Committee, Mr. Anderson – Reported one item on the agenda this evening.

Safety Committee, Mr. Harrold – No report.

Service Committee, Mr. Woodin – Absent.

WPCC Committee, Mr. Anderson – Reported one item on the agenda this evening.

Clean City Commission, Mr. Anderson – No report.

Planning Commission, Mr. Kary – No report.

Shade Tree Commission, Ms. McNeill – Reported that 80 trees were being planted this fall. The Shade Tree Commission will not meet in December.

**CORRESPONDENCE:** No correspondence.

**PUBLIC PORTION:**

**Chasity Strauder, 38330 North Lane, Building J, Unit 107** – Ms. Strauder said there is a squatter issue in the unit next to her; she indicated that maintenance has changed the lock box. She said there are a lot of empty units and squatters are an issue. She said that the management company doesn't respond well to residents who are renters. Chief Beckwith asked her to report the issue to the Police Department and to the management company. Mayor Fiala asked that the City go out and check to see if there are any building violations.

**Jerry Ranally, 37832 Park Avenue** – Mr. Ranally thanked Ms. Bosley for sending him a report showing lost revenue from the Local Government Fund and estate tax which was pretty substantial. He congratulated the City on operating so well considering the millions of dollars that have been lost. Mr. Ranally asked about the traffic light at Park and Euclid Avenue. Mr. Bock said the order is two weeks out. Mr. Ranally asked about roof repairs being done at the Senior Center. Mayor Fiala said there was an insurance claim due to fireworks damage; the builder's risk policy will cover the repairs. He said new roofs will be replaced on the Senior Center, the YMCA and the high school.

**NEW BUSINESS:**

**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      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-99**

**A resolution approving EAS #16-11-19 for the removal of trees located on private properties south of Willoughby Parkway, north of Airport Parkway, and along Lost Nation Road, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-99 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-99.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-100**

**A resolution approving EAS #10-10-19 for construction of a self-service fuel center located at 6035 SOM Center Road (Sheetz).**

Motion made and seconded to adopt Resolution No. 2019-100.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-101**

**A resolution authorizing the Mayor to accept the proposal for medical insurance coverage for the eligible employees of the City of Willoughby and the Willoughby Municipal Court provided by OGBC Consortium and administered by Medical Mutual for health care and prescription coverage, effective December 1, 2019 through November 30, 2020, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-101 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-101.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-102**

**A resolution authorizing the Mayor to enter into a contract with the Great Lakes Construction Co., in the amount of \$5,480,790 for implementation of the 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. 2019-102 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-102.

Roll Call     5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-103**

**A resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Board of Lake County Commissioners necessary to establish funding and reimbursement procedures for the E. 364<sup>th</sup>, E. 365<sup>th</sup> and Harvard Drive Storm Sewer Replacement Project, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-103 be declared an emergency measure.

Roll Call     5 yes  
                  0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-103.

Roll Call     5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-104**

**A resolution authorizing the Mayor to enter into a Memorandum of Agreement with the auditor of the State of Ohio and Rea & Associates, Inc. for the audit of the City of Willoughby for fiscal years January 1, 2019 through December 31, 2023, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-104 be declared an emergency measure.

Roll Call     5 yes  
                  0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-104.

Roll Call     5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2019-105**

**A resolution authorizing the Mayor to enter into a Memorandum of Agreement with the Auditor of the State of Ohio and Rea & Associates, Inc. for the audit of the City of Willoughby Landfill for the fiscal years January 1, 2019 through December 31, 2023, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-105 be declared an emergency measure.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-105.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

#### **RESOLUTION NO. 2019-106**

**A resolution approving the petition for creation of Shoreline Special Improvement District and for Special Assessments for Shoreline Improvement Projects, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-106 be declared an emergency measure.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2019-106.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

**MAYOR'S REPORT** – Reported the City was unsuccessful securing a grant for stream bank erosion near Daniels Park; however, the City is pursuing a larger Transportation for Livable Communities Initiative (TLCI), Northeast Ohio Areawide Coordinative Agency (NOACA) grant for the stream bank and the Chagrin River waterfront trail. Mr. Carr said that Citizens bank will be moving into the new location on February 10<sup>th</sup> and ask if there was anything developing with the former location. Mayor Fiala said there have been a few inquiries but nothing more than that. Councilman Anderson asked about the artwork that is to be placed at the new Citizen's Bank. Mayor Fiala said the plaza will be in place soon and fundraising efforts will take place for the actual art. Economic Development Director Tom Thielman met with the artist and the contractor today; the art will be in place next spring. The artwork has been finalized and approved by the bank and a rendering will be sent out to Council.

#### **DIRECTOR'S REPORTS**

**Law Director Lucas** – No report. Mr. Carr said he wanted to discuss a piece of property on Beachview that is considered non-productive referenced in memo Mr. Lucas had sent to Council. Councilman Kary asked if there would be an advantage for the City to purchase the property and then sell it and make a profit as opposed to having the Land Bank acquire it. Law Director Lucas said if the City takes the property; the City is subject to the tax which is the basis of the delinquent foreclosure. Mr. Lucas said the property isn't very desirable and the City historically has let these properties go to the land bank due to the taxes. The City isn't in the business of purchasing and selling property. Councilman Anderson suggested taking the property and using it for equipment storage while erosion control work is being

done. Mr. Carr said there are parcels on the lake right now that could be used for the access to the lake. Councilwoman McNeill said the neighbors wouldn't be happy with equipment storage there. Mr. Lucas said he would reach out to the legal counsel for the land bank and find out if there is a reason why the property has to sit idle for three years which is what Mr. Kary's concern is.

**Service Director Bock** – Reported that the City received funding (80/20 match) from NOACA for the resurfacing of Kirtland Road from Sherwin to the Willoughby corp. line for FY 2023 which will coincide with the work on Rt. 174.

Mr. Carr said there are still Waste Management totes that need picked up. Mr. Bock said residents should call Waste Management to have them picked up. Mr. Carr said trying to receive the senior discount through Republic has not been an easy process. Mr. Bock said what Republic Waste is telling residents is contradictory of what they said in the beginning; the senior discount was to be given without documentation. He said he is trying to work out matters with the CEO of the Republic Cleveland office. He will communicate the process for the senior discount to Council.

**City Engineer Sayles** – Absent.

**Fire Chief Ungar** – No report.

**Police Chief Beckwith** – No report.

**Building Inspector Keller** – No report.

**Parks & Recreation Director Banker** – No report. Tree Lighting will take place Thursday, December 5<sup>th</sup>.

**Finance Director Bosley** – Thanked Council for the passage of the resolutions pertaining to the Finance Department.

#### **COUNCILMEN:**

**Mr. Woodin** – Absent.

**Mr. Kary** – Mr. Kary thanked Judean Banker for all she does for the City particularly the banners on the north end. He thanked Mr. Bock with his help on the replacement of street lights on Lost Nation Road and thanked Mike Lucas for all the time he puts in for the City.

**Mr. Tomaselli** – Absent.

**Mr. Anderson** – No report.

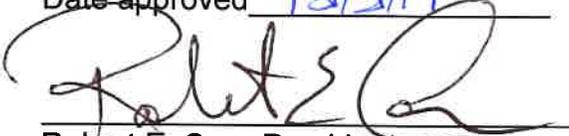
**Mr. Harrold** – No report.

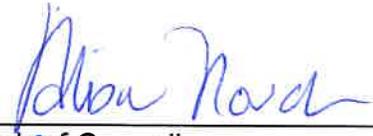
**Ms. McNeill** – No report.

**Mr. Carr** – No report.

*The Regular Council Meeting adjourned at 8:43 p.m.*

Date approved 12/3/19

  
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Robert E. Carr, President

  
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Clerk of Council  
  
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Robert A. Fiala, Mayor