

# MINUTES REGULAR COUNCIL MEETING

8:21 p.m.

June 11, 2019

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on June 7, 2019.

## ROLL CALL

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

**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 & Recreation Director Banker, Finance Director Bosley, Clerk Novak

The meeting was led in Prayer by Councilman Kary and Pledge of Allegiance by Eagle Scout Ryan Bailey.

**SPECIAL RECOGNITION:** Councilman Harrold read and presented Ryan Bailey a proclamation recognizing his achievement of Eagle Scout.

## Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of May 21, 2019.

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

## 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 met this evening to discuss the EAS for Witz End, 38501 Lakeshore Blvd., and will be sending approval to the Planning Commission with some recommendations.

Finance and Audit Committee, Mr. Tomaselli – No report.

Parks & Recreation Committee, Mr. Woodin – Reported there was a committee meeting this evening to discuss the erosion at Osborne Park. The meeting was cut short so a meeting for next month will be scheduled.

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Harrold – No report.

**Service Committee, Mr. Woodin** – Reported there was a committee meeting this evening with a presentation from Waste Management. Service Director Bock will be requesting information from Council and will be going out to bid for garbage removal.

**WPCC Committee, Mr. Anderson** – Councilman Anderson requested a committee meeting in July to discuss the Capacity Enhancement Project. Reported two items on the agenda this evening.

**Clean City Commission, Mr. Anderson** – No report.

**Planning Commission, Mr. Kary** – No report.

**Shade Tree Commission, Ms. McNeill** – No report.

#### **CORRESPONDENCE:**

Clerk Novak read a request from the Ohio Division of Liquor Control for a transfer from Young Sushi Inc. dba Youngs Sushi, 4082 Clark Avenue & Patio, Willoughby, Ohio to Young Sushi Inc. dba Youngs Sushi, 12 Public Square, Willoughby, Ohio. There were no objections.

#### **PUBLIC PORTION:**

**Andy Lufi, 38527 Gold Rush Drive** – Mr. Lufi presented a signed petition from 31 Gold Rush Drive residents who are opposing their street opening up to Lost Nation Road. He said the main issue is the safety of their children. He said the other concern is the water issue. He said he understands that Police and Fire would like the street to go through for safety reasons. Mr. Lufi also said home values will go down if it's not a cul-de-sac. The signed petition was given to Law Director Lucas.

**Justin Sohnlein, Steve Guard Court** – Mr. Sohnlein said he has worked closely with City officials on the subdivision and how it's been graded out. He said he is concerned about the additional homes coming in with regards to the water issues that continue to get worse. The water issues extend to Wood Road as well. Mr. Sohnlein said he was also concerned about the safety of the children who play in the neighborhood. He asked if City Engineer Sayles had the survey that was done and paid for by the developer. Mr. Sayles said he was in receipt of it and will be reviewing it.

**John Metrisin, 38427 Wood Rd.** – Mr. Metrisin said he would like to address the water issue as well. He said he has lived on Wood Rd. for 26 years and there has been a lot of water in the back yards since the beginning of the Melrose development with the grade level 8 inches higher than Wood Rd. He would like the water issue addressed before the developer gets approval on the final phase.

**Palla Lokeswararao, 38482 Gold Rush** – He said he concurs with Mr. Lufi and Mr. Sohnlein with regards to the water drainage and adding houses. He is concerned with the safety of the children and the existing water issues.

**Sue Miazga, 3015 Steve Guard Ct.** – Ms. Miazga said her neighbors have problems with standing water and damage to walkways and patios. She wants to make sure the developer doesn't get a chance to make more money without addressing the water issues. She wanted to know how the issue got so bad and why the plans originally submitted weren't reviewed.

She would like the City and the developer to address the resident's concerns and give a report to the residents on what has been decided.

**Joe Martin, 38537 Gold Rush Drive** – Mr. Martin said he would like to express his concerns as his neighbors and friends have done this evening. Mr. Martin asked if the developer owns the property on Lost Nation Road already and what the process going forward was.

Mayor Fiala said the development plan was approved in 2006 and all plats including the plat with the street cutting through have been approved by the Planning Commission, but it has not been approved by Council yet. Mayor Fiala said the developer did ask that a cul-de-sac be put at the end of Gold Rush Drive but the plan was denied. Mayor Fiala said the City is open to a discussion on the matter. He said he and the safety forces of Willoughby feel the second street is important. Mr. Martin asked if the City would be open to an access street. Mayor Fiala said ultimately the Council has final approval of the plat, however, the City administration feels that due to safety concerns, the street should go through to Lost Nation Road.

#### **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      7 yes  
                    0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2019-60**

**A resolution authorizing the Mayor to submit a funding application for Congestion Mitigation and Air Quality Projects administered by the Northeast Ohio Areawide Coordinating Agency for the purpose of installing a Sidewalk and Bike Trail on SOM Center Road (Rt. 91), and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-60 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-60.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2019-61**

**A resolution authorizing the Director of Public Service to prepare specifications and to advertise for bids for the collection and disposal of solid waste, yard waste, and curbside recycling from single family residences and municipal buildings in the City of**

**Willoughby for a period of five (5) years with a five (5) year renewal option, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2019-61 be declared an emergency measure.

Roll Call      7 yes  
                  0 no  
Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-61.

Roll Call      7 yes  
                  0 no  
Motion carried 7 to 0

**RESOLUTION NO. 2019-62**

**A resolution authorizing the Mayor to reject all bids for the Plains Road Force Main 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. 2019-62 be declared an emergency measure.

Roll Call      7 yes  
                  0 no  
Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-62.

Roll Call      7 yes  
                  0 no  
Motion carried 7 to 0

**RESOLUTION NO. 2019-63**

**A resolution authorizing the City Engineer to re-advertise for bids for the Plain Road Force Main 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. 2019-63 be declared an emergency measure.

Roll Call      7 yes  
                  0 no  
Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2019-63.

Roll Call      7 yes  
                  0 no  
Motion carried 7 to 0

**RESOLUTION NO. 2019-64**

**A resolution approving the Petition for Special Assessments for Special Energy Improvement Projects and Affidavit under Ohio Revised Code Chapter 1710 and approving the Necessity of Acquiring, Installing, Equipping, and Improving Certain**

**Public Improvements in the City Of Willoughby, Ohio in Cooperation with The Lake County Communities Energy Special Improvement District (Todd Field #2 Project), and declaring an emergency.**

Motion made and seconded to table Resolution No. 2019-64.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2019-65**

**A resolution declaring an intent to proceed with the Acquisition, Installation, Equipment, and Improvement of Certain Public Improvements in The City of Willoughby, Ohio in cooperation with The Lake County Communities Energy Special Improvement District (Todd Field #2 Project).**

Motion made and seconded to table Resolution No. 2019-65.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**ORDINANCE NO. 2019-66**

**An ordinance Levying Special Assessments for the purpose of Acquiring, Installing, Equipping, and Improving Certain Public Improvements in the City of Willoughby, Ohio in Cooperation with the Lake County Communities Energy Special Improvement District (Todd Field #2 Project).**

Motion made and seconded to table Ordinance No. 2019-66.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**MAYOR’S REPORT** – Reported the research for erosion control continues tomorrow with a meeting with Euclid Mayor Haltimer and her staff to walk through their project near the lakeshore and get guidance on funding and total costs.

Councilman Woodin said he realizes that the City is partnering with Willowick and Eastlake but wants the City to be able to move forward if those efforts are hindering getting work done for the City. Mayor Fiala said he would be willing to back out if that were the case. He said he believes by aggregating they will have more voice with Ohio Department of Natural Resources and the Ohio Army Corps of Engineers as three rather than one.

**DIRECTOR’S REPORTS**

**Law Director Lucas** – No report.

**Service Director Bock** – Reported that paving is moving along in the City with the intermediate course of asphalt being put down today on Strawberry, Summit and Sharpe. Work will begin on Stevens weather permitting. Regarding the Erie Road construction, the

Phase Three application has been sent to Ohio Department of Transportation (ODOT). Responses will be received by the end of June; he doesn't anticipate any issues at that time because any issues that have arisen have been addressed. He expects approval for bidding by the end of August. He believes the only additional funding that will be needed for the project would be for project inspection and reporting. The earmarked funds and additional grant money received should cover all costs.

Councilman Woodin asked if patching is being done on side roads in the lakefront area. Mr. Bock said patching is being done, but the weather has been a factor. He asked Council to let him know if they know of any areas that need patching. He also asked Council if they knew of any students looking for summer work, to please ask them to come in and fill out an application at the front desk. Mr. Woodin asked if Elmwood and Orchard could be looked at for patching. He asked if another road could be paved as part of the road program this year. City Engineer Sayles said there is an issue with the pavement on Maplegrove that needs to be addressed.

**City Engineer Sayles** – Mr. Sayles said the purpose of the WPCO Committee meeting is to solicit public input for the proposed improvements inside the wastewater treatment plant which is a requirement in order to get a low interest loan from the Ohio EPA.

He said the E. 364<sup>th</sup>, E. 365<sup>th</sup>, Harvard storm sewer project is out for bid and he hopes to award the contract at the next Council meeting.

**Fire Chief Ungar** – No report.

**Police Chief Beckwith** – No report.

**Building Inspector Keller** – No report.

**Parks & Recreation Director Banker** – No report.

**Finance Director Bosley** – Reported the financial audit is about a week away from being completed. Council may have received a notice regarding a census data audit which was in regards to the auditors verifying that Police and Fire personnel are in the proper pension funds. The City was selected randomly for that audit. She said the senior center note was sold last week with a favorable net interest of 1.7% with a real interest rate of 2.25% which is lower than the rates last year.

#### **COUNCILMEN:**

**Mr. Woodin** – Mr. Woodin asked Council to take a look at the Osborne Park master plan and gather some ideas so a plan can be put together.

**Mr. Kary** – No report.

**Mr. Tomaselli** – Thanked the residents of Melrose Farms who came out tonight. He offered to discuss the history of the development with any Council members.

**Mr. Anderson** – No report.

**Mr. Harrold** – No report.

**Ms. McNeill** – Ms. McNeill apologized to the residents of Melrose Farms for their issues regarding their development and said she will be educating herself regarding those issues.

**Mr. Carr** – No report.

*The Regular Council Meeting adjourned at 9:20 p.m.*

Date approved 7/9/19

  
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Robert E. Carr, President

  
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Clerk of Council  
  
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Robert A. Fiala, Mayor