

MINUTES REGULAR COUNCIL MEETING

8:04 p.m.

March 3, 2020

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on February 28, 2020.

ROLL CALL

Council Members Present: McNeill, Tomaselli, Woodin, Anderson, Carr, Garry, Kary

Others Present: Mayor Fiala, Law Director Lucas, Service Director Bock, City Engineer Sayles, Fire Chief Ungar, Det. Lt. Schultz, Chief Building & Zoning Inspector Keller, Parks & Recreation Director Banker, Finance Director Bosley, Economic Development Director Thielman, Clerk Novak

The meeting was led in Prayer and Pledge of Allegiance by Councilman Carr. A moment of silence was held in honor of City of Willoughby employee Mitch Allen, Golf Course Manager, who recently passed away.

ORGANIZATIONAL BUSINESS

MAYOR'S APPOINTMENTS (confirmed by Council)

Board and Commission Members

Mayor Fiala appointed Chasity L. Strawder to the Shade Tree Commission.

Motion made and seconded to confirm the Mayor's appointment.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of February 18, 2020.

Roll Call 7 yes
 0 no

Motion carried 7 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 EAS #3-2-20 with some recommendations and one item on the agenda this evening.

Finance and Audit Committee, Mr. Tomaselli – Reported the committee met this evening to begin discussing the 2020 operating budget.

Parks & Recreation Committee, Mr. Woodin – Reported the committee met this evening to discuss the Osborne Park master plan and erosion. Another committee meeting is scheduled for March 17th.

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Mr. Woodin – No report.

WPCC Committee, Mr. Anderson – Reported the joint WPCC committee meeting took place last week. He said the plant needs to build a structure over the solid waste container that hopefully can be built in house.

Clean City Commission, Mr. Garry – Reported the Eco Fair will take place on Saturday, April 18th from 9 a.m. until 12 p.m. Raffle tickets are available for two lower box seats and a parking pass for the Cleveland Indians game on Saturday July 4th and will include fireworks. Tickets are \$5 or 5 for \$20 with the drawing taking place on June 20th.

Planning Commission, Mr. Kary – No report.

Shade Tree Commission, Ms. McNeill – Reported there will be a new member starting with the commission soon.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Lori Claire Petrick, 1344 Brooks Drive – Regarding EAS #3-2-20 that was reviewed earlier this evening, Ms. Petrick voiced concerns that the Environmental Assessment Statement submitted by the Sommers Group is legally insufficient. She noted information regarding the traffic impact and the demands on the school system were insufficient. Due to the incompleteness of the statement as submitted, as well as other changes the developer has made with regard to the development plan, Ms. Petrick asked that the EAS be reviewed and fully completed before any decision is made and that Council deny or at least table Resolution No. 2020-24.

Debra Petrick, 35145 Aspenwood Lane – Due to the environmental impact of cutting down 14 acres of trees at Mr. Millstein's property, Ms. Petrick asked Council to not rush into approval for the sake of a business deal noting that a tree study and traffic study have not been done. She asked Council to allow time for the studies and to vote no tonight.

Dave Black, 34975 Aspenwood Lane – Mr. Black asked if the City could keep as close to the current zoning of the property located on SOM Center Road as possible so the lots are not squeezed together. He asked that the trees not be cut down until the density is determined.

Pat Terlizzi, 35100 Aspenwood Lane – Ms. Terlizzi said she is opposing the clearing of the Millstein property before April 1st. She said she would like assurances that the clearing won't affect the water run off to the neighboring properties.

Paul Petrick, 250 Chatum Way, Mayfield Hts., Ohio – Regarding the tree clearing at the Millstein property, Mr. Petrick said trees can be cleared between April 1st and the end of September if a tree study is done to determine which trees are habitats for bats. He said he feels a tree study should be conducted. He voiced concern about approving the tree removal when the Planning Commission hasn't determined what the zoning will be for the development.

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

UNFINISHED BUSINESS:

ORDINANCE NO. 2020-22

An ordinance amending the Zone Map of the City of Willoughby, Ohio, to Reclassify 220 Parcels of Real Property located within the City of Willoughby.

Motion made and seconded to remove Ordinance No. 2020-22 from the table.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Councilman Kary to amend Ordinance No. 2020-22 as follows:

(1) To amend by the deletion of the following ten (10) Permanent Parcels from the Zoning Map Amendment (a) Zoning Map ID 3A, PPNs. 27-B-050-0-00-012-0, 27-B-050-0-00-017-0, 27-B-050-0-00-018-0, and 27-B-050-0-00-029-0; (b) Zoning Map ID 4G, PPN. 27-B-041-0-00-030-0; (c) Zoning Map ID 5F, PPN. 27-A-027-E-00-016-0; and (d) Zoning Map ID 5H, PPNs. 27-B-034-A-00-005-0, 27-B-034-A-00-006-0, 27-B-034-A-00-023-0, and 27-B-034-A-00-002-0; and

(2) To amend to establish the split zoning of the following eleven parcels and the specific portions of these parcels to be included within the Zoning Map Amendment: (a) Map ID 3A, PPN 27-B-053-0-00-033-0, Lost Nation Road (applied only to front 512 feet for Limited Retail Overlay District); (b) Map ID 4C, PPNs 27-B-044-0-00-024-0, 38301 Apollo Parkway (applies only to the portion zoned Commercial Manufacturing); (c) Map ID 4D, PPNs. 27-B-044-0-00-028-0, Apollo Parkway, 27-B-044-0-00-001-0, Apollo Parkway, and 27-B-044-0-00-002-0, Apollo Parkway (applies only to the portions zoned General Business; (d) Map ID 4E, PPN 21-A-999-0-00-300-A, Norfolk Railroad (applies only to portion zoned Commercial Manufacturing); (e) Map ID 4G, PPN 27-B-036-0-00-048-0, Elm Street (applies to only portion zoned Commercial Manufacturing); (f) Map ID 5D, PPN 27-7-016-0-00-014-0, 37223 Euclid

totally irrelevant to this discussion. Councilman Kary wanted to let the residents in the audience tonight who spoke in reference to the tree clearing that the Planning Commission will be cognizant of their concerns throughout the process.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-25

A resolution authorizing a tap-in to the Willoughby-Eastlake Sewer System for Permanent Parcel No. 16-C-079-D-00-038-0, located at 6175 Iroquois Trail in Mentor, Ohio, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2020-25 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-25.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-26

A resolution authorizing the Mayor to enter into a contract with J.D. Striping & Services, Inc. in the amount of \$80,531 for the 2020 Highway Pavement Lane Marking Project.

Motion made and seconded to adopt Resolution No. 2020-26.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-27

A resolution authorizing the Fire Chief to prepare plans and specifications and to advertise for bids for the Willoughby Fire Department Vehicle Exhaust Removal Systems, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2020-27 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-27.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – Mayor Fiala thanked Diane Bosley and her team and the Directors for all their hard work on the budget. He said he wanted to point out that the actual expenditures for the City went down 1.6% last year and actual revenues went up 5.2%. Councilman Woodin thanked the Mayor for keeping up with all his work on the erosion issues.

DIRECTOR'S REPORTS

Law Director Lucas – No report. Regarding the Special Improvement District (SID) for downtown Willoughby that fell apart, Mr. Woodin asked if property operators can get together and force property owners to pay SID taxes. Mr. Woodin asked if shop owners can get together and assess a tax on property owners. Mr. Lucas said no, it's the property owners that organize the SID. Mr. Woodin asked what the percentage of property owners within a geographic area that would be needed to approve the tax. Economic Development Director Thielman said it's 60% of the frontage. Mr. Thielman said the DTW SID that was initiated by former Mayor Dave Anderson along with other property owners is still working toward that SID. When it looked like it was going to fail the first time around, a group of the property owners themselves got together and started having meetings. Mr. Thielman said this group is getting close to achieving the percentage needed adding a few more property owners today. A geographic boundary was created from the old Sims Buick dealership to Sheraton Furniture and then back to Clark Street and includes Glenn Avenue and Spaulding. Within that boundary, 60% of the frontage needs to be obtained for the SID. Mr. Woodin asked what the costs would be. Mr. Thielman said it based on linear footage; it's approximately \$7.11 per foot based on raising \$100,000 annually for the SID. Mr. Woodin asked if the property owners who also run their businesses out of the property are in favor of the SID as opposed to property owners who lease the property. Mr. Thielman said it was a good mix. Once that 60% of property owners agree to the SID, 100% of the property owners will be assessed through their property taxes. Once the county collects the money, it will be routed to the City and the City will disburse it to the SID organization. There were previous discussions if the City would join the SID because the City has frontage throughout different areas of downtown. The City will be assessed representing about 25% of the SID area. Mr. Woodin asked what the money will be used for. Mr. Thielman said a plan is being developed for the use of the money; however, it can be used for enhancements to different amenities, marketing, the development of a website for downtown events, snow shoveling, etc. Mayor Fiala said the City will continue to provide security for events and other services. Mr. Thielman said a five year plan would need to be created and the SID would need to be renewed every five years.

Service Director Bock – Regarding the street sweeper, Mr. Bock said in September or October, the county swept every street in the City and are scheduled to do so again in April. The City's street sweeper is down due to a fire and is currently being repaired and should be working again in March. Regarding the schedule of work being done downtown, the contractor is working four, 10 hour days. They worked last Sunday, therefore, they didn't work on Thursday. Recent work required water shutdowns which is why the work was completed on a Sunday, so businesses were not affected. He said there won't be a lot of work this week and next week; pressure testing and chlorination work is being completed. This work is being completed by the utilities department in which they must pass three consecutive tests. They will need to start over if they fail one test. Mr. Bock said the bridge lighting (on Mentor Avenue) has been completed and is fully functional. Mr. Tomaselli asked who is responsible for the lights. Mr. Bock said the City is responsible for those lights as well as the underpass

lights on Rt. 2 and the railroad underpass. He said there was a short in the line; small animals can get inside the conduit and chew threw the wiring. Conduit needed to be replaced and also new wiring. The City does as much of the work as possible in house but some work is done by contractors. Regarding the underpass lights, the City used NOPEC money to convert the lights to LED.

City Engineer Sayles – Reported the pre-construction meeting was held today for the fill project on Euclid Avenue (the old Tigner building). He said he told the contractor at the meeting to make sure that Euclid Avenue is kept clean during the project. The SWPP plan was approved today and they can begin bringing dirt in immediately; the fill being used is immediately available.

Fire Chief Ungar – Thanked Council for the passage of department's resolution tonight.

Det. Lt. Jim Schultz – No report.

Building Inspector Keller – Thanked Council for the approval of Ordinance No. 2020-22 amending the zoning map. He thanked Law Director Lucas for resolving some of the issues with the addresses. He thanked everyone who was involved in the process with a lot of work sessions, meetings and e-mails. He recognized Kris Hopkins from CT Consultants for her work on the project.

Parks & Recreation Director Banker – No report. Regarding the perimeter fence at Osborne Park, Mr. Woodin said the fence has been damaged in areas and he would like to address it at some point in the near future. Key fobs and letters for the senior center should be mailed out by next week. Mr. Kary thanked Ms. Banker for her efforts in putting together the summer concerts at Osborne Park and the upcoming dinners at the golf course.

Finance Director Bosley – Ms. Bosley said she will be getting out to Council the information that Ms. McNeill requested earlier in the evening. She said the auditors have started with some new information being requested. She received word that the City has received the same bond rating. Ms. McNeill thanked Ms. Bosley for her hard work on the budget.

COUNCILMEN:

Mr. Woodin – Mr. Woodin thanked Ms. Bosley and the directors for their hard work on the budget.

Mr. Kary – Reminded everyone about his Ward 2 meeting at the golf course at 6:30 p.m. tomorrow night. Steven Thompson will be there and Mayor Fiala will give a state of the City.

Mr. Tomaselli – Mr. Tomaselli said he appreciates the efforts by the directors and Finance Director Bosley.

Mr. Anderson – Reported his Ward 5 meeting is next Monday, March 9th at 7:00 p.m. at the senior center. A representative from the school board will be in attendance. Nora's Public House (the old Morehouse) officially opens tomorrow. Westel's (formerly Cork's) will open next week.

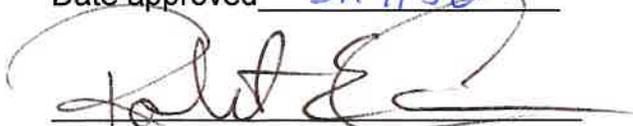
Mr. Garry – No report.

Ms. McNeill – No report.

Mr. Carr – No report.

The Regular Council Meeting adjourned at 9:18 p.m.

Date approved 3/17/20


Robert E. Carr, President


Clerk of Council

Robert A. Fiala, Mayor