

MINUTES REGULAR COUNCIL MEETING

8:01 p.m.

December 3, 2019

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on November 27, 2019.

ROLL CALL

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

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

Councilman Harrold said a few words about Angelo Tomaselli, a friend and co-worker of many who recently passed away. Mr. Tomaselli was a Willoughby Councilman for 11 years and the Service Director for 20 years. He recently served on the Zoning Board of Appeals. He was the driving force behind the Christmas displays, the annual tree lighting, the hanging flower baskets and the bridge flower boxes. A moment of silence was observed for Mr. Tomaselli. Pledge of Allegiance followed.

Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of November 19, 2019.

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|-----------|-------------------------------|-----------------------|
| Roll Call | 5 yes | |
| | 0 no | |
| | 2 abstain (Tomaselli, Woodin) | Motion carried 5 to 0 |

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

Economic Development Committee, Ms. McNeill – No report. Councilman Carr asked if there would be further discussion regarding the vacant property registration ordinance. Councilwoman McNeill said Mr. Thielman was still working on the details and she hadn't heard anything from him. Mr. Carr asked her to follow up with Mr. Thielman.

Environmental Planning Committee, Mr. Kary – No report.

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

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Harrold – No report.

Service Committee, Mr. Woodin – No report.

WPCC Committee, Mr. Anderson – No report.

Clean City Commission, Mr. Anderson – No report.

Planning Commission, Mr. Kary – Reported three items on the agenda this evening.

Shade Tree Commission, Ms. McNeill – No report.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Joy Cross, 38269 Wilson Avenue – Ms. Cross expressed her concerns regarding tenants living in Willoughby explaining that she has been in apartments in Willoughby where there are no lights in the hallway and no screens in the windows. She suggested a committee that tenants can voice their concerns to, followed by an inspection. She mentioned a neighbor who rents a house that had six inches of water in her basement. Building and Zoning Inspector suggested that tenants report issues to the Building Department. Councilwoman McNeill asked if that inspection would be for the interior. Mr. Keller said interior inspections can be done if the tenant or the landlord invites the City in. Mr. Keller said if an annual inspection was done it may not be on a day where water was present in the basement; he likes to be able to respond to complaints as they come in. Ms. Cross requested that this information get out to the residents. Mr. Keller said he would talk to the Mayor to see how to get this information out. Mr. Keller said another option for tenants would be to have their monthly rent payments put in escrow until the conditions were satisfied with the Building Department.

The Public Portion was paused in order to hold tonight's public hearing.

PUBLIC HEARING:

Clerk Novak read the legal notice for the public hearing to be held tonight on the proposed rezoning of three parcels on SOM Center Rd. (see attached).

Those Speaking in Favor –

Mark Holtz, Frontier Land Group, 25700 Science Park Drive, Suite 360, Beachwood, Ohio 44122 – Mr. Holz said he wanted to confirm a few things regarding the rezoning. He said upon closing, the three parcels will be consolidated into one and that their contract is conditioned upon approval of the rezoning. He said they have no intentions of making the development multi-family (apartments) and has no problems signing an affidavit. Regarding the traffic study, even though a traffic study wasn't warranted, it will take four weeks from today to complete. He asked Council if the rezoning could be approved contingent upon the traffic study.

Law Director Lucas said the traffic study was an important part of the Planning Commission discussion and subsequent recommendation to Council to approve the rezoning. He said he would feel different if it was a development plan, but he doesn't feel comfortable with the rezoning at this time.

Those Speaking in Opposition – No one spoke.

Public Portion resumed.

Brent Woerner, American Legion Post 214 – Mr. Woerner asked for an update on the former high school. Law Director Lucas said there is a review underway regarding additional infusion of capital with the development company which should be completed in mid-December. The Mayor had previously mentioned three options regarding the building and one was for the developer to seek out additional monies with the assistance of the City.

Jerry Ranally, 37832 Park Avenue – Mr. Ranally said he was before Council to talk about Angelo Tomaselli. He said his commitment to community, the City and his family, especially his wife Judy was tremendous. He asked the City to recognize Angelo Tomaselli in a substantial way to honor him. Council said discussions are underway on how to honor Mr. Tomaselli.

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. 2019-107

A resolution approving EAS #13-10-19 for construction of a fueling facility located at Willoughby Commons (BJ’s Fueling Facility).

Motion made and seconded to adopt Resolution No. 2019-107.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2019-108

A resolution approving EAS #12-10-19 for the rezoning of real property from Residential One-Family (R-100) to Residential Multi-Family Low Rise (R-MF-L) and construction of eleven (11) buildings which will consist of fifty (50) residential townhomes with private streets; said buildings to be located at 5164 SOM Center Road (SOM Center Townhomes Frontier Land Group).

Motion made and seconded to table Resolution No. 2019-108.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2019-109

An ordinance amending the Zone Map of the City of Willoughby, Ohio, to reclassify 6.6 acres of certain real property located at 5164 SOM Center Road (Permanent Parcel Nos. 27-A-006-0-00-025-0, 27-A-006-0-00-024-0 and 27-A-006-0-00-023-0) from Residential One-Family 100 (R-100) to Residential Multi-Family Low Rise (R-MF-L).

Motion made and seconded to table Resolution No. 2019-109.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR’S REPORT – Absent.

DIRECTOR’S REPORTS

Law Director Lucas – No report.

Service Director Bock – Absent.

City Engineer Sayles – No report. He said Mr. Tomaselli was an “influencer” and said it was great working with him.

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 at 7:00 p.m. It’s the 50th anniversary so there will be a few extras. The band will begin playing at 6:45 p.m.

Finance Director Bosley – No report. She said there will a number of resolutions for year end at the next Council meeting.

COUNCILMEN:

Mr. Woodin – No report. He said Angelo Tomaselli will truly be missed.

Mr. Kary – No report.

Mr. Tomaselli – No report. Thanked everyone for their condolences. He said his dad truly loved serving the City and that Mr. Woodin had an impact on him.

Mr. Anderson – No report.

Mr. Harrold – No report.

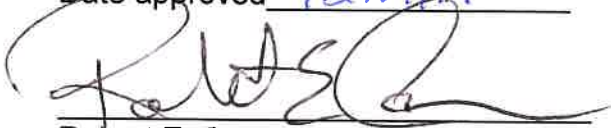
Ms. McNeill – No report.

Mr. Carr – No report. Reminded Council there is a deadline to file their post-election report. He said everyone will miss Angelo Tomaselli and condolences to John Tomaselli.

The Regular Council Meeting adjourned at 8:39 p.m.

Date approved


12/17/19



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor

LEGAL NOTICE

Pursuant to Chapter 1115.03(f) of the Codified Ordinances of the City of Willoughby, Ohio notice is hereby given of a Public Hearing to be held by the Council on Tuesday, December 3, 2019 at 8:15 p.m. in the Municipal Building, One Public Square, Willoughby, Ohio.

Said hearing is for a rezoning application initiated by Mark Holz of Frontier Land Group, 25700 Science Park Drive, Suite #360, Beachwood, OH 44122 to rezone PPN# 27-A-006-0-00-025-0, 27-A-006-0-00-024-0 and 27-A-006-0-00-023-0 from an R-100 zone district to an R-MF-L zone district.

Persons affected may appear at said hearing and may speak for or against the proposal either in person or by attorney. **Recommendation of Planning Commission:
Approved**

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: November 18, 2019