

# MINUTES REGULAR COUNCIL MEETING

7:03 p.m.

February 15, 2022

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on February 11, 2022.

## ROLL CALL

**Council Members Present:** Kary, Merhar, Tomaselli, Woodin, Anderson, Carr and Garry

**Others Present:** Mayor Fiala, Law Director Lucas, Service Director Palmisano, City Engineer Lannon, Police Chief Schultz, Chief Building & Zoning Inspector Keller, Parks & Recreation Director Banker, Finance Director Bosley, Economic and Development Director Thielman, Cheri Lory, Clerk Novak

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

## Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of February 1, 2022.

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, Mr. Anderson – No report. Regarding the bridge art sign that will be placed at the corner of Erie Street and Mentor Avenue, Economic Development Director Thielman said he and the artist, Bill Rigo, went to the fabrication shop in Ashtabula on February 4<sup>th</sup>. The exterior finish, which is a brushed stainless steel, is being applied along with a sealcoating process. The lighting controls are programmed and in place and being installed inside. The train topper has been cut out and is primed and ready for paint. The train lighting is being designed for the top which will illuminate the train. The current weight is over 1,000 pounds and once finished, the overall structure will be about 13 feet high. Installation is expected to take place in April with a dedication date to be determined. He would like to coordinate the dedication when the lights are installed on the bridge. The Marous family will be invited along with other donors. Mr. Kary said Mr. Rigo indicated the lighting can be changed with the seasons and the train will look like its moving. Mr. Anderson asked if the City will have to maintain the train portion as its stainless steel. The life span of the train should be 10 to 12 years for the coating.

Mr. Thielman said DTW Social Tavern is on the Planning Commission's agenda for February 24<sup>th</sup>. The project will transform the old Burgers to Beer. He said it's a big project and there will be a major expansion of the patio area which will require a variance. He said the current code only allows outdoor dining to be 30% of your indoor dining; he said with COVID and the desire

for outdoor dining, he suggested Council take a look at that code requirement. There is a new concept for the former Lure Bistro that will include a restaurant inside and a food truck park outside (one food truck). This concept will be presented to the Design Review Board shortly. Lincoln Electric will be going into the 130,000 sq. ft. spec building on Jet Center Drive. Mayor Fiala said the chef that is being brought in for the new social tavern is Dante from Dante's Restaurant in Tremont. There is no movement on the former Willoughby Brewing Company. Mr. Thielman said there has been a lot of interest but those interested want to purchase the property and it's not for sale. Regarding liquor licenses, Mr. Thielman said the license for Lure Bistro is gone and one will need to be brought in (it was owned by the previous restaurant owner and not the building owner). The A1A license that was at the Willoughby Brewing Company is also expired. Mayor Fiala said he would approve any new liquor licenses needed for those locations.

**Environmental Planning Committee, Mr. Kary** – No report.

**Finance and Audit Committee, Mr. Tomaselli** – Requested a committee meeting for March 1<sup>st</sup> to discuss the 2022 budget.

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

**Personnel Committee, Mr. Anderson** – No report.

**Safety Committee, Mr. Tomaselli** – No report.

**Service Committee, Mr. Woodin** – Reported four items on the agenda this evening.

**WPCC Committee, Mr. Garry** – Reported the annual meeting is March 2<sup>nd</sup> at 6:00 p.m. at Eastlake City Hall.

**Planning Commission, Mr. Kary** – Reported one item on the agenda.

**CORRESPONDENCE:** No correspondence.

**PUBLIC PORTION:**

**Gregg Patt, 38005 Brown Avenue, Willoughby** – Mr. Patt asked about the status of the lights on the Mentor Avenue bridge and the lights near Erie and Vine Streets. Mr. Palmisano said there is a contractor lined up to install new carriage lamps and install new power wiring from the panel on the east side of the roadway. The City is waiting for The Illuminating Company to do some work so the job can be completed.

**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:****ORDINANCE NO. 2022-19**

**An ordinance authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation for the upgrade of signal timing equipment at the SR-306 and IR-90 EB Ramp intersection, PID 114791, in the City of Willoughby, Ohio, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-19 be declared an emergency measure.

Roll Call     7 yes  
                0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-19.

Roll Call     7 yes  
                0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-20**

**A resolution authorizing an expenditure in the amount of \$72,875.30 for the purchase of one (1) new CASE Skid Steer with attachments (base price of \$83,875.30 minus a trade in amount of \$11,000 for one (1) 2000 John Deere Skid Steer) from Southeastern Equipment Company through the State of Ohio Cooperative Purchasing Program for use by the Street Department, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-20 be declared an emergency measure.

Roll Call     7 yes  
                0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-20.

Roll Call     7 yes  
                0 no

Motion carried 7 to 0

**ORDINANCE NO. 2022-21**

**An ordinance accepting the improvements for Chagrin Mill Farm Subdivision.**

Motion made and seconded to adopt Ordinance No. 2022-21.

Roll Call     7 yes  
                0 no

Motion carried 7 to 0

**ORDINANCE NO. 2022-22**

**An ordinance amending Chapter 913 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Sanitary Sewerage System Charges"; specifically, Section 913.03, titled, "Charges and Rents Generally", and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-22 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-22.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**ORDINANCE NO. 2022-23**

**An ordinance authorizing the sale of City-owned real property no longer needed for any municipal purposes located on North Beachview Road, consisting of seven parcels of land and further identified as Permanent Parcel Nos. 27B056F000690, 27B056A000740, 27B056F000700, 27B056F000670, 27B056A000750, 27B057A000430, and 27B056E000010, without public bidding.**

Motion made and seconded to adopt Ordinance No. 2022-23.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-24**

**A resolution approving Change Order No. 2-Final in the Storm Sewer Outfall Repairs Project with Nerone & Sons, Inc., and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-24 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-24.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-25**

**A resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the 2022 Highway Pavement Lane Marking Project with a one (1) 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. 2022-25 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-25.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2022-26**

**A resolution authorizing the Mayor to enter into a Municipal Tax Incentive Agreement with the Ericson Manufacturing Company Pursuant to R.C. Chapter 718, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-26 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-26.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**MAYOR'S REPORT** – Mayor Fiala said all Boards and Commissions will now be available for viewing via Zoom. Regarding the state grant application for the Chagrin River Trail, Mayor Fiala said Tom Thielman will be updating Council on the application at a later date. Regarding the poor condition of the train trestle that goes over Vine Street, Mr. Woodin asked if there is anything the City can do to have it repaired and painted. Mr. Palmisano said he was recently approached by a representative from Norfolk and Southern and now has a contact at the railroad. It was inspected by the Ohio Department of Transportation (ODOT) and has been cited in the past with no repairs made. He will pursue the contact regarding the repairs.

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

**Law Director Lucas** – No report.

**Service Director Palmisano** – No report. Regarding potholes, residents can call Ally Cooper in the Service Department at 440-953-4111. Regarding the road program, Mr. Tomaselli asked if the streets left off the program last year will be included this year. Mr. Palmisano said the missing streets from last year will be completed first thing this year along with Orchard Road. He said the City is working with less money this year and he and Mr. Lannon are reviewing streets and looking at the ratings. Mr. Woodin asked about South Elmwood. Mr. Palmisano said that street is also on the list.

**City Engineer Lannon** – No report.

**Fire Chief Ungar** – Absent.

**Police Chief Schultz** – Chief Schultz presented videos showing two recent incidents that took place in the City on January 20, 2022. Both videos highlighted the departments training and procedures.

**Building Inspector Keller** – Mr. Keller said after several years, a certificate of occupancy for Courthouse Square has been issued.

**Parks & Recreation Director Banker** – After speaking with Councilman Woodin, there will be two committee meetings scheduled. The first one will be to invite the Chagrin River Watershed Partners (CRWP) and Western Reserve Land Conservancy (WRLC) to discuss the Chagrin River project funded by H2Ohio initiative and the second one will be with the Smith Group regarding Osborne Park.

**Finance Director Bosley** – No report. Ms. Bosley said she appreciated Council’s passage of the sewer rate increase.

**COUNCILMEN:**

**Mr. Woodin** – No report.

**Mr. Kary** – No report.

**Mr. Tomaselli** – No report.

**Mr. Merhar** – No report.

**Mr. Garry** – No report.

**Mr. Anderson** – No report.

**Mr. Carr** – No report.

Motion made and seconded to go into Executive Session in accordance ORC 121.22(G)2 to consider the sale of property, ORC 121.22(G)3 to discuss pending litigation and ORC 121.22(G)4 to prepare for, conduct and review a collective bargaining strategy and to invite Jeremy Iosue as a guest in the executive session at 8:03 p.m.

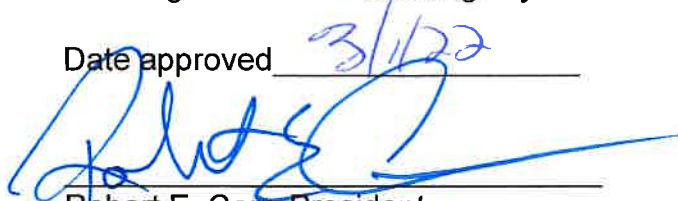
Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

The Council meeting reconvened at 8:50 p.m. from the Executive Session.

*The Regular Council Meeting adjourned at 8:51 p.m.*

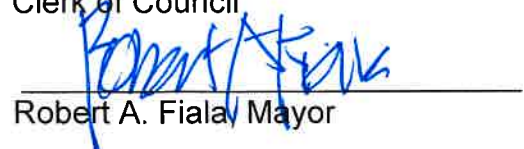
Date approved 3/1/22



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor