

**MINUTES
REGULAR COUNCIL MEETING**

7:26 p.m.

July 13, 2021

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on July 9, 2021.

ROLL CALL

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

Absent: Councilman Kary

Motion made and seconded to excuse Councilman Kary from tonight's meeting.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Others Present: Mayor Fiala, Law Director Lucas, City Engineer Lannon, Service Director Palmisano, Fire Chief Ungar, Assistant Police Chief Tartaglia, Parks & Recreation Director Banker, Chief Building & Zoning Inspector Keller, Finance Director Bosley, 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 June 8, 2021.

Roll Call 6 yes
 0 no

Motion carried 6 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 – Absent.

Finance and Audit Committee, Mr. Tomaselli – Reported two items on the agenda this evening.

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – Reported one item on the agenda this evening.

Service Committee, Mr. Woodin – No report.

WPCC Committee, Mr. Anderson – No report.

Clean City Commission, Mr. Garry – No report.

Planning Commission, Mr. Kary – Absent.

Shade Tree Commission, Ms. McNeill – No report.

CORRESPONDENCE: Clerk Novak read a request from the Ohio Division of Liquor Control for a transfer from MPP Partner LLC, dba All Axs, 4027 Erie Street & Patio, Willoughby, Ohio to 4027 Erie LLC, 4027 Erie Street & Patio, Willoughby, Ohio. Mayor Fiala said the owners of Ballantine have purchased the business, but their plans are not known. There were no objections.

Council President asked if anyone attending the meeting remotely through Zoom who wanted to speak during the public portion at this time. No one spoke.

Regarding the boat parade this coming Saturday, Councilman Anderson asked if Erie Street will remain closed until that time. Mayor Fiala said the boats will arrive at 8:00 p.m. at which time the barricades will be moved up to Spaulding. The boats will leave at 9:00 p.m.

PUBLIC HEARING:

Clerk Novak read the legal notice for the public hearing to be held tonight on the proposed 2022 Tax Budget (see attached).

Those Speaking in Favor – No one spoke.

Those Speaking in Opposition – No one spoke.

PUBLIC PORTION:

Amber Justice, Owner of Bit of Skirt, 38038 Second Street, Marissa Wendall, Parker Place Apartments, Apartment 201 and Katy Karisnick, Parker Place Apartments, Apartment 203 – Ms. Justice said she was before Council tonight to address the parking situation on Second Street with Marous Brothers Construction (Marous). She and Ms. Wendall and Ms. Karisnick have e-mailed and called Marous multiple times. Ms. Justice said that according to the City, parking must be provided to the apartment tenants above her store location on Second Street. The parking lot that provided the apartment tenant parking, along with commercial parking for Bit of Skirt and GV Art & Design has been demolished. Ms. Justice said Marous told the apartment tenants they could park at Chagrin River Apartments on Mentor Avenue. Ms. Justice said this is not an acceptable solution to the problem. Ms. Wendall said she leaves her apartment at 5 a.m. and would have to start walking to her car at 4:30 a.m. but is concerned for her safety. Ms. Justice said the City needs to rectify the problem because the City issued the permit to Marous.

Law Director Lucas said he reviewed meeting minutes related to the parking at the apartments specifically minutes from a 1997 meeting. He said when the issues were brought to the attention of the City; he contacted Marous. Mr. Lucas said meeting minutes have been forwarded to Marous and he has received a call from an attorney who is the point person for

this issue. Mr. Lucas indicated the City will be taking action if nothing is resolved and that parking at Chagrin River Walk is unequivocally unacceptable. He said he was hoping to resolve the issue this week prior to a lawsuit being filed. Mayor Fiala said the City will find a short term solution for the parking until the problem is resolved.

Tom Pessa, 3942 E. 364th Street, Willoughby – Mr. Pessa said he walks around downtown in the summer a lot. He expressed concern about the Third Street crossing; he said traffic doesn't stop for the pedestrians. He said something needs to be done at that crossing before someone gets hurt. Mr. Palmisano said at one time they installed reflectors in the street, but that caused issues with the snow plows. City Engineer Lannon said he can look into a few options. Assistant Chief Tartaglia said bike patrol can be placed there this weekend because it will be a busy weekend.

Joe Tenan, 38120 Second Street, Willoughby – Regarding the current parking issue on Second Street, Mr. Tenan suggested allowing the apartment residents use the City owned parking lot on Glen Avenue temporarily. He suggested a cost of \$35.00 a month for the issuance of a tag to allow for overnight parking. Mayor Fiala said he would consider that as a short term solution.

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 6 yes
 0 no

Motion carried 6 to 0

UNFINISHED BUSINESS:

RESOLUTION NO. 2021-48 - Tabled

A resolution declaring it necessary to improve the streets and public thoroughfares of the City of Willoughby, Ohio, within the termini designated herein, by supplying said streets and public thoroughfares with street lighting, and declaring an emergency.

RESOLUTION NO. 2021-58 - Tabled

A resolution authorizing the Mayor to enter into an Automated Speed Enforcement System Agreement with Blue Line Solutions, LLC necessary to a Traffic Law Photo-Monitoring Program and establishing Civil Penalties for Automated Speed Violations.

NEW BUSINESS:

RESOLUTION NO. 2021-59

A resolution approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of 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 Resolution No. 2021-59 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2021-59.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2021-60

A resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Lake County Land Reutilization Corporation necessary to the acquisition of City properties available due to a failure of sales during foreclosure.

Motion made and seconded to adopt Resolution No. 2021-60.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2021-61

A resolution adopting the tax budget of the City of Willoughby, Ohio for the fiscal year beginning January 1, 2022; submitting same to the Lake County Auditor, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-61 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2021-61.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2021-62

A resolution establishing a Special Revenue Fund titled, American Rescue Plan Fund, Fund No. 2630.

Motion made and seconded to adopt Resolution No. 2021-62.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2021-63

A resolution authorizing the Mayor to distribute Requests for Qualifications and Proposals for development services for the redevelopment of the former Willoughby Union High School Building and its adjoining land, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-63 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2021-63.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

MAYOR'S REPORT – Mr. Anderson asked if there was an update on the parking garage and apartments on Glen Avenue. Mayor Fiala said prior to the pandemic, there were two developers ready to present to the City (Signet and Paramount Properties). In the meantime, he was told that Signet has suffered some financial problems. He said he would like to bring the discussion back to Council; the single biggest issue was the structured parking.

DIRECTOR'S REPORTS

Law Director Lucas – No report.

Service Director Palmisano – No report. Mr. Woodin thanked Mr. Palmisano for addressing some issues he had recently very quickly; however, water is still sitting in a low spot in front of Great Lakes Bank on Lakeshore Blvd. Mr. Palmisano said he informed the engineer of the issue. Mr. Tomaselli asked about the Rt. 84 resurfacing. Mr. Palmisano said Chagrin Valley Paving is working in other communities but has been requested to finish the job on Rt. 84; the completion date on the contract is October. Mr. Anderson asked when the road program paving will begin. Mr. Lannon said the contract with Burton Scot was signed today.

City Engineer Lannon – Reported the Orchard Street water main project will start by the end of the week; this work is being done by the Lake County Department of Utilities. The Rt. 306 bridge construction over Rt. 90 will begin prior to the August Council meeting. He received a preliminary schedule; traffic will be impacted. The resurfacing of Lakeshore Blvd. is scheduled to begin at the end of this week or early next week. Mr. Woodin asked about the repaving of Orchard next year and also asked about paving on Chestnut. Mr. Lannon said the repaving of Orchard will take place next year. Mr. Palmisano said Chestnut is high on the list for streets to be paved and should be completed next year. Mr. Tomaselli asked what the bridgework on Rt. 306 entailed and what the traffic pattern will be. Mr. Lannon said the project is for a deck replacement that will take a year and half; traffic will be down to two lanes

Fire Chief Ungar – No report.

Assistant Police Chief Tartaglia – No report. Mr. Woodin asked if patrol officers are out in the City on pedal bikes. Assistant Chief Tartaglia said there are different details using pedal bikes for special events like the Artsfest this weekend. There was discussion regarding Flock cameras being installed on private property in particular apartment complexes.

Building Inspector Keller – No report.

Parks & Recreation Director Banker – Ms. Banker said the first two concerts of the season have been rescheduled. The Diamond Project will play at Osborne Park on July 19th and Pieces of Eight will play in downtown on September 2nd. In conjunction with the boat races this weekend, there will be a pop up event at Osborne Park. There will be bleachers set up to watch the races and possibly some food trucks.

Finance Director Bosley – No report.

COUNCILMEN:

Mr. Woodin – Regarding Willoughby Baseball, Mr. Woodin suggested the City recognize Kelly Pope who has coached the same team for nearly 50 years.

Mr. Kary – Absent.

Mr. Tomaselli – Reported he is having a Ward meeting on July 26th at 7 p.m. at the senior center

Mr. Anderson – No report.

Mr. Garry – No report.

Ms. McNeill – No report.

Mr. Carr – No report.

Motion made and seconded to go into Executive Session in accordance with ORC 121.22(G)1 to consider the compensation of a public employee(s), ORC 121.22(G)2 to consider the sale or other disposition of unneeded, obsolete, or unfit-for-use property and ORC 121.22(G)3 to discuss pending litigation at 8:00 p.m.

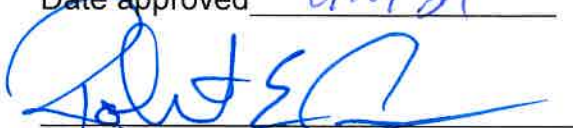
Roll Call 6 yes
 0 no

Motion carried 6 to 0

The Council meeting reconvened at 10:00 p.m. from the Executive Session.

The Regular Council Meeting adjourned at 10:04 p.m.

Date approved 8/10/21



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor