

**MINUTES  
REGULAR COUNCIL MEETING**

**7:08 p.m.**

**August 9, 2022**

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on August 5, 2022.

**ROLL CALL**

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

**Others Present:** Mayor Fiala, Law Director Lucas, Service Director Palmisano, City Engineer Lannon, Fire Chief Ungar, Police Chief Schultz, Chief Building & Zoning Inspector Keller, Parks & Recreation Director Banker, Finance Director Bosley, Clerk Novak

The meeting was led in Prayer and Pledge of Allegiance by Councilwoman Sievers.

**Organizational Business**

Motion made and seconded to confirm Michael Yutzy to the Zoning Board of Appeals.

ROLL CALL: 7 yes  
                  0 no

Motion carried 7 to 0

**Sunshine Law Training Designee**

Council President Carr suggested that members of Council attend Sunshine Law Training if they haven't already done so.

Motion made and seconded to appoint Alisa Novak as the Sunshine Law Training Designee.

ROLL CALL: 6 yes  
                  0 no

Motion carried 6 to 0

**Approval of Minutes**

Motion made and seconded to approve the Regular Council Meeting Minutes of July 12, 2022.

Roll Call       7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to approve the Special Council Meeting Minutes of July 12, 2022.

Roll Call       7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to approve the Special Council Meeting Minutes of July 19, 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.

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

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

**Parks & Recreation Committee, Ms. Sievers** – No report.

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

**Safety Committee, Mr. Tomaselli** – Reported there was a committee meeting held this evening to discuss the regulation of truck traffic on residential streets.

**Service Committee, Dan Anderson** – No report.

**WPCC Committee, Mr. Garry** – Reported two items on the agenda tonight.

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

**CORRESPONDENCE:** No correspondence.

**PUBLIC PORTION:**

**Pam Pastoric, 5419 Oakridge Drive, Willoughby** – Ms. Pastoric said she had e-mailed Mr. Carr regarding trespassers (mostly kids) at the water retention pond from Big Turtle. She said there are signs posted stating that trespassers will be prosecuted by the City. The pond is maintained by the City, but the City doesn't own it. Mr. Lucas said the trespassers need to be identified in order for action to be taken. Chief Schultz said to call the Police Department next time it happens and they will send an officer and identify the individuals and talk with the minors and possibility their parents.

**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. 2022-103**

**A resolution authorizing the Mayor to enter into an amendment to the purchase agreement between the City of Willoughby and Liberty Development Company, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-103 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-103.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-104**

**A resolution authorizing an expenditure of \$500 for the purchase of one 2015 Ford Explorer from the Mentor Police Department for use by the Willoughby Police Department, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-104 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-104.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-105**

**A resolution authorizing the Mayor to enter into an agreement with SmithGroup Architects & Landscape Architects PLLC in the amount of \$81,625.00 to provide design services for the Willoughby Amphitheater & Chagrin River Trail Project, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-105 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-105.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**ORDINANCE NO. 2022-106**

**An ordinance authorizing Amendment No. 5 to Ordinance No. 2021-19, the Manning and Payroll Ordinance, relative to Water Pollution Control Center Division, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-106 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-106.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-107**

**A resolution authorizing the Mayor to enter into a Memorandum of Understanding with the American Federation of State, County, and Municipal Employees, ALF-CIO, Local 1657, and Ohio Council 8 (AFSCME) necessary to establish a new position to Article 33 of the agreement between the City of Willoughby, Ohio and AFSCME, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-107 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-107.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**MAYOR'S REPORT** – Mayor Fiala said there was a Lakefront Special Improvement District (SID) board meeting this morning. He said the first round of money has been released which is below what they expected. The second round of money will be for approximately 14 confirmed projects at about \$3.8 million dollars with four more possible projects. The Lakefront SID is working as planned. He would like to locate someone who has a vessel that Council can use to tour the shoreline from Willoughby to Mentor-on-the-Lake.

Mr. Anderson asked if John Tigue had been replaced on the Public Art Committee. Mayor Fiala said he has not been replaced yet. Mayor Fiala said if anyone has a recommendation for someone who has experience in public art or public art administration; please reach out to him.

**DIRECTOR'S REPORTS**

**Law Director Lucas** – No report.

**Service Director Palmisano** – Mr. Palmisano thanked Council for the passage of Ordinance No. 2022-106 and Resolution No. 2022-107.

**City Engineer Lannon** – Mr. Lannon reported that this year's asphalt road resurfacing is well underway; all roads are ready for the final surface course that is scheduled for next week. Regarding the River Street slope repair, he said there are a few grant applications pending. One is a one-time Federal Emergency Management Agency (FEMA) program that came with some COVID money; it is currently pending and would be a 90/10 grant. He said it's unusual to get money for slope failure prevention, but the Ohio Emergency Management Agency was helpful with the process in showing a benefit of preventing a slope failure. The grant would provide for over \$1 million dollars for a \$1.5 million dollar retaining wall cost. A grant application was sent to the Ohio Department of Transportation (ODOT) for a geologic site management program which is specifically for slope repairs; this grant would be 80/20. He said the City is now eligible for urban paving funds which would be resurfacing money similar to funds used for Rt. 84. This money is available next July, but he said he has asked for a delay until 2025 on this money in order to secure slope stabilization funding.

**Fire Chief Ungar** – No report.

**Police Chief Schultz** – Chief Schultz thanked Council for the passage of Resolution No. 2022-104. He said this Thursday at the Police Station there will be "Hot Dogs with the Dog" to introduce their new canine "Zaro." Everyone is welcome including the public. National Night Out took place last week at Osborne Park and was a huge success.

**Building Inspector Keller** – Mr. Carr commented that Courthouse Square is now leasing and possibly has a few tenants. Mr. Keller said demolition has started at the Tech Center and also the building across from the hospital.

**Parks & Recreation Director Keller** – Ms. Keller said the pools close this weekend; Osborne Park pool will be open on weekends through Labor Day. The Last Stop Willoughby Parade is this coming weekend; please meet at the high school around 1:30 p.m. Ms. Keller said she will likely have legislation for the next meeting for a new Senior Center bus; she is working on the financing as the price has gone up about \$25,000 since it was discussed in May.

**Finance Director Bosley** – Ms. Bosley said the exit audit is scheduled for Monday via Zoom.

**COUNCILMEN REPORTS**

**Ms. Sievers** – Ms. Sievers reported this Thursday is the race for Willoughby Baseball at Osborne Park; everyone is welcome.

**Mr. Kary** – No report. Mr. Kary encouraged everyone to visit the golf course noting work that has taken place there.

**Mr. Tomaselli** – Thanked Council for allowing him to discuss truck traffic this evening; he thanked Chief Schultz and Assistant Chief Tartaglia for their efforts.

**Mr. Merhar** – No report.

**Mr. Garry** – The shredding event is August 20<sup>th</sup> at the Service Garage.

**Mr. Anderson** – No report.

**Mr. Carr** – No report.

Motion made and seconded to go into Executive Session in accordance with ORC 121.22(G)2 to consider the sale or purchase of property at 7:40 p.m.

Roll Call      7 yes  
                    0 no

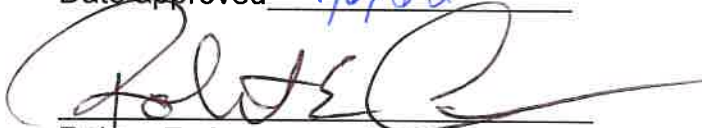
Motion carried 7 to 0

The Council meeting reconvened at 8:16 p.m. from the Executive Session.

*The Regular Council Meeting adjourned at 8:17 p.m.*

Date approved

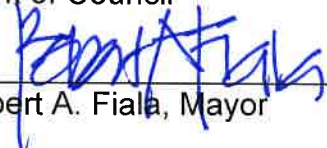
*9/6/22*



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor