

**MINUTES
REGULAR COUNCIL MEETING
VIRTUAL MEETING VIA ZOOM**

8:19 p.m.

September 15, 2020

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 11, 2020.

ROLL CALL

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

Others Present: Mayor Fiala, Law Director Lucas, Interim Service Director Palmisano, City Engineer Lannon, Fire Chief Ungar, Police Chief 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 by Councilman Carr.

Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of September 1, 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 – No report.

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

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – Reported four items on the agenda this evening.

Service Committee, Mr. Woodin – No report.

WPCO Committee, Mr. Anderson – No report.

Clean City Commission, Mr. Garry – No report.

Planning Commission, Mr. Kary – Reported that last week the Planning Commission discussed two potential Marous Brothers projects. The first was for 166 apartments across from Andrews Osborne Academy which is the third phase of the project that included apartments in the first two phases. The second project is for 38 apartments on Second Street and Clark. Since the projects are pretty significant, Marous Brothers has agreed to attend public meeting(s) where they can share their plans and field questions from residents and businesses. The City would like to provide a voice to the residents and provide transparency. He asked for direction on the best way to hold these meetings.

Shade Tree Commission, Ms. McNeill – No report.

CORRESPONDENCE: Clerk Novak read a request from the Ohio Division of Liquor Control for a change in corporate stock ownership for Wild Goose Group, Inc., dba the Wild Goose, 4144 Erie Street, 1st Floor-Bsmt, Willoughby, Ohio 44094. There were no objections.

Clerk Novak read a request from the Ohio Division of Liquor Control for a change in corporate stock ownership for Erie Street Group, Inc., dba the Morehouse, 1st Floor and Bsmt and Patio, 4060 Erie Street, Willoughby, Ohio 44094. There were no objections

PUBLIC PORTION: No one spoke.

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. 2020-59 – SECOND READING

An ordinance declaring 100% of improvements to certain parcels of real property to be a public purpose, describing the public infrastructure improvements to be made to benefit those parcels, requiring the owners of the improvements thereon to make service payments in lieu of taxes, establishing a SOM Center I Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of such service payments and related matters.

This ordinance remains on second reading.

NEW BUSINESS:

RESOLUTION NO. 2020-84

A resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies, certifying 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. 2020-84 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-84.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-85

A resolution amending the meeting schedule of the Council for the City of Willoughby, Ohio, for the month of November, 2020.

Motion made and seconded to adopt Resolution No. 2020-85.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-86

A resolution amending Resolution No. 2020-29 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2020, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2020-86 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-86.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2020-87

An ordinance authorizing the Mayor to enter into an agreement with the Lake County Board of Commissioners to amend the parties' original agreement of January 26, 1979.

Motion made and seconded to adopt Ordinance No. 2020-87.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-88

A resolution authorizing the Mayor to enter into a Municipal Tax Incentive Agreement with Marous Brothers Construction, Inc., 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. 2020-88 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-88.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-89

A resolution authorizing an expenditure of \$36,865 for the purchase of one (1) 2020 Ford Explorer Police Interceptor from Liberty Ford Inc. 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. 2020-89 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-89.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-90

A resolution authorizing an expenditure of \$36,865 for the purchase of one (1) 2020 Ford Explorer Police Interceptor from Liberty Ford Inc. 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. 2020-90 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-90.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-91

A resolution authorizing an expenditure of \$36,865 for the purchase of one (1) 2020 Ford Explorer Police Interceptor from Liberty Ford Inc. 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. 2020-91 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-91.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2020-92

A resolution authorizing an expenditure of \$48,203.69 for the outfitting of safety equipment for three (3) 2020 Ford Explorer Police Interceptors from Hall Public Safety Upfitters 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. 2020-92 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2020-92.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2020-93

An ordinance granting an easement for ingress and egress to Robert and Cynthia Jesenovec on a portion of city-owned Parcel Nos. 27-B-056-F-00-043-0 and 27-B-056-F-00-044-0 for construction and maintenance of erosion protection along the shoreline of Lake Erie, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2020-93 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2020-93

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR’S REPORT – Mayor Fiala reported that the City has engaged Environmental Design Group to do market studies for both the downtown area and the north end (Lakeshore Blvd. and Lost Nation area). The City asked for just the raw numbers specifically regarding the opportunity for residential and commercial growth in both areas. For the north end, it will

provide a planning base for what the City thinks can be built. For downtown, the City would like to feel comfortable the residential market doesn't get oversaturated.

He said in October the code revisions will be brought to City council. One of those will be to establish the art code based on the ordinance that was forwarded to Council earlier this week. The second item is the creation of an arts development fund (ADF). He said a little work needs to be done with regards to that but believes the art fund would be part of the general fund. In order to keep the process clean, he is recommending the formation of a new commission (i.e., Cultural Affairs Commission or Public Arts Commission) that would function as other Commissions do with a member of Council appointed to the commission and confirmed by Council. This commission would have the task of approving any art projects that would use public monies going forward. This would be done in conjunction with the Willoughby Arts Collaborative and would go through the Design Review Board and Planning Commission if the project was in the downtown district. The projects would ultimately be approved by Council with legislation. He said other commissions are being reviewed as well making sure they have value and are meaningful.

DIRECTOR'S REPORTS

Law Director Lucas – No report.

Interim Service Director Palmisano – No report. Mr. Anderson asked if CARES money could be utilized in the service department. Mr. Palmisano said he has requested three new pick-up trucks that would go through state bid. Mr. Woodin requested a "Deaf" sign be placed on Hillward. Mr. Palmisano would look into it.

City Engineer Lannon – Reported that A & J Cement would like to start as soon as possible on the concrete slab repairs on Lost Nation Road and Airport Parkway. A pre-construction meeting will take place this week with work completed this year. Mr. Carr said Sommers Group met with City Engineer Lannon and Jim Sayles regarding an outlet that was on a list of storm water improvements near the Abbotts Mill development. Mr. Lannon said Sommers Group will provide an outlet that was on the list of storm water improvements which is very helpful to the City. Mr. Sommers had promised this when he received approval for the subdivision and has made good on that promise.

Fire Chief Ungar – No report. He said the original date of completion and delivery of the new ambulance was the week of September 28th but said there has been a delay in one of the components that needs to be installed.

Police Chief Schultz – Chief Schultz thanked Council for the passage of resolutions related to his department. He thanked Finance Director Bosley, Mayor Fiala, Law Director Lucas, Chief Ungar and Councilmen Tomaselli and Carr for their support. Regarding Operation Safe Stay, he said since August 14th there have been over 133 calls and incidents. He said 75% of those have been patrol officer initiated; the officers have been doing an outstanding job going after the problems. The calls range from traffic violations to warrant arrests to drug possessions and weapons possessions. Officers Matt Neath and Kevin Crowley will receive an award from the Lake County Police Chief's Association next month stemming from the July 22nd incident on Kirtland Road in which they saved the life of a 15 month old. He

reported that two new officers hired earlier this year, Ryan Gregorin and Casey Kraft, are doing an outstanding job.

Building Inspector Keller – No report. Mr. Anderson asked if the house directly behind him was planning on rebuilding; he noticed they reseeded the lot. Mr. Keller said they plan on rebuilding soon but needed to reseed per the City ordinance.

Parks & Recreation Director Banker – Reported the City is currently working with the health department to get the senior center open the first week of October. Due to a shortage on COVID tests, the members won't be tested but all employees, volunteers and instructors will be tested every two weeks. Another meeting will take place on Thursday with the health department on where the tests will come from and the cost. Mr. Anderson asked what the parameters would be for a city wide meeting at the gazebo or at the field house. She said all buildings are at 50% capacity; she doesn't know what the capacity of the field house is but she will find out. There is a possibility of having the meeting at Wes Point Park or at Todd Field.

Finance Director Bosley – Mr. Bosley said the audit was complete as of last week and the City has qualified for the Auditor of State Award with distinction.

Economic Development Director Thielman – Mr. Thielman suggested using the FM broadcaster system for the resident meeting discussed earlier.

COUNCILMEN:

Mr. Woodin – Mr. Woodin congratulated Ms. Bosley for her award. He thanked Law Director Lucas for all his work on getting the resolution together for the Jesenovec's.

Mr. Kary – Mr. Kary congratulated Ms. Bosley and the department for the award.

Mr. Tomaselli – Mr. Tomaselli echoed the congratulations for the award the Finance Department received from the state.

Mr. Anderson – Mr. Anderson congratulated Ms. Bosley and her team on their award. He said it seems that the e-gov system is now working.

Mr. Garry – Mr. Garry congratulated Ms. Bosley and her team on her award.

Ms. McNeill – No report.

Mr. Carr – No report.

Motion made and seconded to go into Executive Session to discuss imminent litigation per ORC 121.22G (3).

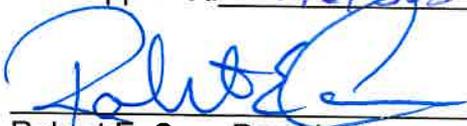
Roll Call 7 yes
 0 no

Motion carried 7 to 0

The Council meeting reconvened at 10:07 p.m. from the Executive Session.

The Regular Council Meeting adjourned at 10:09 p.m.

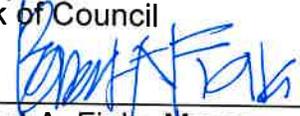
Date approved 10/6/2020



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor