

MINUTES REGULAR COUNCIL MEETING

7:00 p.m.

September 21, 2021

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 17, 2021.

ROLL CALL

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

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

Absent: Councilwoman McNeill

Motion made and seconded to excuse Councilwoman McNeill from the meeting.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

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

POLICE DEPARTMENT SWEARING IN AND AWARDS

Mayor Fiala swore in Police Chief Schultz, Assistant Police Chief Tartaglia, Captain Smith, Lieutenant Lessick, Lieutenant Jordan, Sergeant Scozzie, Patrol Officers Kraft, Bernakis, Gregorin, Godfrey and Zana. Police Chief Schultz presented the 2019 Officer of the Year Award to Patrol Officer Jason Pitt, the 2020 Officer of the Year Award to Detective Charles Krejsa, the 2019 Jason Gresko Special Officer of the Year Award to Patrol Officer Dennis Corbett, the 2019 Civilian Employee(s) of the Year Award to Chris Borstnik and Sue Schilling and the 2020 Civilian Employee of the Year Award to Bryan Griffith.

A moment of silence was observed in honor of Patrol Officer Jason Gresko who passed away in the line of duty on September 21, 2012.

Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of September 7, 2021.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

ORGANIZATIONAL BUSINESS

Public Art Committee

Council President Carr said a memo was sent out by the Mayor with five suggested names for the Public Art Committee. Mayor Fiala said John Tigue was the most vocal opponent of

the public art code which is precisely why he should serve on the board. The Willoughby Arts Collaborative and the Fine Arts Association have two seats automatically on the committee. He said the committee needs to meet and decide how they will function administratively.

Mayor Fiala appointed John Tigue, Jerry Ranally, Patrick McLaughlin, Yvonne Delgado-Thomas and Josh Werling to the Public Art Committee.

Motion made and seconded to confirm the Mayor's appointments.

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 – Absent.

Environmental Planning Committee, Mr. Kary – Reported two Environmental Assessment Statements were reviewed this evening and will be voted on tonight.

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

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – Reported the Police Department presented five awards and conducted swear ins for five promotions and six new hires.

Service Committee, Mr. Woodin – No report.

WPCC Committee, Mr. Anderson – No report.

Clean City Commission, Mr. Garry – Reported the annual shred event was successful with the shredding of 14,000 pounds of paper shredded on site. The river clean up event was successful as well.

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

Shade Tree Commission, Ms. McNeill – Absent.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Susan Kiss, 4263 Murray Avenue – Ms. Kiss said she would like to grow salad greens all year round but needs a high tunnel to do that. She is applying for a USDA grant to add the high tunnel to her garden. She said the conservation measure would allow her to grow salad greens all year round but in order to proceed; she needs a permit from the City. She said her application and appeal to install a high tunnel has been denied by the City. She is trying to find out how she can obtain permission from the City to install it. Ms. Kiss

explained the difference between a greenhouse and a high tunnel stating a greenhouse is a building with heat and a high tunnel is supported by metal supports that stay in the ground and is covered with plastic. Mayor Fiala said neither the Mayor nor Council has the authority to overturn a decision by the Zoning Board of Appeals. He expressed concern what the structure would look like after a few years if the plastic over the structure gets damaged; he suggested building a greenhouse. Ms. Kiss said adding a greenhouse in her yard is not possible. She said the plastic on the high tunnel can last about four to five years. She said removing it is just a matter of removing the hoops because it's not a permanent structure. Mr. Keller suggested submitting more information regarding high tunnels with her resubmittal.

Debbie Jenne, 4271 Murray Avenue – Ms. Jenne said she lives next door to Ms. Kiss and she and her husband support her efforts to install a high tunnel. She said there seems to be a lack of understanding of what Ms. Kiss is trying to do. She asked if she were to put up a tent in her back yard; would she need a permit. She said the plastic on the high tunnel is removed in the summer and the metal pieces can come down. The grant she is applying for will enable her to put food on her table.

Douglas Jenne, 4271 Murray Avenue – Mr. Jenne said he wanted to stress what Ms. Kiss is asking for is a tent and will be taken down in the summer.

Brent Woerner, 39385 King Edward Court – Mr. Woerner asked what the status of the paving was on Rt. 84. Service Director Palmisano said they have until October 15th to finish. The contractor said they would be rolling (pavement) by the end of the week, but he believes it will most likely be the following week. The contractor is working on adjustments for catch basins and curbing.

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

RESOLUTION NO. 2021-87

A resolution approving EAS #5-7-21 for construction of an airport hangar located at 1717 Lost Nation Road (Lake County Executive Airport).

Motion made and seconded to adopt Resolution No. 2021-87.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2021-88

A resolution authorizing the Mayor to enter into a one month extension of the current agreement with the City's retail natural gas supplier for the purchase of natural gas and related services for the City of Willoughby's public buildings, effective November 1, 2021.

Motion made and seconded to adopt Resolution No. 2021-88.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2021-89

A resolution authorizing the Mayor to execute an agreement with James Estes, Police Facility Design Group, PA in the amount of \$39,420 plus reimbursable expenses to provide architectural services necessary for the space needs programming and concept design of a new Willoughby Police Station located in 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. 2021-89 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2021-89.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2021-90

A resolution approving EAS #9-8-21 for construction of a subdivision consisting of nine (9) single-family homes to be located at 38032 Brown Avenue (Browning School Property).

Motion made and seconded to adopt Resolution No. 2021-90.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

MAYOR'S REPORT – Mayor Fiala said there will be a public engagement meeting at Osborne Park next Tuesday, September 28th at 5:30 p.m. In case of rain, the event will be moved to the Lost Nation Golf Course.

Economic Development Director Thielman said the City has engaged with the Smith Group for the design of an erosion control project for the Osborne Park shoreline and amenities for the area. A planning meeting will be next Tuesday from 5:30 p.m. until 7:30 p.m. under the pavilion. The deadline to submit for the amphitheater and Chagrin River trail requests for qualifications (RFQ's) was September 3rd; the City received six submittals. The RFQs were reviewed and the top three choices were interviewed last Friday with selection this week for the design team. The top three choices were the Smith Group, MS Consultants and the DLR Group. Mr. Thielman said legislation for the Residential Incentive District (RID) will be before Council at the next meeting which will be similar to the townhomes at Rt. 91. This RID will be for the Sommers-Pulte home project. This will allow the City to collect some of the increase in real property tax dollars on the development and put them into a special fund for Rt. 91 infrastructure. Regarding the City owned shoreline properties; Mr. Thielman will be sending

Council an updated spreadsheet with the parcel valuations based on the needed erosion controls and information from builders and other factors. Mr. Thielman said four builders were contacted.

DIRECTOR'S REPORTS

Law Director Lucas – No report.

Service Director Palmisano – No report. Mr. Woodin asked if there were any consequences if the contractor working on Rt. 84 doesn't meet the October 15th deadline. Mr. Palmisano said he didn't think the contractor would go over the deadline.

City Engineer Lannon – No report.

Fire Chief Ungar – Chief Ungar thanked those who attended the 9/11 memorial last weekend as well as Chief Schultz, Judean Banker and the Service Department for providing everything that was needed for the event.

Police Chief Schultz – Chief Schultz thanked Council for the passage of Resolution No. 2021-89. He thanked Service Director Palmisano for his assistance in installing the Flock Safety system throughout the City. He thanked Council for allowing the swear ins of new hires, promotions and awards this evening. He said the recognition is very important to the officers and their families. Mr. Carr asked if the Flock Safety system free trial is over. Chief Schultz said it is over; the system has worked extremely well for the department and the City. He said the system has helped with preventing crimes and investigations. There are a total of ten cameras currently with many neighboring communities also participating, creating a good network. Mr. Woodin asked if Mayfield was using Blue Line Solutions. Chief Schultz said Mayfield Village was using a different company to specifically reduce the speeding violations on Interstate 271.

Building Inspector Keller – No report.

Parks & Recreation Director Banker – Absent.

Finance Director Bosley – Regarding the discussion earlier about the ODOT project on Rt. 84, she said the City is not involved with payments. The City had to pay 20% up front a year ago. When the contract is settled, it will be determined if more or less money is needed. She said she can ask about damages if it gets to that point.

COUNCILMEN:

Council complimented Chief Schultz on the swear in and award ceremony earlier this evening.

Mr. Woodin – No report. Mr. Woodin said on October 3rd at 1:00 p.m. there will be a dedication at the Willoughby Memorial Gardens for the Eagle Scout who built the memorial at the garden.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Anderson – No report. Mr. Anderson complimented Chief Ungar for his professionalism regarding a recent fire downtown.

Mr. Garry – No report.

Ms. McNeill – No report.

Mr. Carr – Mr. Carr said he and Councilman Anderson will be absent from the next meeting. It is critical that the rest of Council attend the meeting.

Motion made and seconded to go into Executive Session in accordance with ORC 121.22(G)3 to discuss imminent litigation at 8:00 p.m.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

The Council meeting reconvened at 8:56 p.m. from the Executive Session.

The Regular Council Meeting adjourned at 8:57 p.m.

Date approved 10/5/21

John Tomaselli
John Tomaselli, Vice President

Alison Rouch
Clerk of Council
Robert A. Fiala
Robert A. Fiala, Mayor