

MINUTES REGULAR COUNCIL MEETING

7:00 p.m.

September 6, 2022

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 2, 2022.

ROLL CALL

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

Others Present: Mayor Fiala, Law Director Lucas, Service Director Palmisano, City Engineer Lannon, Police Chief Schultz, Parks & Recreation Director Keller, Finance Director Bosley, Clerk Novak

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

Approval of Minutes

Motion made and seconded to approve the Regular Council Meeting Minutes of August 9, 2022.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to approve the Special Council Meeting Minutes of August 16, 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 – Reported two items on the agenda this evening.

Parks & Recreation Committee, Ms. Sievers – Reported one item on the agenda this evening.

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Dan Anderson – No report.

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

Planning Commission, Mr. Kary – No report.

CORRESPONDENCE: Clerk Novak read a request from the Ohio Division of Liquor Control for a stock transfer for Blackwater Willoughby LLC, dba Westels Alibi, 4084 Erie Street, 1st Floor, Basement and Patio, Willoughby, Ohio. There were no objections.

PUBLIC PORTION:

Brent Woerner, 39385 King Edward Court, Willoughby – Mr. Woerner wanted to know the status of the sidewalk installation between Polo Park and King Edward Court that was to be installed by the Ridgewood Greens developer. City Engineer Lannon said the City is holding back money until that work and some other work is completed by the developer. Mr. Lannon said the City could potentially do the work.

Jerry Ranally, 37832 Park Avenue, Willoughby – Mr. Ranally asked questions regarding Resolution No. 2022-108 regarding the storm water retrofit. Mr. Lannon explained this resolution is the result of the consent decree from the federal government; the City is to reestablish the original drainage patterns from south to north. The City is responsible for this work that will be about \$400,000. The City has access to the Riverside Commons roads as part of the consent decree, but there is pending litigation with the property owner. Mr. Ranally asked about the status of the amphitheater. Mayor Fiala said the City should be receiving three design concepts with another public engagement after those are received. Mr. Ranally indicated the grass at the former Browning School site is high and should be cut.

Joe Wrayno, 4368 River Street, Willoughby – Mr. Wrayno expressed concern that he was cited for unlicensed vehicles on his property.

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. 2022-108

A resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the Riverside Commons and Apollo Parkway Stormwater Retrofit, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-108 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-108.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2022-109

A resolution authorizing the Mayor to enter into a five (5) year lease purchase agreement with Deere Credit, Inc. in the amount of \$25,719.16 for one John Deere ProGator through Sourcewell for the Lost Nation Golf Course, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-109 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-109.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2022-110

An ordinance certifying to the Auditor of Lake County certain unpaid bills owing to 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. 2022-110 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-110.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2022-111

A resolution amending Resolution No. 2022-37 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2022, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-111 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-111.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2022-112

An ordinance authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation (ODOT) and requesting the cooperation of the Director of the Ohio Department of Transportation to repair the slope failure on the west side of SR 306 Chillicothe Road in the City of Willoughby, Lake County, Ohio and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-112 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-112.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2022-113

A resolution authorizing the Mayor to enter into an amendment to the Real Property Donation Agreement between Western Reserve Land Conservancy and the City of Willoughby to extend the contractual deadline until September 30, 2022, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-113 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-113.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2022-114 – Amended 9/6/2022

An ordinance providing for the Manning Levels and Compensation of Elected and Appointed Officials and Salaried and Non-Union Employees of the City of Willoughby, Ohio; repealing any and all other ordinances or parts thereof which may be inconsistent herewith or which may be redundant hereto; and declaring an emergency.

Motion made and seconded to table Resolution No. 2022-114.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2022-115

A resolution authorizing the Mayor to request proposals from qualified engineering/consulting firms to provide comprehensive conceptual plans and construction cost estimates for the Chagrin River Floodplain Restoration and Trail Connection Project, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-115 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-115.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2022-116

An ordinance levying assessments for the improvement of all streets within the City of Willoughby, Ohio, by supplying said streets with electric street lighting, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-116 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-116.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR’S REPORT – No report.

DIRECTOR’S REPORTS

Law Director Lucas – Regarding the power point presentation given by Councilman Tomaselli at the last Council meeting (truck traffic), Mr. Lucas said legislation was drafted for review but additional information was received from the Police Chief and the Mayor. Legislation will on the agenda for the next Council meeting.

Service Director Palmisano – No report.

City Engineer Lannon – No report. Regarding Ward Creek, Mr. Kary asked about additional items that need to be completed. Mr. Lannon said the City has not closed out the contract and he needs to check on the progress of the remaining work.

Fire Chief Ungar – Absent.

Police Chief Schultz – No report.

Building Inspector Keller – Absent.

Parks & Recreation Director Keller – Ms. Keller said the final Sunset Concert is tomorrow night at Osborne Park. This Saturday is the Doggie Swim and this Sunday is Food Truck Sunday. She is looking for a few more businesses to participate in the Trick or Treat Trail; she currently has about 15 businesses participating.

Finance Director Bosley – No report.

COUNCILMEN REPORTS

Ms. Sievers – No report.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

Mr. Garry – Mr. Garry said 11,000 pounds of paper was collected at the recent shredding event which is about 5.5 tons of paper (about 500 cars in 3 hours). Over the 12 years the shredding event has taken place, 120,892 pounds of paper has been shredded.

Mr. Anderson – No report.

Mr. Carr – No report.

The Regular Council Meeting adjourned at 7:40 p.m.

Date approved

9/20/22

Robert E. Carr, President

Clerk of Council

Robert A. Fiala, Mayor