

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

7:09 p.m.

March 16, 2021

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on March 12, 2021.

**ROLL CALL**

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

**Others Present:** Mayor Fiala, Law Director Lucas, City Engineer Lannon, Service Director Palmisano, 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 by Councilman Carr.

**Approval of Minutes**

Motion made and seconded to approve the Regular Meeting Minutes of March 2, 2021.

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** – Ms. McNeill reported there will be a committee meeting soon with some updates.

**Environmental Planning Committee, Mr. Kary** – Reported the committee met earlier this evening to review EAS #3-2-21 and recommended approval to Council.

**Finance and Audit Committee, Mr. Tomaselli** – Reported the 2021 budget is on the agenda this evening.

**Parks & Recreation Committee, Mr. Woodin** – Reported there was a committee meeting this evening to discuss opening the City pools.

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

**Safety Committee, Mr. Tomaselli** – No report.

**Service Committee, Mr. Woodin** – Reported a few items on the agenda this evening.

**WPCC Committee, Mr. Anderson** – Reported one item on the agenda this evening. He said the annual joint committee meeting was held last Wednesday. Mr. Anderson said the

discharge concentration of suspended solids was the lowest it's been since 1983. The plant is currently treating 6.509 million gallons per day. Last year the flow split was 59.02% for Willoughby and 40.98% for Eastlake. Mr. Carr asked if the volume is down from previous years. Mr. Anderson said he didn't have those numbers available. Mr. Lannon said Willoughby has had more development over the years than Eastlake but has managed to maintain the 60/40 split so it just shows that the sewer rehabilitation that Willoughby has pursued has kept up with the development. Mr. Carr said his question was regarding the gallons treated per day. Mr. Lannon said he doesn't have those numbers in front of him.

Clean City Commission, Mr. Garry – No report.

Planning Commission, Mr. Kary – Mr. Kary reminded Council about the upcoming Planning Commission meeting on the 25<sup>th</sup> regarding the Browning School.

Shade Tree Commission, Ms. McNeill – No report.

**CORRESPONDENCE:** Clerk Novak read a request from the Ohio Division of Liquor Control for a Trex from Joseph Schilero, dba Joe's Place, Front Only, 29000 Euclid Avenue, Wickliffe, Ohio, 44092 to Chagrin River Diner, LLC, 4099 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

**NEW BUSINESS:**

**RESOLUTION NO. 2021-16**

**A resolution approving Change Order No. 2-Final in the ADA Ramp Replacement Project with RMH Concrete & Foundations, Inc., and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-16 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2021-16.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2021-17**

**A resolution approving Change Order No. 1 in the 2020 Concrete Pavement Slab Replacement Project with A & J Cement Contractors, Inc., and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-17 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2021-17.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2021-18**

**A resolution approving Change Order No. 3 in the WPCO Capacity Enhancement project with the Great Lakes Construction Co., and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-18 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2021-18.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**ORDINANCE NO. 2021-19**

**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 that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2021-19 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2021-19.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2021-20**

**A resolution authorizing the Mayor to enter into a Settlement Agreement and Release of all Claims and Demands with National Fire Insurance Company of Hartford, National Fire Insurance Company of Hartford, successor by merger to Transcontinental Insurance Company, and Valley Forge Insurance Company, (collectively referred to as "CNA"), and Selective Insurance Company of the Southeast (referred to as "Selective") relative to all pending litigation between The City of Willoughby, Ohio and CNA and Selective, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-20 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2021-20.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2021-21**

**A resolution to make appropriations for the current expenses and other expenditures of the City of Willoughby, Ohio during the period ending December 31, 2021, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-21 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2021-21.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2021-22**

**A resolution approving EAS #3-2-21 for construction of an addition to the existing building located at 1561 Lost Nation Road (The Kennedy Group).**

Motion made and seconded to adopt Resolution No. 2021-22.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**MAYOR'S REPORT** – Mayor Fiala reported the City has been released to start the Transportation for Livable Communities Initiative (TLCI) grant planning. The grant was

received from the Northeast Ohio Areawide Coordinating Agency (NOACA) in partnership with Laketran, Willowick and Eastlake to study the Vine Street corridor. He said there was a hold up because the modeling associated with the traffic counts was deemed inaccurate due to COVID. NOACA has developed an algorithm to model the traffic correctly. He said the next step will be to start stakeholder meetings which will be small groups of residents from each of the communities to participate in planning; from there it will go to larger community meetings. No schedule is available yet.

## **DIRECTOR'S REPORTS**

**Law Director Lucas** – No report.

**Service Director Palmisano** – Reported that both state route paving projects have been scheduled with pre-construction meetings taking place with the Ohio Department of Transportation (ODOT). Route 84 is scheduled to start on April 5<sup>th</sup> and Lakeshore Blvd. is scheduled to start July 27<sup>th</sup>. He said milling on Rt. 84 will be done in two stages with half the road first. He anticipates a lot of traffic problems. Mr. Carr asked if the paving had been moved up. Mr. Palmisano said he thought Lakeshore Blvd. paving would be first but ODOT presented this schedule. He said Lakeshore Blvd. is scheduled to take approximately two months and Rt. 84 is anticipated at three months. Mr. Tomaselli asked what direction they would be going on Rt. 84. Mr. Palmisano said paving is scheduled to start on the west end and head east; he will confirm this with ODOT. The contractor has 14 days in between planing and asphalt work. Regarding the paving on Lakeshore Blvd., Mr. Woodin asked if work included cutting berms down or adding berms where needed. He said there are places where the berms are so high the water has no place to go. Mr. Palmisano said the project doesn't include any berm work; he said a lot of the drain work was done with the ADA work last year. Mr. Woodin said he was concerned about an area across from Osborne Park and also on sidewalks. Mr. Palmisano said the sewer department would be looking into those issues.

**City Engineer Lannon** – Mr. Lannon said he found the data on the previous flow for WPCC in the annual report. He said the 20 year trend is down; from 2003 to 2008 the flow was around 8 million gallons per day. 2011 was a banner year due to 57 inches of rain with an average of almost 9 million gallons a day. For the past 10 years, it has hovered around the 6 million gallons per day.

**Fire Chief Ungar** – No report. Mr. Anderson asked if the City will continue to host vaccine clinics at the senior center. Chief Ungar said the City was going to host a clinic every third Wednesday with a corresponding Friday four weeks later but there has been a change in the scheduling. It will most likely change to one large clinic at Mentor High School making it a central location increasing the doses from 3,000 to 5,000 or 6,000. The Lake County Fire Chiefs and officials from Lake County will be meeting this Friday to discuss the clinic. Mr. Carr suggested residents go to the state of Ohio website to obtain an authorization code that can be used on the Armor Vax website.

**Police Chief Schultz** – Chief Schultz reported that an arson suspect was apprehended recently with information received from the Flock Safety camera and an operator of a stolen vehicle was also arrested this past weekend. He said the sign-ups for the SCRAM program

are a little slow, but they will continue to post about the program on social media. Mr. Garry asked if Operation Safe Stay is continuing. Chief Schultz said it was ongoing; they continue to make a lot of arrests. He said they are making progress with a nuisance ordinance.

**Building Inspector Keller** – No report. Mr. Anderson thanked Mr. Keller for his participation in the Ward 5 meeting.

**Parks & Recreation Director Banker** – Reported the playground has been installed at Gilson Park. Mr. Carr asked if there has been any discussion on summer concerts. Ms. Banker said June 30<sup>th</sup> is the first concert at Osborne-Sunset followed by a Thursday night at the beginning of July. She is waiting to hear about the guidelines for the Memorial Day parade. The car cruise in will likely take place with modifications as well as the arts fest. Mr. Kary asked if one or more pools open this summer, will only Willoughby residents be able to attend. Ms. Banker said she believes they will have open attendance.

**Finance Director Bosley** – Ms. Bosley thanked Council for the passage of the budget.

**COUNCILMEN:**

**Mr. Woodin** – No report.

**Mr. Kary** – No report.

**Mr. Tomaselli** – No report.

**Mr. Anderson** – Mr. Anderson thanked the Mayor, Darryl Keller and Alisa Novak for participating in the Ward 5 meeting.

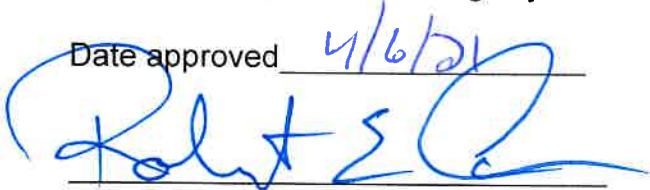
**Mr. Garry** – No report.

**Ms. McNeill** – Ms. McNeill thanked everyone for putting so much time into answering questions about the Browning Center development.

**Mr. Carr** – No report.

*The Regular Council Meeting adjourned at 7:50 p.m.*

Date approved 4/6/21



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor