

## MINUTES REGULAR COUNCIL MEETING

7:01 p.m.

December 28, 2021  
(Rescheduled from December 21, 2021)

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on December 22, 2021.

### ROLL CALL

**Council Members Present:** Anderson, Carr, Garry, McNeill and Tomaselli

**Others Present:** Mayor Fiala, Law Director Lucas, Finance Director Bosley, Clerk Novak

**Others Present via Zoom:** Service Director Palmisano, City Engineer Lannon, Fire Chief Ungar, Police Chief Schultz, Chief Building & Zoning Inspector Keller, Parks & Recreation Director Banker

**Absent:** Councilmen Kary and Woodin

Motion made and seconded to excuse Councilman Woodin from the meeting.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to excuse Councilman Kary from the meeting.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

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

### **Approval of Minutes**

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

Roll Call      5 yes  
                    0 no

Motion carried 5 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** – Absent.

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

**Parks & Recreation Committee, Mr. Woodin** – Absent.

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

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

**Service Committee, Mr. Woodin** – Absent.

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

**Clean City Commission, Mr. Garry** – No report.

**Planning Commission, Mr. Kary** – Absent.

**Shade Tree Commission, Ms. McNeill** – No report.

**CORRESPONDENCE:** No correspondence.

**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      5 yes  
                    0 no

Motion carried 5 to 0

**NEW BUSINESS:**

**RESOLUTION NO. 2021-115**

**A resolution approving EAS #11-9-21 for demolition of the existing building and construction of a multi-tenant strip center located at 36001 Euclid Avenue (USA Management Strip Center Development).**

Motion made and seconded to table Resolution No. 2021-115.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-116**

**A resolution to accept the material terms of the One Ohio Subdivision Settlement pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-116 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-116.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-117**

**A resolution establishing a Special Revenue Fund titled, Veterans Treatment Court Fund, Fund No. 2108, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-117 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-117.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-118**

**A resolution authorizing the Director of Finance to transfer funds from the General Fund to various other funds, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-118 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-118.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-119**

**A resolution authorizing the Director of Finance to transfer funds from the Trust & Agency Fund to the Senior Center Capital Fund, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-119 be declared an emergency measure.

Roll Call 5 yes  
0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-119.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-120**

**A resolution authorizing the Director of Finance to transfer funds from the Workers Comp Retro Rating Fund to the General Fund, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-120 be declared an emergency measure.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-120.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-121**

**A resolution authorizing the Director of Finance to transfer funds from the FEMA Fund to the General Fund, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-121 be declared an emergency measure.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-121.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-122**

**A resolution authorizing the Director of Finance to advance an amount not to exceed \$18,800 from the General Special Projects Fund to the Ohio Criminal Justice Service Grant Fund, and declaring an emergency**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-122 be declared an emergency measure.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-122.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-123**

**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. 2021-123 be declared an emergency measure.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-123.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**ORDINANCE NO. 2021-124**

**An ordinance amending Chapter 111 of the Codified Ordinances of the City of Willoughby, Ohio titled, "Council"; specifically, replacing Section 111.05, titled, "Procedure for Sale of Surplus City Real Estate".**

Motion made and seconded to adopt Ordinance No. 2021-124.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-125**

**A resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Ohio Patrolmen's Benevolent Association, Communications Clerks, Communications Operators and Police Records/Communications Supervisor, necessary to establish modifications to the work week and communications schedule requirements of Articles 21, 24, 25, 26, and 27 of the agreement between the City of Willoughby, Ohio and the Ohio Patrolmen's Benevolent Association, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-125 be declared an emergency measure.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-125.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-126**

**A resolution authorizing the Mayor to review and accept the best pricing and time period proposed by a retail electric supplier for the subsequent inclusion within an agreement for purchase of electricity for the City of Willoughby's street lighting, within such time period parameters from twelve (12) to thirty-six (36) months, commencing June 30, 2022.**

Motion made and seconded to adopt Resolution No. 2021-126.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-127**

**A resolution authorizing the Mayor to enter into a Letter of Engagement with Thompson Hine LLP, for legal representation on behalf of the City, with an effective date of December 7, 2021, relative to the City of Willoughby's obligations under the Partial Consent Decree in the case of U.S.A. vs. Richard M. Osborne, Sr., et al., and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2021-127 be declared an emergency measure.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-127.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-128**

**A resolution amending Resolution No. 2021-21 to provide for current expenses and other expenditures for 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. 2021-128 be declared an emergency measure.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-128.

Roll Call      5 yes  
                  0 no

Motion carried 5 to 0

**RESOLUTION NO. 2021-129**

**A resolution authorizing temporary appropriations totaling \$18,101,544.00 for current expenses and other expenditures of the City of Willoughby, Ohio during the period ending March 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. 2021-129 be declared an emergency measure.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2021-129.

Roll Call      5 yes  
                    0 no

Motion carried 5 to 0

**MAYOR'S REPORT** – No report. There was discussion regarding the swearing in of Council and the Mayor at the January 4<sup>th</sup> meeting. Mr. Anderson asked if the Mayor was getting any complaints about the demolition of the former YMCA (dust). Mayor Fiala said he had not. Mr. Anderson said there wasn't a fence around the YMCA when it was demolished and suggested it be discussed when Council reviews Environmental Assessment Statements. Mayor Fiala said the next demolition will be the medical building on Euclid Avenue and suggested it be fenced off.

**DIRECTOR'S REPORTS**

**Law Director Lucas** – No report. Mr. Carr asked if he could reach out to some of the state legislators with regard to the ability to meet remotely.

**Finance Director Bosley** – No report. Ms. Bosley thanked Katie McNeill for her service and Council for passing Finance Department legislation this evening.

**Service Director Palmisano** – No report.

**City Engineer Lannon** – Mr. Lannon reported he received very good bids on the Ward Creek-North Bay Drive storm water project. He is hoping to have legislation before Council at the next meeting.

**Fire Chief Ungar** – Chief Ungar updated Council on some issues the Fire Department is having with rescue squads and COVID patients. He said they are currently transporting multiple positive COVID patients with varying symptoms to the emergency room. He said hospitals are understaffed and can't handle the patient volume. He said it's not uncommon for rescue squads to wait one to two hours at the emergency room before being placed back in service. A lot of times, the squad will report they are waiting behind six or seven other squads. As part of an agreement amongst medical directors in the area, the department is avoiding transporting patients outside of our base hospitals. He said another issue is that hospitals are closing for long periods of time. He said sometimes the department is dropping off patients in the waiting room. He said at Lake West Hospital, the department will leave one paramedic with the patient and the rescue squad will return with the other two paramedics.

He said he will send out an e-mail with this information to Council in case they receive calls and or complaints.

Mr. Carr asked if the high levels of COVID transmission has affected the Fire Department. Chief Ungar said as of this morning, he had 12 staff members out. Chief Ungar explained that the Lake County Fire Chief's Association has a contingency plan in place in case there were staffing issues across the county.

**Police Chief Schultz** – Chief Schultz said he has two to four staff members out each week due to COVID. He thanked Council for the passage of Resolution No. 2021-125.

**Building Inspector Keller** – No report.

**Parks & Recreation Director Banker** – No report.

**COUNCILMEN:**

**Mr. Tomaselli** – No report

**Mr. Anderson** – No report.

**Mr. Garry** – No report.

**Ms. McNeill** – No report.

**Mr. Carr** – No report.

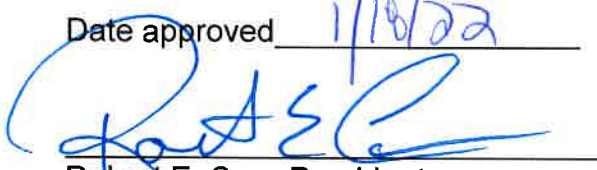
**Mr. Woodin** – Absent.

**Mr. Kary** – Absent.



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

Date approved

1/18/22



Robert E. Carr, President

  
Clerk of Council  
  
Robert A. Fiala, Mayor