

**MINUTES
REGULAR COUNCIL MEETING**

7:00 p.m.

January 3, 2023

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on December 30, 2022.

ROLL CALL

Council Members Present: Anderson, Carr, Garry, Sievers and Tomaselli

Absent: Councilmen Kary and Merhar

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

Motion made and seconded to excuse Councilmen Merhar and Kary from tonight's meeting.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

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

ORGANIZATIONAL BUSINESS

COUNCIL PRESIDENT

Motion made and seconded to nominate Councilman Carr as Council President.

ROLL CALL: 5 yes
 0 no

Motion carried 5 to 0

There were no other nominations.

Motion made and seconded to elect Councilman Carr as Council President.

ROLL CALL: 5 yes
 0 no

Motion carried 5 to 0

COUNCIL VICE PRESIDENT

Motion made and seconded to nominate Councilman Tomaselli as Vice President.

ROLL CALL: 5 yes
 0 no

Motion carried 5 to 0

There were no other nominations.

Motion made and seconded to elect Councilman Tomaselli as Council Vice President.

ROLL CALL: 5 yes
0 no

Motion carried 5 to 0

STANDING AND REGULAR COMMITTEE REPORTS

Mr. Carr said the 2023 committee assignments will be finalized for the next meeting. Please reach out to him for any requests. Dates have been selected for upcoming ward meetings, but please don't post the dates just yet. Locations need to be finalized. Mr. Carr reminded Council about Ethic Disclosure Forms that need to be filled out and that 2023 is an election year. There will be a Parks and Recreation Committee meeting on January 17th.

COUNCIL APPOINTMENTS

Motion made and seconded to appoint the following individuals to the following board:

Volunteer Firefighters' Dependents Fund Board - Bob Carr, Daniel Anderson

ROLL CALL: 5 yes
0 no

Motion carried 5 to 0

Board and Commission Members

Mayor Fiala appointed the following members to the boards and commissions:

- Design Review Board – John Perkovich, Dan Volpe, Bill Henrich
- Sign Review Board – Joe Koskovics
- Board of Building Code Appeals – Dick Parker
- Zoning Board of Appeals - Joe Palmer

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

ROLL CALL: 5 yes
0 no

Motion carried 5 to 0

Director

Director of Finance – Cher Hoffman

Motion made and seconded to confirm the Mayor's appointments for Director of Finance.

ROLL CALL: 5 yes
0 no

Motion carried 5 to 0

CORRESPONDENCE: Clerk Novak read a request from the Ohio Division of Liquor Control for a new license for Aldi, Inc. Ohio dba Aldi 87, 37100 Euclid Avenue, 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 5 yes
 0 no

Motion carried 5 to 0

UNFINISHED BUSINESS:

RESOLUTION NO. 2022-138 - Tabled

A resolution approving EAS #12-6-22(a) for the rezoning of 17.416 acres of real property located on Pelton Road and further identified as Permanent Parcel No. 27B0390000300 from Limited Industrial (L-I) to General Industrial (G-I).

ORDINANCE NO. 2022-139 - Tabled

An ordinance amending the zone map of the City of Willoughby, Ohio, to reclassify 17.416 acres of certain real property located at 0 Pelton Road (Permanent Parcel No. 27B0390000300) from Limited Industrial (L-I) to General Industrial (G-I).

NEW BUSINESS:

RESOLUTION NO. 2023-1

A resolution requesting the Lake County Auditor to make advance payments of taxes 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 Resolution No. 2023-1 be declared an emergency measure.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2023-1.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

RESOLUTION NO. 2023-2

A resolution authorizing the Mayor to apply to the Ohio Department of Natural Resources, Office of Coastal Management, for the purpose of acquiring financial assistance for the Osborne Park Wetlands and Coastal Habitat Enhancement Study, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-2 be declared an emergency measure.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2023-2.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

RESOLUTION NO. 2023-3

A resolution authorizing the Mayor to enter into an agreement with SmithGroup Architects & Landscape Architects PLLC in an amount not to exceed \$98,400 to provide design services for the Chagrin River Floodplain Restoration & 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. 2023-3 be declared an emergency measure.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2023-3.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

RESOLUTION NO. 2023-4

A resolution authorizing the Mayor to enter into an agreement for the sale of 3.7606 acres of real property identified as Permanent Parcel No. 27A0050000080 with Richard A. and Jennifer A. Wojtasik, Jonathon C. and Ashley R. Kelm, Anthony Crowe, Marlene Waller & Carlos Suchareza Trustees, Phil and Denice Waller, Tim E. Kubasky, and Allan R. Hoch and Jennifer L. Hartsock, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-4 be declared an emergency measure.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

Motion made and seconded to adopt Resolution No. 2023-4.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

RESOLUTION NO. 2023-5

A resolution honoring Inspector Chuck Pinkerman and commending him for his 30 years of service to the City of Willoughby.

Chief Building & Zoning Inspector Keller ready this resolution in its entirety.

Motion made and seconded to adopt Resolution No. 2023-5.

Roll Call 5 yes
 0 no

Motion carried 5 to 0

MAYOR'S REPORT – Mayor Fiala reported that on Saturday, January 21st the first ever DTW Ice Fest will take place, which is modeled after Medina's Ice Fest.

DIRECTOR'S REPORTS

Law Director Lucas – No report. Mr. Anderson asked if the two resolutions that are tabled need to remain on the agenda. Mr. Lucas said that at the request of Council, input needs to be received from the EPA. He said he will check on the progress on that information tomorrow, but the legislation needs to remain on the agenda.

Service Director Palmisano – No report.

City Engineer Lannon – No report.

Fire Chief Ungar – No report.

Police Chief Schultz – No report. Regarding a recent incident where a police cruiser was heavily damaged, Mr. Anderson asked how the City will obtain a replacement. Chief Schultz said the City is under the mercy of the insurance company; if the car is totaled and cannot be fixed the department will have to see who has a vehicle available.

Building Inspector Keller – Mr. Keller thanked Council for the passage of Resolution 2023-5. Mr. Garry asked when Chick-fil-A will be reopening and when Aldi will be opening. Mr. Keller said the worksite at Chick-fil-A is a tight space but ultimately he doesn't know when either will be opening.

Parks & Recreation Director Keller – No report.

Finance Director Hoffman – Ms. Hoffman thanked Council for confirming her appointment as Finance Director.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers congratulated Ms. Hoffman on her appointment.

Mr. Kary – Absent.

Mr. Tomaselli – Mr. Tomaselli thanked Council for his appointment as Council Vice President.

Mr. Merhar – Absent.

Mr. Garry – No report. Mr. Garry welcomed Cher Hoffman.

Mr. Anderson – Mr. Anderson welcomed Cher Hoffman.

Mr. Carr – Mr. Carr thanked Council for appointing him as Council President again.

The Regular Council Meeting adjourned at 7:30 p.m.

Date approved 1/17/23



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor