# MINUTES
# REGULAR COUNCIL MEETING

**7:03 p.m.** **October 20, 2026**

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on October 16, 2026.

**ROLL CALL**

**Council Members Present:** Garry, Kary, Luciano, Sievers, Tomaselli and Anderson

**Absent:** Councilman Carr

**Others Present:** Mayor Fiala, Law Director McConville, Service Director Knecht, City Engineer Lannon, Fire Chief Ungar, Police Chief Schultz, Chief Building & Zoning Inspector Keller, Parks & Recreation Director Keller, Finance Director Hoffman, Clerk Novak

Motion made by Mr. Anderson and seconded by Mr. Garry to excuse Councilman Carr from tonight's meeting.

Roll Call 6 yes
0 no
Motion carried 6 to 0

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

**Approval of Minutes**
Motion made by Mr. Tomaselli and seconded by Ms. Sievers to approve the Regular Council Meeting Minutes of October 6, 2026.

Roll Call 6 yes
0 no
Motion carried 6 to 0

**STANDING AND REGULAR COMMITTEE REPORTS**

**Committee of Full, Mr. Carr** – Absent.

**Economic Development Committee, Mr. Anderson** – No report.

**Environmental Planning Committee, Mr. Kary** – Mr. Kary reported there will be a committee meeting on November 3rd.

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

**RESOLUTION NO. 2026-127**

**A resolution authorizing the Mayor to take all necessary steps to accept a Firehouse Subs Public Safety Foundation Grant for two (2) TNT Telescoping Rams (including freight up to $320) valued in an amount up to $21,720 and declaring an emergency.**

Motion made by Mr. Anderson and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-127 be declared an emergency measure.

Roll Call 6 yes
0 no
Motion carried 6 to 0

Motion made by Mr. Anderson and seconded by Mr. Kary to adopt Resolution No. 2026-127.

Roll Call 6 yes
0 no
Motion carried 6 to 0

**RESOLUTION NO. 2026-128**

**A resolution approving Change Order No. 1 in the 2026 Concrete Pavement Slab Replacement Project with Ronyak Paving, Inc., and declaring an emergency.**

Motion made by Mr. Anderson to amend Resolution No. 2026-128 removing "Concrete Pavement Slab Replacement Project" in the caption and replacing with "Pavement Repair Program", seconded by Mr. Garry.

Roll Call 6 yes
0 no
Motion carried 6 to 0

Motion made by Mr. Anderson and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-128 be declared an emergency measure as amended.

Roll Call 6 yes
0 no
Motion carried 6 to 0

Motion made by Mr. Anderson and seconded by Mr. Garry to adopt Resolution No. 2026-128 as amended.

Roll Call 6 yes
0 no
Motion carried 6 to 0

**RESOLUTION NO. 2026-129**

**A resolution approving Change Order No. 5 in the Willoughby Police Station Project with Infinity Construction Co., Inc., and declaring an emergency.**

Motion made by Mr. Garry and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-129 be declared an emergency measure.

Roll Call 6 yes
0 no
Motion carried 6 to 0

Motion made by Mr. Garry and seconded by Mr. Kary to adopt Resolution No. 2026-129.

Roll Call 6 yes
0 no
Motion carried 6 to 0

**RESOLUTION NO. 2026-130 – First Reading**

**A resolution authorizing the Mayor to enter into a General Maintenance and Lighting Replacement Project Agreement, by and among the Lake County Board of Commissioners and the cities of Willoughby, Eastlake, Mentor, Painesville, Wickliffe and Willowick, for Maintenance and Lighting of Route 2.**

**RESOLUTION NO. 2026-131**

**A resolution amending Resolution No. 2026-25 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2026, and declaring an emergency.**

Motion made by Mr. Anderson and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-131 be declared an emergency measure.

Roll Call 6 yes
0 no
Motion carried 6 to 0

Motion made by Mr. Anderson and seconded by Mr. Kary to adopt Resolution No. 2026-131.

Roll Call 6 yes
0 no
Motion carried 6 to 0

**RESOLUTION NO. 2026-132**

**A resolution authorizing the Mayor to enter into a contract with Parkvision in the amount of $190,000 to supply and deliver playground equipment, swing bays, plastic edging, wear mats, access ramps, and fibar wood surfacing, and to provide installation supervisor services, for the Daniels Park Playground, and declaring an emergency.**

Motion made by Ms. Sievers and seconded by Mr. Anderson that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-132 be declared an emergency measure.

Roll Call 6 yes
0 no Motion carried 6 to 0

Motion made by Ms. Sievers and seconded by Mr. Anderson to adopt Resolution No. 2026-132.

Roll Call 6 yes
0 no Motion carried 6 to 0

**RESOLUTION NO. 2026-133**
**A resolution authorizing the Mayor to enter in an Intergovernmental Agreement to establish a regional council of governments (Lake County Mayors and Managers Association), pursuant to Ohio Revised Code Chapter 167, and declaring an emergency.**

Motion made by Mr. Anderson and seconded by Mr. Luciano that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-133 be declared an emergency measure.

Roll Call 6 yes
0 no Motion carried 6 to 0

Motion made by Mr. Anderson and seconded by Mr. Luciano to adopt Resolution No. 2026-133.

Roll Call 6 yes
0 no Motion carried 6 to 0

**MAYOR'S REPORT** – Mayor Fiala thanked Council for conducting the first reading of Resolution No. 2026-130 and approving Resolution No. 2026-133. Both resolutions now require approval from the other participating communities; he will update Council as those approvals are received.

**DIRECTOR'S REPORTS**

**Law Director McConville** – Mr. McConville stated that the Law Department is currently without an administrative assistant. He acknowledged Alisa Novak for her assistance in preparing all of the legislation for this evening's meeting. An offer as been made to Jen Eberlin, currently with the City of Mentor's Law Department, and she is expected to begin on November 2nd.

**Service Director Knecht** – Mr. Knecht stated that leaf pickup will begin next week. Favorable weather this week allowed crews to complete several projects, including pavement repairs and catch basin work, and to install the snow fence in preparation for early snowfall. Residents are asked to place leaves at the curb and to keep them free of grass clippings and sticks. Mr. Kary thanked Mr. Knecht for the snow fences on Lost

Nation Road, noting that they have been a significant benefit during severe winters. Two fences were installed in separate locations last year and doubled up, and another has now been added to an additional cleared lot.

**City Engineer Lannon** – Mr. Lannon reported that River Street is expected to reopen by the end of the week, which positions the project well for resurfacing next year. ODOT has been notified that the street is clear, and the timing of the resurfacing work is at its discretion. Mr. Tomaselli asked whether the work could still be completed this year. Mr. Lannon stated that given workload and prior planning, resurfacing is expected to occur next year, noting that the contractor is willing to defer, likely because its schedule is full.

**Fire Chief Ungar** – Chief Ungar thanked Council for the passage of Resolution No. 2026-127. Regarding the new fire engine, Chief Ungar stated that during the final inspection he learned that the apparatus sustained a small stone chip to the front body while being transported between manufacturing facilities. Although repairs were initially completed, the manufacturer determined that additional bodywork was necessary to meet its quality standards. Given the significant investment involved, the manufacturer is committed to ensuring the vehicle leaves the factory in perfect condition before release. While this has caused a slight delay, he is optimistic that delivery will occur by the end of this week or early next week.

**Police Chief Schultz** – Chief Schultz gave an update on the City's Flock Safety program.

The Willoughby Police Department began evaluating automated license plate reader (ALPR) technology in 2020 as part of an ongoing commitment to enhancing public safety. While license plate reader technology has been utilized by law enforcement agencies for more than 25 years, advances in the industry prompted the department to evaluate modern solutions that could improve both operational effectiveness and cost efficiency. After reviewing several providers, including Leonardo, Motorola Vigilant, and Flock Safety, the department determined that Flock Safety offered the best combination of functionality, reliability, affordability, and long-term support. Unlike traditional ALPR systems, which often require agencies to purchase, maintain, and periodically upgrade equipment at their own expense, Flock Safety provides installation, maintenance, software updates, and equipment replacement through its annual service agreement. In 2021, the City entered into a contract for 10 cameras at an annual cost of $25,000. Since that time, the program has become a valuable law enforcement resource, supporting both crime prevention initiatives and criminal investigations.

Flock cameras do not record video. Instead, they capture still images of passing vehicles, including license plate information along with the date, time, and GPS location of the observation. The cameras do not identify vehicle occupants. License plate information is compared against records maintained through the FBI's National Crime Information Center (NCIC), including entries related to stolen vehicles, wanted individuals, and missing persons. Officers are alerted only when a vehicle associated with one of these categories is detected.

Privacy considerations were a significant factor in the decision to partner with Flock Safety. The system retains data for only 30 days and utilizes information that is already publicly available through vehicle registration records and law enforcement databases. Flock does not access personal communications, financial records, internet browsing history, email accounts, social media profiles, cellphone content, or GPS data from personal devices. Its purpose is limited to identifying vehicles associated with criminal investigations, stolen vehicles, wanted persons, and missing persons.

In today's digital environment, many individuals routinely share personal information through social media platforms, mobile applications, internet searches, and wireless devices. Many of these services collect, analyze, and utilize personal information to provide targeted advertising, customized content, and other commercial services. By comparison, Flock Safety's access is limited to publicly available vehicle information and data entered by law enforcement agencies into established criminal justice databases. The system does not access an individual's online activity, private communications, social media accounts, search history, or digital footprint.

It is also important to understand what Flock Safety does not do. The system does not actively track people, monitor movements in real time, or continuously follow a vehicle's location. Rather, it captures a still image only when a vehicle passes a fixed camera location, creating a single point of reference tied to a date, time, and location. Any information retained by the system is subject to strict retention limits and departmental oversight. He stated he believes this approach strikes an appropriate balance between leveraging technology to improve public safety and protecting the privacy and civil liberties of our residents.

In addition to generating real-time alerts, Flock Safety provides valuable investigative capabilities. Detectives can identify vehicles connected to criminal investigations and determine where those vehicles were observed before and after an incident. This information has proven instrumental in developing leads, locating suspects, and advancing investigations more quickly and effectively.

The mission of the Willoughby Police Department is to provide a safe environment for residents, businesses, and visitors. Flock Safety is one of many tools that assists the department in preventing crime, apprehending offenders, and enhancing public safety throughout the community.

From time to time, Flock Safety has been described as a surveillance system; however, that characterization is inaccurate. The cameras do not continuously monitor individuals, provide live video feeds, or track a person's movements in real time. They simply capture still images of vehicles as they pass a fixed location. This differs significantly from traditional surveillance activities, which involve the active observation of individuals, vehicles, or locations over a period of time.

Following the success of the initial deployment, the City expanded its partnership with Flock Safety in 2023 by adding pan-tilt-zoom cameras in downtown Willoughby. These

cameras have enhanced officer safety, improved situational awareness during incidents, and provided valuable evidence in criminal investigations. Through a five-year agreement, the City maintained favorable pricing while increasing the number of cameras from 10 to 14, raising the annual investment from $25,000 to $36,000.

The results of the program have been substantial. In 2026 alone, the department received 63 Flock alerts that contributed to 57 criminal arrests, the recovery of eight stolen vehicles, and the seizure of two firearms. These outcomes reflect not only the effectiveness of the technology but also the dedication and professionalism of the department's officers who utilize it as part of their daily operations.

Several recent cases demonstrate the practical value of the system. On March 31, 2026, a stolen vehicle reported out of Cleveland was identified through a Flock alert. Officers located the vehicle in Willoughby, arrested the suspects, and returned the vehicle to its owner. On April 9, 2026, following a shots-fired incident near Parkway Apartments, officers used a partial license plate number and vehicle description to identify the suspect vehicle through Flock. The investigation led to the recovery of an AR-15 rifle and ammunition and resulted in multiple arrests. On May 7, 2026, after a suspect fled from a traffic stop, officers safely terminated the pursuit due to public safety concerns. Flock data later enabled investigators to locate and arrest the individual on felony fleeing and eluding charges. In September 2026, Flock technology assisted investigators in tracking a suspect accused of unlawful sexual assault with a minor as he traveled through multiple states, leading to his arrest within 24 hours. Similarly, following a shooting near Pranzo Restaurant in July 2024, investigators used Flock data to track a suspect vehicle into Indiana, where the suspect was located, arrested, and ultimately convicted.

Like all law enforcement tools and technologies, Flock Safety is governed by established policies, procedures, and accountability measures. The department's ALPR policies are developed through Lexipol and provide clear standards regarding access, use, data retention, and oversight. Any misuse of department resources or violations of policy are thoroughly investigated, and appropriate corrective action is taken when necessary. These expectations apply to all equipment issued to officers. The department provides training, establishes clear standards, and trusts its personnel to use departmental resources responsibly and professionally. When violations occur, they are addressed promptly and appropriately. Flock Safety is no different.

Ultimately, the City's decision to partner with Flock Safety reflects the department's commitment to public safety, transparency, operational efficiency, and the protection of individual rights. The technology enhances the department's ability to prevent and investigate crime, improve officer safety, recover stolen property, and apprehend offenders while operating within clearly defined legal, ethical, and policy guidelines. By combining responsible use of technology with strong policies, accountability, and respect for privacy, the department is able to provide officers with effective tools while maintaining the trust and confidence of the community the department serves.

**Chief Building and Zoning Inspector Keller** – Regarding the proposed gas station at the corner of Aquarius Avenue in Ward 2, Mr. Keller stated little activity has occurred in recent months. He stated he and Councilman Kary have remained in regular contact with the property owners. He stated he recently spoke with the owner, who is currently overseas, and confirmed that a contractor has been assigned to the project. Construction is now scheduled to begin on November 2nd. In the meantime, he stated that he and Councilman Kary have been working with the developer to address the unfinished sidewalk area affected by earlier tree removal. The contractor has committed to placing limestone in the area to create a safe, walkable temporary path for residents until construction begins. Although pedestrian detours will eventually be required as work progresses, efforts are being made to maintain accessibility and safety for residents during the interim period. Delays to the project were primarily related to permitting issues; however, the development is now moving forward. Councilman Kary acknowledged concerns raised by residents regarding the sidewalk conditions. He noted that residents had expressed safety concerns, particularly for individuals pushing strollers or otherwise requiring accessible routes.

In response to questions regarding the Everett Woods development on Kirtland Road, Mr. Keller explained that revisions have been made to the approved plans. As a result, the project will return to the Planning Commission and City Council for the EAS approval of the amended plans. He indicated that the changes are not substantial but are significant enough to warrant additional review. The developer is also coordinating with the Fire Department regarding water systems. When asked about the project's housing format, Mr. Keller stated that discussions are ongoing regarding whether the proposed townhouse units will be individually owned or operated as rental units. Based on current information, he believes the units are expected to be individually owned townhomes, although he noted that the matter will be further discussed during the Planning Commission review process.

**Parks & Recreation Director Keller** – Ms. Keller thanked Council for approving the new playground at Daniels Park. She stated winter golf rates will take effect on or about November 1st. Due to seasonal frost conditions, the golf course is currently opening at 9:00 a.m.; however, frost delays are preventing golfers from accessing the course until approximately 10:00 to 10:15 a.m.

She stated the Pumpkin Chunkin' event is scheduled to begin at approximately 10:00 a.m. and currently has five teams registered. The annual Trick-or-Treat Trail will take place from noon to 1:30 p.m. Mr. Kary asked about the electronic sign at Osborne Park. Ms. Keller stated that installation is currently estimated for the last week of November.

**Finance Director Hoffman** – Ms. Hoffman thanked Council for the passage of Resolution No. 2026-131. She stated she anticipates bringing forward one additional round of budget adjustments before the end of the year. She is pleased to report that department directors have done an excellent job managing expenditures and remaining within their approved budgets. Looking ahead, the 2027 budget preparation process will begin shortly, with budget packets scheduled to be distributed to departments within the next 10 days.

**Parks & Recreation Committee, Ms. Sievers** – Ms. Sievers reported there will be a committee meeting on November 3rd.

**Personnel Committee, Ms. Sievers** – No report.

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

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

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

**Planning Commission, Mr. Kary** – No report.

**CORRESPONDENCE:** No correspondence.

**PUBLIC PORTION:**
**Heath Wenzel, 4404 River Street, Willoughby** – See Exhibit A.

**Motion made by Mr. Anderson and seconded by Mr. Luciano 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 excepting Resolution No. 2026-130.**

Roll Call 6 yes
0 no Motion carried 6 to 0

**NEW BUSINESS:**

**RESOLUTION NO. 2026-126**
**A resolution authorizing the extension of a Temporary Moratorium on the acceptance, processing, or approval of any application for Gasoline Stations or Automobile Service Stations within the City of Willoughby for an additional six (6) months after the effective date of this resolution, and declaring an emergency.**

Motion made by Mr. Luciano and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2026-126 be declared an emergency measure.

Roll Call 6 yes
0 no Motion carried 6 to 0

Motion made by Mr. Luciano and seconded by Ms. Sievers to adopt Resolution No. 2026-126.

Roll Call 6 yes
0 no Motion carried 6 to 0

**COUNCILMEN REPORTS**

**Ms. Sievers** – No report.

**Mr. Kary** – No report.

**Mr. Tomaselli** – No report.

**Mr. Luciano** – No report.

**Mr. Garry** – No report.

**Mr. Anderson** – No report.

**Mr. Carr** – Absent.

*The Regular Council Meeting adjourned at 7:58 p.m.*

Date approved 11-17-2026

John Tomaselli, Vice President

Clerk of Council

Robert A. Fiala, Mayor

Exhibit A

# PUBLIC COMMENT | FLOCK SURVEILLANCE PROGRAM

Heath Wenzel | Willoughby City Council | October 20, 2026

Good evening, members of Council.

At our last meeting, I raised concerns about Willoughby's participation in the Flock surveillance network. Tonight, I'd like to focus on a practical question: What problem are we trying to solve, what are the measurable benefits, and what are the costs and risks?

First, I'd like to acknowledge Councilman Tomaselli for recommending the removal of the emergency clause from Ordinance 2026-122. I appreciated that. Government should be willing to question whether extraordinary measures are necessary when ordinary procedures are sufficient.

Now, regarding Flock.

I recognize that this technology may help law enforcement solve crimes. That's a legitimate benefit, and one we should take seriously. **But good intentions are not the same as good policy.**

Every government decision involves trade-offs. We need to consider not only what we hope to accomplish, but what we're willing to sacrifice and what unintended consequences may follow.

Flock is not simply a collection of cameras. It's part of a much larger, interconnected surveillance network. And that raises a fundamental question: **Does Willoughby have the authority, resources, and technical ability to independently oversee the system it has adopted?**

We can establish policies, create guidelines, and promise residents their information is protected. **But policies are promises. Oversight determines whether those promises are kept.**

There's also the question of incentives. Once government acquires the ability to collect information, what prevents that information from eventually being used for purposes beyond those originally intended? Who monitors that expansion? Who enforces the limitations? And who's accountable when those limitations fail?

I have three questions for Council:

1. Can the City independently verify who accesses Flock data, what searches are conducted, and whether restrictions are being followed?
2. Who investigates violations, and what specific consequences apply when safeguards fail?
3. Will Council formally evaluate whether the measurable public-safety benefits justify the financial costs, privacy implications, and long-term risks of participating in this network, including whether less intrusive alternatives exist?

At our previous meeting, I requested a Public Safety Committee hearing, annual transparency reporting, and Council review before any renewal or expansion. I'd appreciate an update on those requests.

I'm not questioning the intentions of our police officers. I'm questioning whether any system involving this level of information gathering can reliably remain within its intended limits over time.

I believe public policy should be judged by results, not intentions. And I believe the responsibility for demonstrating that this program is necessary, effective, and appropriately controlled belongs to the government that chose to implement it.

The people of Willoughby deserve that level of accountability before participation in this network becomes routine and increasingly difficult to reverse.

Thank you.

**Submission request:** Please retain this statement with the October 20, 2026 Council meeting records and provide the status of the three previously requested actions.