

# MINUTES REGULAR COUNCIL MEETING

7:06 p.m.

December 19, 2023

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on December 15, 2023.

## ROLL CALL

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

**Others Present:** Mayor Fiala, Law Director Lucas, City Engineer Lannon, Fire Chief Ungar, Police Chief Schultz, Chief Building & Zoning Inspector Puskas, Parks & Recreation Director Keller, Finance Director Hoffman, Economic Development Director Thielman, Clerk Novak

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

## Approval of Minutes

Motion made and seconded to approve the Regular Council Meeting Minutes of December 5, 2023.

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 – Reported a meeting took place this evening where Lake County Auditor Christopher Galloway gave Council information regarding Residential Incentive Districts (RIDs) and Tax Increment Financing (TIFs).

Environmental Planning Committee, Mr. Kary – Reported the committee met earlier this evening to address an EAS for the Lake County Executive Report.

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

Parks & Recreation Committee, Ms. Sievers – No report.

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Dan Anderson – No report.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – No report.

**CORRESPONDENCE:** Clerk Novak read a request for a D5I liquor license permit for Julias at WH LLC, 37819 Euclid Avenue, Willoughby, OH 44094. Mr. Carr noted this is the new restaurant at the Willoughby House. Mayor Fiala said this is a special license that cannot be transferred. Mr. Thielman noted that with a D5I permit, the establishment has to have a certain number of seats in a restaurant and square footage and a certain amount of revenue needs to come from food as opposed to beverages. This license is not transferable; it must stay at that location. There were no objections.

**PUBLIC PORTION: Brent Woerner, American Legion Post 214, Pelton Road, Willoughby, Ohio** – On behalf of the American Legion and Wreaths Across America, Mr. Woerner thanked the City for their participation in placing wreaths.

**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

**UNFINISHED BUSINESS:**

**ORDINANCE NO. 2023-146 - Tabled**

**An ordinance agreeing to change portions of the boundary of the City of Willoughby with the Village of Waite Hill, and superseding Ordinance No. 2023-6.**

**NEW BUSINESS:**

**RESOLUTION NO. 2023-147**

**A resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies, certifying the 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. 2023-147 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-147.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**RESOLUTION NO. 2023-148**

**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. 2023-148 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-148.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2023-149**

**A resolution amending Resolution No. 2023-44 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2023, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-149 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-149.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2023-150**

**A resolution authorizing temporary appropriations totaling \$28,711,665 for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending March 31, 2024, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-150 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-150.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2023-151**

**A resolution approving Change Order No. 2 in the Willoughby Osborne Park Coastal Improvements Project with SmithGroup, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-151 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-151.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2023-152**

**A resolution approving EAS #14-10-23 for tree clearing and earthwork of approximately 5.3 acres and construction of asphalt pavement and storm sewers for a T-Hangar on land located at Lake County Executive Airport.**

Motion made and seconded to adopt Resolution No. 2023-152.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2023-153**

**A resolution authorizing the Mayor to accept a Grant through the Ohio Department of Natural Resources (ODNR), to provide Financial Assistance for the engineering and design phase of the Chagrin River Floodplain and Riparian Restoration Project, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-153 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-153.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**MAYOR’S REPORT** – Mayor Fiala reported that a Charter Review Commission will convene in 2024; each Councilperson should submit their appointment to the Commission. He stated legislation will be on the agenda for the first meeting in January for the purchase of radio equipment for the new police facility. There is a long lead time for the equipment and money from the safety levy will be received in January.

**DIRECTOR’S REPORTS**

**Law Director Lucas** – No report. Mr. Lucas wished everyone a Merry Christmas and Happy New Year.

**Service Director Palmisano** – Absent.

**City Engineer Lannon** – No report.

**Fire Chief Ungar** – No report.

Police Chief Schultz – No report.

Chief Building and Zoning Inspector Puskas – No report.

Parks & Recreation Director Keller – No report. Mr. Carr asked if there were any comments from the public about the closing of the Euclid Avenue pool. She stated a few parents of children who worked at the pools commented they thought it was sad the pool would be closing. Ms. Keller stated she is ready to start talking about the options for the pool.

Finance Director Hoffman – No report.

**COUNCILMEN REPORTS**

Ms. Sievers – Ms. Sievers thanked the American Legion and Bill Dittebrand for his presentation for Wreaths Across America at the Willoughby Memorial Gardens.

Mr. Kary – No report.

Mr. Tomaselli – No report. Mr. Tomaselli thanked Judean Keller, Chief Schultz and Rich Palmisano for assisting with the Miracle on Erie 5K run.

Mr. Merhar – No report. Mr. Merhar wished everyone a Merry Christmas.

Mr. Garry – No report. Mr. Garry wished everyone Happy Holidays.

Mr. Anderson – No report. Mr. Anderson wished everyone Happy Holidays. Mr. Anderson asked Chief Schultz if overnight parking will be permitted on New Years Eve. Chief Schultz stated that will be discussed and information will be passed along if it will be permitted.

Mr. Carr – No report. Mr. Carr wished everyone a Merry Christmas and Happy Holidays.

Motion made and seconded to go into Executive Session in accordance with ORC 121.22(G)2 to discuss the sale of property at 7:32 p.m. Mr. Dru Siley and Mr. Justin Gantz from Liberty Development Group were invited to participate in the Executive Session.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

The Council meeting reconvened at 8:14 p.m.

*The Regular Council Meeting adjourned at 8:14 p.m.*

Date approved 11/16/24

*Adam Nosa*

Clerk of Council

*Robert A. Fiala*

Robert A. Fiala Mayor

*Robert E. Carr*

Robert E. Carr, President