

# MINUTES REGULAR COUNCIL MEETING

7:01 p.m.

December 20, 2022

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on December 16, 2022.

## ROLL CALL

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

**Others Present:** Mayor Fiala, Law Director Lucas, Service Director Palmisano, Assistant City Engineer Cyvas, Fire Chief Ungar, Police Chief Schultz, Parks & Rec Director Keller, Finance Director Bosley, Deputy Finance Director Hoffman, Clerk Novak

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

## Approval of Minutes

Motion made and seconded to approve the Regular Meeting Minutes of December 6, 2022.

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 – No report.

Environmental Planning Committee, Mr. Kary – Reported there was committee meeting tonight to review EAS #16-8-22.

Finance and Audit Committee, Mr. Tomaselli – Reported four items on the agenda.

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – Reported two items on the agenda this evening.

Service Committee, Mr. Anderson – No report.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – No report.

**CORRESPONDENCE:** No correspondence.

**PUBLIC PORTION:**

**Zachary Zabata, (stated his mother-in-law lives at 5329 Nan Linn Drive) –** Mr. Zabata said his stepson attends Edison Elementary and he currently maintains one of the pads where one of the crossing guards stand for Edison Elementary. He said the pad is very slippery when it snows. The pad gets salted on one side but not the other and he is concerned about getting children to school safely. He said he has witnessed snowplows plowing snow onto sidewalks in Ridge Acres. Service Director Palmisano said if he has concerns during the snow season to call the Service Department. Mr. Zabata said he called twice last year with no resolution.

**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:**

**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:**

**ORDINANCE NO. 2022-160**

**An ordinance authorizing Amendment No. 1 to Ordinance No. 2022-114, the Manning & Payroll Ordinance, relative to the Division of Police, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-160 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-160.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**ORDINANCE NO. 2022-161**

**An ordinance authorizing Amendment No. 2 to Ordinance No. 2022-114, the Manning & Payroll Ordinance, relative to uniform maintenance, firearm proficiency allowances, and service weapons, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2022-161 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2022-161.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2022-162**

**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. 2022-162 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-162.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2022-163 - Amended**

**A resolution amending Resolution No. 2022-37 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 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. 2022-163 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-163 as amended.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

#### **RESOLUTION NO. 2022-164**

**A resolution authorizing temporary appropriations totaling \$20,433,622.00 for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending March 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. 2022-164 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-164.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-165**

**A resolution declaring it necessary to levy an additional tax levy for the purpose of (I) providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications and the purchase of ambulance equipment, and (II) providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a Police Department, pursuant to Sections 5705.03 and 5705.19(JJ) of the Revised Code, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-165 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-165.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-166**

**A resolution authorizing the Mayor to enter into a lease agreement with Meister Media Worldwide, Inc. for use of a city-owned commercial building located at 37733 Euclid Avenue, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2022-166 be declared an emergency measure.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2022-166.

Roll Call      7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-167**

**A resolution approving EAS #16-8-22 for the construction of a three (3) unit townhome, four (4) unit townhome, two (2) duplex units and one (1) triplex unit located on Center and River Streets (The Enclave at Literary Point formerly known as a portion of Willoughby Union Point).**

Motion made and seconded to adopt Resolution No. 2022-167.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2022-168**

**A resolution honoring Finance Director Diane Bosley and commending her for her 27 plus years of service to the City of Willoughby.**

Mayor Fiala read this resolution in its entirety.

Motion made and seconded to adopt Resolution No. 2022-168.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**MAYOR'S REPORT** – Mayor Fiala said he wanted to personally thank Finance Director Diane Bosley for everything she has done for him. He never imagined the complexity of the City finances; he said she always took the time and had the patience to walk him through some very challenging accounting principles. At Council's request, administration identified six possible dates for public meetings regarding the safety levy and will be sent to Council tomorrow.

**DIRECTOR'S REPORTS**

**Law Director Lucas** – Mr. Lucas wished everyone a happy holiday season. He said he wanted to thank Diane Bosley for her guidance and assistance that she constantly provided to the Law Department.

**Service Director Palmisano** – Mr. Palmisano congratulated Diane Bosley on her retirement and the guidance and assistance she provided over the years. Mr. Anderson said he had a few residents who asked when the City would be back to collect leaves; he informed them that leaf pick up was complete. He asked if during the next garbage and lawn waste pick up negotiations, the City could request lawn waste pick up through December so residents have an option after leaf pick up is complete. Mr. Palmisano said he is already working on that and would like it extended through December 15<sup>th</sup>.

**Assistant City Engineer Cyvas** – Ms. Cyvas congratulated Diane Bosley on her retirement.

**Fire Chief Ungar** – Chief Ungar thanked Diane Bosley for being patient with him while learning about his department budget. He congratulated her on her retirement. Regarding the upcoming storm, he said he will send out the information from the Emergency Management Agency closer to the storm.

**Police Chief Schultz** – Chief Schultz congratulated Diane Bosley on her retirement. He thanked Council for the passage of Ordinance 2022-160. Chief Schultz thanked the community for supporting the Stuff the Cruiser and Toys for Tots events this year.

**Building Inspector Keller** – Absent.

**Parks & Recreation Director Keller** – Ms. Keller thanked Diane Bosley. She thanked the Fire and Police Departments for their help with the Santa Parade this past weekend.

**Finance Director Bosley** – Ms. Bosley said she cannot think of a better place to work. She is grateful she was given the opportunity to work for the City as well as a resident. She trusts that administration and Council and particularly the Finance Department will continue in the same stead. She thanked her husband for being able to spend 15 years at home with her children prior to working for the City.

## COUNCILMEN REPORTS

**Ms. Sievers** – Ms. Sievers congratulated Diane Bosley on her retirement.

**Mr. Kary** – Mr. Kary said Diane Bosley should be really proud of all her accomplishments. He said he enjoyed running into Diane at City events; always with a smile on her face.

**Mr. Tomaselli** – Mr. Tomaselli said he echoed everyone's sentiments regarding Diane Bosley. He said when he became chair of the Finance Committee, he said he didn't know what he was getting into. He thanked her for her patience with him.

**Clerk Novak** – Ms. Novak wished Diane Bosley a happy retirement. She said it's been an honor and privilege to work with her.

**Mr. Merhar** – Mr. Merhar congratulated Diane Bosley on her retirement. He wished everyone a Merry Christmas.

**Mr. Garry** – Mr. Garry congratulated Diane Bosley on her retirement. He wished everyone a Merry Christmas and Happy New Year.

**Mr. Anderson** – Mr. Anderson congratulated Diane Bosley on her retirement.

**Mr. Carr** – Mr. Carr wished everyone a happy holiday and congratulated Diane Bosley on her retirement.

Motion made and seconded to hold an Executive Session to review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment in accordance with ORC 121.22(G)4 at 7:36 p.m.

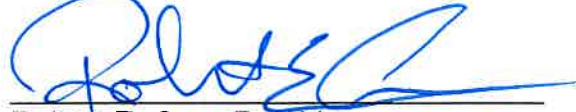
Roll Call            7 yes  
                          0 no

Motion carried 7 to 0

The public portion of the meeting reconvened at 8:13 p.m.

The Regular Council Meeting adjourned at 8:13 p.m.

Date approved 1/17/23



Robert E. Carr, President



Clerk of Council



Robert A. Fiala, Mayor