

MINUTES REGULAR COUNCIL MEETING

7:11 p.m.

February 7, 2023

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on February 3, 2023.

ROLL CALL

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

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 & Recreation Director Keller, Finance Director Hoffman, Clerk Novak

The meeting was led in Prayer and Pledge of Allegiance by Councilwoman Sievers.

Approval of Minutes

Motion made and seconded to approve the Regular Council Meeting Minutes of January 17, 2023.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – Regarding ward meetings, Mr. Carr said ward meetings will take place in March and new dates and locations will be sent out tomorrow. He said if it works with everyone's calendar, the May meetings will be moved to the 2nd and 4th Tuesday because the 1st Tuesday of May is election day.

Economic Development Committee, Mr. Anderson – No report.

Environmental Planning Committee, Mr. Kary – Reported there was a committee meeting tonight to review EAS #4-3-22 for Dollar Tree.

Finance and Audit Committee, Mr. Tomaselli – Reported there was a committee meeting tonight to discuss the disbursement of ARPA funds.

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Dan Anderson – Reported there will be a committee meeting on February 21st to give a storm water project update. A field trip to review projects will be held on another day.

WPCC Committee, Mr. Garry – Reported the WPCC joint annual meeting will be held on March 8th at 6:00 p.m. at Eastlake City Hall.

Planning Commission, Mr. Kary – 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 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:

RESOLUTION NO. 2023-12

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 May 31, 2023.

Motion made and seconded to adopt Resolution No. 2023-12.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-13

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 Willoughby-Eastlake Water Pollution Control Center, within such time period parameters from twelve (12) to thirty-six (36) months, commencing June 20, 2023.

Motion made and seconded to adopt Resolution No. 2023-13.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-14

A resolution declaring the official intent and reasonable expectation of the City of Willoughby, on behalf of the State of Ohio, to reimburse its Storm Water Capital Fund for the CG41Y/CG42Y, Meadowlands Basin Storm Sewer Improvements, with the proceeds of tax exempt debt of the State of Ohio, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-14 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-14.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-15

A resolution approving EAS #4-3-22 for remodeling of the existing building located at 38000 Euclid Avenue (Dollar Tree).

Motion made and seconded to table Resolution No. 2023-15.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2023-16

An ordinance accepting the final plat for Andrews Ridge Phase 1 subdivision, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2023-16 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Ordinance No. 2023-16.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-17

A resolution approving Change Order No. 1-Final in the 2022 Concrete Pavement Slab Replacement Project with T.C. Construction Co., Inc., and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-17 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-17.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-18

A resolution authorizing the Mayor to enter into a second amendment to the purchase agreement between the City of Willoughby and Liberty Development Company, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-18 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-18.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-19

A resolution authorizing an expenditure of \$64,762.00 for the purchase of one (1) 2023 GMC Sierra 3500HD Stakebody from Classic Auto Group, for use by the Street Department, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-19 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-19.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-20

A resolution declaring the official intent and reasonable expectation of the City of Willoughby, on behalf of the State of Ohio, to reimburse its Storm Water Capital Fund for the CG36Z/CG37Z, Nason Basin to Grove Ave Storm Sewer Phase 1, with the proceeds of tax exempt debt of the State of Ohio, and declaring an emergency.

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-20 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made and seconded to adopt Resolution No. 2023-20.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2023-21

A resolution authorizing a temporary moratorium on the approval of any application for premises to be occupied by and used, in total or in part, for the sale and consumption on site of Kava, Kratom, Delta 8-THC and/or Delta 9-THC; and further temporarily prohibiting any such similar use permit, license, variance or development plan approval for said facilities within the City of Willoughby for one year after the effective date of this resolution, and declaring an emergency.

Motion made and seconded to table Resolution No. 2023-21.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – No report. Mr. Tomaselli asked about the firm that will be guiding the safety levy campaign committee. Mayor Fiala said a strategy group has been engaged; they will help the administration create a message (information on the levy will be on the website soon). This group will also meet with the campaign committee tomorrow. He said the City can only communicate the facts with regard to the levy. A campaign treasurer still needs to be identified.

DIRECTOR'S REPORTS

Law Director Lucas – No report.

Service Director Palmisano – Mr. Palmisano thanked Council for the passage of Resolution 2023-19. Mr. Carr asked about the salt usage this year. Mr. Palmisano said the City just received their second order of 1,000 tons; 2,000 tons have been delivered so far. He said the City is obligated for 80% of the order which is 4,500 tons and the City has 2,500 tons more to go with plenty of winter left. Stockpiled salt will be stored on a flat surface with a tarp over it.

City Engineer Lannon – Regarding a traffic study that was discussed a few weeks back, he said a new traffic study will update information on the Lost Nation Road corridor and Hodgson Road intersection where there is a warranted signal as well as other intersections with heavy traffic such as Tamarac and Atkins. Cost estimates will be updated for Hodgson (including relocation) and grant applications will be looked at. In addition, he said they are looking at the Maplegrove and Rt. 91 intersection where there is some confusion at times. Mr. Anderson asked what would happen if the City put a signal up where it wasn't warranted. Mr. Lannon

said there are other ways to warrant a signal that could be enforced. Mr. Kary asked about a timeline for the traffic study; Mr. Lannon said a few months.

Fire Chief Ungar – No report.

Police Chief Schultz – Chief Schultz gave a report on recent events taking place in the City including a high-speed chase by two minors at 2 a.m. Both teens were apprehended without incident. He said as always the incident was handled with respect and dignity with the mission to always keep the City safe. He said the same night, 7 vehicles were stolen from a business in the City. He said one of our detectives located one of the stolen vehicles in Cleveland. The detective bureau continues to follow up on leads in the stolen vehicles. He said his department continues to provide the community with crime prevention tips.

Building Inspector Keller – Mr. Keller reported that Chick-fil-A is back open. Aldi will be opening within the next week.

Parks & Recreation Director Keller – No report.

Finance Director Hoffman – No report.

COUNCILMEN REPORTS

Ms. Sievers – Reported there was a meeting last Tuesday where the community at large was overwhelmingly concerned about a proposition at McKinley Center that is no longer going to be an opportunity there. She thanked the Mayor for the proposed allocation of ARPA funds for her ward; she said her residents will feel appreciated.

Mr. Kary – No report. Mr. Kary said the City needs to remove the stigma surrounding the north end (Lakefront District) of Willoughby.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

Mr. Garry – No report.



Mr. Anderson – No report.

Mr. Carr – No report.

The Regular Council Meeting adjourned at 7:50 p.m.

Date approved 2/21/23


Robert E. Carr, President


Clerk of Council

Robert A. Fiala, Mayor