

# MINUTES REGULAR COUNCIL MEETING

7:09 p.m.

April 1, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on March 28, 2025.

## ROLL CALL

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

**Others Present:** Mayor Fiala, Law Director Lucas, Service Director Palmisano, 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 Tomaselli.

## Approval of Minutes

Motion made by Mr. Garry and seconded by Mr. Anderson to approve the Regular Council Meeting Minutes of March 18, 2025.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

## STANDING AND REGULAR COMMITTEE REPORTS

**Committee of Full, Mr. Carr** – Mr. Carr stated there was a meeting this evening to discuss Mayor and Council salaries. He thanked Councilmen Tomaselli and Merhar for providing the information for the discussion.

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

**Environmental Planning Committee, Mr. Kary** – Reported that three EAS's were discussed this evening and the committee is recommending passage of all three.

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

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

**Personnel Committee, Mr. Merhar** – 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:**

**Andy Rattray, 37942 Sharpe Avenue, Willoughby** – Mr. Rattray voiced concerns about the back side of the building at the corner of Clark Avenue and Sharpe Avenue. He stated it looks awful; there is a wall that is really beat up and an open dumpster. Mr. Rattray gave pictures to Chief Building and Zoning Inspector Keller. Mr. Keller will take a look at the building.

**Gregg Patt, 38005 Brown Avenue, Willoughby** – Mr. Patt stated that his daughter lives in Carmel, Indiana. Carmel, Indiana has the most roundabouts in the world (140). He stated he’s driven through a lot of them and recommends them. He stated you cannot speed through a roundabout.

**Motion made by Mr. Tomaselli and seconded by Ms. Sievers 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

**NEW BUSINESS:**

**ORDINANCE NO. 2025-32**

**An ordinance authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation (ODOT) and requesting the cooperation of the Director of the Ohio Department of Transportation to resurface Bishop Road/Ridge Road (SR-84) from the City’s Western Corporation Line to SOM Center Road in the City of Willoughby, Lake County, Ohio, and declaring an emergency.**

Motion made by Mr. Anderson and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-32 be declared an emergency measure.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

Motion made by Mr. Anderson and seconded by Mr. Garry to adopt Ordinance No. 2025-32.

Roll Call      7 yes  
                    0 no

Motion carried 7 to 0

**RESOLUTION NO. 2025-33**

**A resolution authorizing the Mayor to enter into a contract with Trax Construction Co. in the amount of \$5,655,549.00 for implementation of the Nason Basin to Grove Avenue Storm Sewer Phase 1, and declaring an emergency.**

Motion made by Mr. Tomaselli and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-33 be declared an emergency measure.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

Motion made by Mr. Tomaselli and seconded by Ms. Sievers to adopt Resolution No. 2025-33.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2025-34**

**A resolution approving EAS #5-2-25 for construction of nine (9) townhomes located at 25 Public Square (The Villas at Union Pointe).**

Motion made by Mr. Kary and seconded by Mr. Merhar to adopt Resolution No. 2025-34.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2025-35**

**A resolution approving EAS #6-2-25 for use of the entire premises for food and beverage consumption along with occasional events located at 37903 Euclid Avenue (The Charlton Abbott Building).**

Motion made by Mr. Kary and seconded by Mr. Anderson to adopt Resolution No. 2025-35.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2025-36**

**A resolution approving EAS #7-2-25 for construction of a drive thru coffee business located at 35091 Euclid Avenue (Motley 7 Brew).**

Motion made by Mr. Kary and seconded by Mr. Garry to adopt Resolution No. 2025-36.

Roll Call     7 yes  
                  0 no

Motion carried 7 to 0

**RESOLUTION NO. 2025-37**

**A resolution authorizing the Mayor to enter into an agreement with SmithGroup Architects & Landscape Architects, PLLC (SmithGroup) in the amount of \$113,000 to provide updated construction drawings and contract administration services for the Osborne Park Construction Phase 1, 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. 2025-37 be declared an emergency measure.

Roll Call 7 yes  
0 no

Motion carried 7 to 0

Motion made by Ms. Sievers and seconded by Mr. Anderson to adopt Resolution No. 2025-37.

Roll Call 7 yes  
0 no

Motion carried 7 to 0

**MOTION OF SUPPORT**

Motion in support for pursuing funding for Lost Nation Road traffic and safety improvements.

Roll Call 7 yes  
0 no

Motion carried 7 to 0

**MAYOR’S REPORT** – Mayor Fiala reported that after a lot of hard work, the contracts for the new Police Station have been executed and a preconstruction meeting will be held next Tuesday, April 8<sup>th</sup> at 1:00 p.m. He will be asking for the schedule of activities and also cash flow projections so the City is aware when they will be requesting payments.

**DIRECTOR’S REPORTS**

**Law Director Lucas** – Regarding the federal litigation for the skeet shooting at Kirtland Country Club, Mr. Lucas stated that several past and present members of the Planning Commission had been named individually in that lawsuit. He stated the insurance defense council did a terrific job with the case and judgement entries were received for all the issues in favor of all defendants. Regarding the sidewalks on Rt. 91, Mr. Carr asked where that stood. Mr. Lucas stated that a resolution of necessity will be on the next council agenda.

**Service Director Palmisano** – Mr. Palmisano thanked Council for the passage of Ordinance No. 2025-32 and Resolution No. 2025-33. In light of the recent accident at the end of Lost Nation Road, Ms. Sievers asked if the guardrail would be reconstructed in front of Witz End. She asked if there were additional measures that could be put in place to protect the property. Mr. Palmisano stated that a meeting took place with an ODOT engineer, City Engineer Lannon and a traffic engineer from Verdantas. He stated several changes will be implemented; the guardrail will be extended 12 feet so cabling can go through it. Reflective striping or sheeting will be placed on the guardrail. The flowers will be removed as they feel they are a distraction. Another individual light head will be installed to the left and backplates will be installed around the lights. An arrow sign will be installed behind the guardrail. Mr. Palmisano stated you can’t put anything permanent there; it must be a break away structure. Mr. Anderson asked how much salt was used this year. Mr. Palmisano stated tentatively about 4,000 to 5,000 tons; there is approximately 1,000 to 1,200 tons remaining

**City Engineer Lannon** – Absent.

**Fire Chief Ungar** – Chief Ungar reported that the ladder truck isn’t in the production schedule for 2025 or the first quarter of 2026; it is a year behind schedule. He stated that most manufacturers are out three to four years. The ambulance will be taken to Columbus the week of May 12<sup>th</sup>; that will be a three month turnaround.

Police Chief Schultz – No report.

Chief Building and Zoning Inspector Keller – No report.

Parks & Recreation Director Keller – Ms. Keller stated the pool survey went out on Friday and it went up on Facebook on Monday. Currently there are 734 survey results.

Finance Director Hoffman – No report.

**COUNCILMEN REPORTS**

Ms. Sievers – No report.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

Mr. Garry – No report.

Mr. Anderson – No report.

Mr. Carr – Mr. Carr stated that the Clerk will send out proposed dates for the summer schedule and the dates for September which may be moved to the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month.

*The Regular Council Meeting adjourned at 7:36 p.m.*

Date approved 4-15-25

John Tomaselli  
John Tomaselli, Vice President

Alisa Kard  
Clerk of Council  
Robert A. Fiala  
Robert A. Fiala, Mayor