

MINUTES REGULAR COUNCIL MEETING

7:15 p.m.

June 10, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on June 6, 2025.

ROLL CALL

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

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 Councilman Kary.

Approval of Minutes

Motion made by Mr. Tomaselli and seconded by Ms. Sievers to approve the Regular Council Meeting Minutes of May 20, 2025.

Roll Call 6 yes

0 no

1 abstain (Anderson)

Motion carried 6 to 0

PUBLIC HEARING:

Clerk Novak read the legal notice for the public hearing to be held tonight on proposed Codified Ordinance text amendments (see attached).

Those Speaking in Favor – Jeffrey Malecki, 1249 S. Beachview, Willoughby, Ohio – Mr. Malecki stated he was in favor of having dispensaries in Ohio. He asks what the City planned on doing with the money.

Those Speaking in Opposition – No one spoke.

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – Regarding the former Pelton Road landfill, Mr. Anderson stated he and Ms. Sievers, Mayor Fiala, Rich Palmisano and Jack Gorka toured the landfill. He stated there is a large parcel that the City can't build anything on, but there is a company that would like to place solar panels on that parcel. Ms. Sievers stated it could be a great mountain bike park. There is enough room for the solar panels and a park. Mr. Palmisano stated that there is a solar panel company that would like to come in and give a presentation. Mr. Anderson commented that the money from the solar panels could be used for the road program or to maintain the park. There will be a committee meeting prior to the next Council meeting with a presentation on solar panels.

Economic Development Committee, Mr. Anderson – No report.

Environmental Planning Committee, Mr. Kary – No report.

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 – Regarding a petition circulating regarding the elimination of property taxes in the state of Ohio, Mr. Anderson stated that if passed, this would affect the school system the hardest and also city services.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – No report.

CORRESPONDENCE: Clerk Novak read a request from the Ohio Division of Liquor Control for a D1 liquor permit for Ohio Springs, Inc. dba Sheetz 731, 4145 SR306, Willoughby, Ohio 44094. Mr. Tomaselli stated this permit would allow for on premise consumption. Following discussion, Council agreed that the Mayor will do some research on the permit so the City can act by the deadline of June 23rd.

PUBLIC PORTION:

Terry Ricker, 1147 Windermere, Willoughby, Ohio – Ms. Ricker stated she is at the meeting tonight due to the proposed McKinley Outreach development. Ms. Ricker asked what an NEO is. She asked who would be living in the development. She stated she lives right next door to McKinley; the grass is long; there is garbage and old pallets on the property. She stated it's open 3 days a week to pass out food and it's closed the rest of the week. She stated she is concerned about being able to sell her house with the new development next door. She asked if the development will be Section 8 housing.

Mr. Carr asked Mayor Fiala to share information he had on the development. Mayor Fiala stated that the developers have not informed the City who will be living there. He said the City isn't able to ask that question due to fair housing laws. He stated that extended housing has purchased an option on the property but they haven't done that yet and they won't unless the development is approved. As he stated at the recent Ward 1 meeting, the development appears to meet the zoning code in its strictest interpretation which means there is no public hearing at the Planning Commission. Mayor Fiala stated he does not support the project. He voiced concerns about engineering, safety and traffic issues with the project. Ms. Ricker stated that Windermere is now a cut through street and people speed down it. Mr. Carr stated that the Mayor has shared with Council his opposition to the project as well as to the Planning Commission. Mr. Kary assured the residents in attendance that the Planning Commission will thoroughly review all elements of the project including land use, sanitary sewer, storm water, etc. Mr. Kary asked the residents to respect the Planning Commission on Thursday; the Commission cannot ask what type of residents that will be living there due to discrimination laws.

Chuck Steadman, 1196 S. Beachview, Willoughby, Ohio – Mr. Steadman stated that if the sanitary issues comply, he suggested having the McKinley Center torn down and have a cul-de-sac and develop a new community that will bring up property values for everyone

Bill Collins, 38409 South Beachview, Willoughby, Ohio – Mr. Collins stated he is very much against the development for reasons that have already been stated. He stated that NEO means low income and was stated in a letter dated April 30th from LDA (architect for the project). Mr. Collins submitted signatures from residents against the Windermere Project. Mr. Collins asked why letters weren't sent out to residents this time about the project. Mr. Carr stated that there is no variance or public hearing involved so it's not required. Mr. Collins asked if the community could request a meeting with the Planning Commission regarding the project. Law Director Lucas stated there is no requirement or authorization for the Planning Commission to have a public meeting regarding an issue that is being presented in accordance with the codified ordinances. Once the applicant has presented their project and there are discrepancies in meeting the code, the Planning Commission could reject the project because it doesn't meet the code or they could ask for more information or they could continue the discussion regarding the project to the next Planning Commission meeting in order for the applicant to bring in additional information that is required. Mr. Collins asked if he could request a copy of the project plans. Mr. Lucas stated he can make a public records request to obtain those documents.

Jeffrey Malecki, 1249 S. Beachview, Willoughby, Ohio – Mr. Malecki stated that Council has the final say in the matter of the proposed development. Mr. Malecki questioned the zoning for the development stating it will be a burden on the area.

Rochelle Davis, 38397 S. Beachview, Willoughby, Ohio – Ms. Davis stated that she looked up the developer and it's her understanding that they do Section 8 housing, therefore, she believes that is their intention. She stated that there is a substance abuse facility nearby and next to that is a mental health in-patient facility that treats serious mental health disorders. If the new development is Section 8, it would be within walking distance of these facilities. She voiced concerns about the elementary school in the area. She asked how the Police Department felt about the proposed development. She stated that crime rate will go up.

Susan Steadman, 1196 S. Beachview, Willoughby, Ohio – Ms. Steadman stated that million dollar homes are going up near Sunset and a lot of work is going into Osborne Park; she stated the area has great potential. She suggested tearing down McKinley Center and the old Penny Pinchers building and get people in the area that take pride in the neighborhood.

Patsy Weiss, 586 Tioga Trail, Willoughby, Ohio – Regarding the removal of property taxes (mentioned earlier by Mr. Anderson and its effect on city services) Ms. Weiss asked if property taxes were lowered for seniors, how badly would it affect city services. Mr. Anderson stated he didn't know the answer to that question. Mr. Anderson stated the Police and Fire would remain but city services would be cut. Ms. Weiss asked if the new development were built, would the residents pay property taxes. Mayor Fiala stated the development is not for profit, so no property taxes would be paid. She stated that senior citizens such as herself are having a hard time with finances and paying property taxes.

Michael Prah, 1193 S. Beachview, Willoughby, Ohio – Mr. Prah stated he stands behind the previous comments made this evening with regards to the proposed development.

Jeffrey Corman, 3397 S. Beachview, Willoughby, Ohio – Mr. Corman stated that the City used to be rated the second best city in the state and now it's not even in the top 20. He feels his property value and has gone down due to Section 8 housing.

Gregg Patt, 38005 Brown Avenue, Willoughby, Ohio – Mr. Patt congratulated the residents for showing up tonight and giving their opinion (about the proposed development). He stated the development is a new housing development with new houses; he encouraged the residents to find out more about the development before making any judgements.

Motion made by Mr. Merhar and seconded by Mr. Garry 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:

RESOLUTION NO. 2025-61

A resolution authorizing the Mayor to enter into a contract with J. Severino Construction, Inc. in the amount of \$1,337,272.00 for implementation of the Lakeshore Boulevard East Equalization Basin Project Phase 1, 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 Resolution No. 2025-61 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 Resolution No. 2025-61.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-62

An ordinance amending Chapters 1103, 1141, and 1155 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Definitions", "Business Districts", and "Use Specific Regulations", respectively, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Merhar that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-62 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Merhar to adopt Ordinance No. 2025-62.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-63

A resolution authorizing an expenditure in the amount of \$4,600.00 from the Public Art Fund to implement an art project at 4110 Erie Street recommended by the Public Arts Committee, and declaring an emergency.

Motion made by Mr. Kary and seconded by Mr. Merhar that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-63 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Kary and seconded by Mr. Merhar to adopt Resolution No. 2025-63.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-64

A resolution approving the Lake County Final Plan concerning all public safety answering points ("PSAPS") operating in Lake County, Ohio, as adopted by the Lake County 9-1-1 Program Review Committee, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Anderson that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-64 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Anderson to adopt Resolution No. 2025-64.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-65

A resolution authorizing the Mayor to enter into a Master Agreement for professional consulting service with Verdantas, LLC.

Motion made by Ms. Sievers and seconded by Mr. Merhar to adopt Resolution No. 2025-65.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-66

A resolution approving an agreement between the International Association of Firefighters, Local 2291, AFL-CIO and the City of Willoughby, Ohio, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Anderson that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-66 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Anderson to adopt Resolution No. 2025-66.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – Mayor Fiala thanked Mr. Carr for sitting in on the NextGen 9-1-1 meetings. He stated that the state of Ohio is expected to pass legislation later this year regarding short term rentals; that will become law unless cities pass legislation prior to.

DIRECTOR'S REPORTS

Law Director Lucas – Regarding short term rentals, Mr. Lucas stated that short term rentals currently are not permitted in the City. He stated he would like to draft legislation that would regulate short term rentals to absolutely prohibit or permit them in certain areas subject to regulations. This legislation would give the City the control on short term rentals versus the state.

Service Director Palmisano – Mr. Palmisano thanked Mr. Anderson and Ms. Sievers for touring the Pelton Road landfill.

City Engineer Lannon – Mr. Lannon thanked Council for passage of Resolution No. 2025-65. He stated that River Street reopened to two way traffic this afternoon. The work on Rt. 84 will start after July 1st. A plug pile wall will be installed for the slope stabilization.

Fire Chief Ungar – Chief Ungar thanked Mr. Carr for representing the City on the 9-1-1 committee.

Police Chief Schultz – Chief Schultz thanked Mr. Carr for sitting on the 9-1-1 committee.

Chief Building and Zoning Inspector Keller – No report.

Parks & Recreation Director Keller – Ms. Keller stated that the first Osborne Park concert is tomorrow night; the first downtown concert is June 19th. The car Cruise In is scheduled for Saturday June 21st. Movie night is scheduled for Monday, June 30th on the library lawn. Fireworks are scheduled for July 4th at dusk.

Finance Director Hoffman – No report.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers thanked the residents in attendance at tonight's meeting. She held a successful ward meeting last Wednesday.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

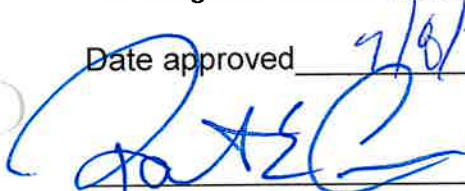
Mr. Garry – No report.

Mr. Anderson – No report.

Mr. Carr – Mr. Carr that there that the Flag Day 5K (or 2 miles walk) will be held tomorrow night at Deepwood.

The Regular Council Meeting adjourned at 8:25 p.m.

Date approved 7/8/25


Robert E. Carr, President


Clerk of Council


Robert A. Fiala, Mayor

LEGAL NOTICE

Pursuant to Chapter 1115.03(f) of the Codified Ordinances of the City of Willoughby, Ohio notice is hereby given of a Public Hearing to be held by the Council on Tuesday, June 10, 2025 at 7:05 p.m. in the Municipal Building, One Public Square, Willoughby, Ohio.

Said hearing will be held on the following proposed text changes to the Planning and Zoning Code:

Amend Chapters 1103, 1141, and 1155 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Definitions", "Business Districts", and "Use Specific Regulations", specifically Section 1103.03 titled "Definitions of General Terms" adding definition for Adult Use Cannabis Dispensary, Section 1141.03, titled "Schedule of Permitted Uses" adding schedule of permitted uses for Retail Sales of Adult Use Cannabis Dispensary and Section 1155.04 titled, "Use Specific Regulations" adding standards and requirements for Adult Use Cannabis Dispensary.

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: May 22, 2025