

MINUTES REGULAR COUNCIL MEETING

7:11 p.m.

September 9, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 5, 2025.

ROLL CALL

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

Absent: Councilman Anderson

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

Motion made by Mr. Merhar and seconded by Mr. Garry to excuse Councilman Anderson from tonight's meeting.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

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

Approval of Minutes

Motion made by Mr. Tomaselli and seconded by Mr. Merhar to approve the Regular Council Meeting Minutes of August 12, 2025.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

Economic Development Committee, Mr. Anderson – Absent.

Environmental Planning Committee, Mr. Kary – Mr. Kary stated the committee met this evening to discuss EAS #15-7-25.

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 – Absent.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – No report.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Mayor Fiala presented Willoughby resident Earl Linaberg with a proclamation for the 2025 Senior Center Volunteer of the Year.

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 6 yes
 0 no

Motion carried 6 to 0

NEW BUSINESS:

RESOLUTION NO. 2025-102

A resolution approving EAS #15-7-25 for a fencing business and equipment and materials storage at the existing building located at 38296 Western Parkway (A&B Fencing, LLC).

Motion made by Mr. Kary and seconded by Ms. Sievers to adopt Resolution No. 2025-102.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-103

A resolution authorizing the Mayor to apply for and enter into a contract with the Ohio Public Works Commission (OPWC), Round 40, for funds necessary to the Lincoln Avenue Storm Sewer Replacement Project, and declaring an emergency.

Motion made by Mr. Garry and seconded by Mr. Merhar that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-103 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Garry and seconded by Mr. Merhar to adopt Resolution No. 2025-103.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-104

A resolution authorizing the Mayor to apply for and enter into a contract with the Ohio Public Works Commission (OPWC), Round 40, for funds necessary to the 2026 Concrete Slab Replacement Program, and declaring an emergency.

Motion made by Ms. Sievers and seconded by Mr. Tomaselli that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-104 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Ms. Sievers and seconded by Mr. Tomaselli to adopt Resolution No. 2025-104.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

ORDINANCE NO. 2025-105

An ordinance accepting the improvements for Andrews Ridge Subdivision Phases 1 and 2.

Motion made by Mr. Tomaselli and seconded by Ms. Sievers to adopt Ordinance No. 2025-105.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-106

A resolution approving Change Order No. 1 in the Osborne Park Coastal Improvements Phase 1 with Mark Haynes Construction, Inc., and declaring an emergency.

Motion made by Ms. Sievers and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-106 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Ms. Sievers and seconded by Mr. Kary to adopt Resolution No. 2025-106.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

ORDINANCE NO. 2025-107

An ordinance levying assessments for the improvement of all streets within the City of Willoughby, Ohio, by supplying said streets with electric street lighting, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-107 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Garry to adopt Ordinance No. 2025-107.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-108

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 by Mr. Merhar and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-108 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Merhar and seconded by Ms. Sievers to adopt Resolution No. 2025-108.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-109

A resolution authorizing the Director of Finance to transfer funds from the Safety Tax Levy Fund to the General Bond Retirement Fund, and declaring an emergency.

Motion made by Mr. Garry and seconded by Mr. Tomaselli that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-109 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Garry and seconded by Mr. Tomaselli to adopt Resolution No. 2025-109.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-110

A resolution amending Resolution No. 2025-30 to provide for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2025, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-110 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Garry to adopt Resolution No. 2025-110.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

ORDINANCE NO. 2025-111

An ordinance certifying to the Auditor of Lake County certain unpaid bills owing to the City of Willoughby, Ohio, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-111 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Kary to adopt Ordinance No. 2025-111.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-112

A resolution authorizing the Mayor to enter into a contract with NRG Business Marketing LLC to furnish natural gas and related services for the City of Willoughby's public buildings for a period of four (4) years, effective December 1, 2025 and declaring an emergency.

Motion made by Mr. Merhar and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-112 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Merhar and seconded by Ms. Sievers to adopt Resolution No. 2025-112.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-113

A resolution declaring it necessary to construct certain sidewalks in the City of Willoughby, Ohio, within the locations designed herein, and declaring an emergency.

Motion made by Ms. Sievers and seconded by Mr. Merhar that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-113 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Ms. Sievers and seconded by Mr. Merhar to adopt Resolution No. 2025-113.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

ORDINANCE NO. 2025-114

An ordinance declaring the improvement to certain parcels in the City to be a public purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the collection and deposit of service payments and specifying the purposes for which those service payments may be expended; authorizing school compensation payments, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-114 be declared an emergency measure.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

Motion made by Mr. Tomaselli and seconded by Mr. Garry to adopt Ordinance No. 2025-114.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

RESOLUTION NO. 2025-115

A resolution amending the meeting schedule of the Council of the City of Willoughby, Ohio, for the month of November, 2025.

Motion made by Ms. Sievers and seconded by Mr. Tomaselli to adopt Resolution No. 2025-115.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

MAYOR'S REPORT – Mayor Fiala thanked Council for the passage of OPWC legislation (Resolution Nos. 2025-103 and 104. He stated the Relay for Life is taking place this Saturday. The unveiling of the mural at Osborne Park will take place at 2 p.m. this Saturday. The DTW 5K takes place on Sunday.

DIRECTOR'S REPORTS

Law Director Lucas – Regarding short term rentals, Mr. Lucas stated an ordinance has been drafted and is currently with the Planning Commission. It will be on the next agenda for the Planning Commission. The legislation is urgent due to the pending state legislation; however, the Ohio General Assembly isn't moving quickly with the legislation.

Service Director Palmisano – Mr. Palmisano thanked Council for the passage of Resolution 2025-112.

City Engineer Lannon – Mr. Lannon reported the City is in the bidding process for the Route 84 retaining wall. The bids have been delayed a few times because the City was waiting on feedback from First Energy regarding the relocation of power poles. Regarding the Nason Basin to Vine Street storm sewer project, Mr. Lannon stated that the contractor successfully bored under Rt. 2. There will be a lot of activity and trucks in that area over the next couple months. Mr. Tomaselli asked if the Nason Basin will change once the project is complete i.e., will the water level in the basin change. Mr. Lannon stated the water level shouldn't change because the previous projects were done to balance out stormwater. The Meadowlands Basin project was as much of a storage project as a storm sewer project that connected Meadowlands south of the railroad to Lakeland and then under Rt. 2. The two basins now act together instead of parallel. The outlet to Nason Basin was adjusted years ago as one of the first master plan projects.

Fire Chief Ungar – No report. Regarding the ambulance being remounted, Chief Ungar stated that the interior is currently being worked on with a target completion date sometime in December. Mr. Tomaselli asked if any of the equipment will be replaced. Chief Ungar stated that if the equipment is bad it will be replaced; the contingency fund covered all items that would need to be replaced. So far, nothing major has had to be replaced but there is a lot of cosmetic work being done.

Police Chief Schultz – Chief Schultz reported there was a swatting call (fake 911 call) last Thursday at Willow Park Apartments. In this case there were alleged threats made. He stated there were a lot of law enforcement and fire personnel that were tied up for over 4 hours. The suspect was identified (and arrested) which is extremely rare in these types of cases.

Chief Schultz stated that in August there was an accidental drug overdose in the City. He stated that his department was able to collect evidence and work the case backwards and identify a suspect. In less than 24 hours the suspect was arrested with the cooperation of the Lake County Narcotics Agency.

Regarding the new Police Station, Chief Schultz stated that a lot of work has been done on the ground floor and the first floor. Drywall should go up in the next few weeks.

Chief Building and Zoning Inspector Keller – No report.

Parks & Recreation Director Keller – Ms. Keller thanked Council for the passage of Resolution No. 2025-106. The Osborne Park pool is closed for the season. The Trick or Treat Trail is scheduled for October 25th at Osborne park at 12 p.m. Ms. Keller thanked Earl Linaberg for his dedication and volunteer time at the Senior Center. Mr. Carr asked what the next step

was for the Euclid Avenue pool area. Ms. Keller stated the plan is still being worked on; it will be brought to Council when it's done. Ms. Keller stated she would find out the status of the plan. Mr. Tomaselli asked if there was anything of value at the Euclid Avenue Pool. Ms. Banker stated the drop slide will be reused. The funbrellas will be reused for the pickleball courts at Osborne Park for shade.

Finance Director Hoffman – Ms. Hoffman thanked Council for the passage of the Finance Department legislation. Mr. Tomaselli congratulated Ms. Hoffman and the department for the annual financial report, which is the highest achievement in the state of Ohio.

COUNCILMEN REPORTS

Ms. Sievers – No report.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

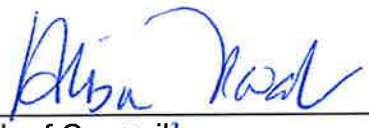
Mr. Garry – No report.

Mr. Anderson – Absent.

Mr. Carr – No report.

The Regular Council Meeting adjourned at 7:46 p.m.

Date approved 9/23/25


Clerk of Council


Robert E. Carr, President


Robert A. Fiala, Mayor