

MINUTES REGULAR COUNCIL MEETING

7:00 p.m.

October 17, 2023

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on October 13, 2023.

ROLL CALL

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

Others Present: Mayor Fiala, Law Director Lucas, Service Director Palmisano, Fire Chief Ungar, Police Chief Schultz, Chief Building & Zoning Inspector Puskas, Parks & Recreation Director Keller, Finance Director Hoffman, Clerk Novak

Absent: Councilman Kary

Motion made and seconded to excuse Councilman Kary 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 Merhar.

POLICE DEPARTMENTSWEARING IN AND AWARDS

Mayor Fiala swore in Patrol Officers Brown, Mehm and Wright, Sergeants Lampela, Sevel, Crowley and Neath, Lieutenants Davis and Scozzie. Chief Schultz presented the 2021 Jason Gresko Special Officer of the Year Award to Patrol Officer Rick Myers, the 2022 Jason Gresko Special Officer of the Year Award to Patrol Officer Gerry Spradlin, the 2022 Officer of the Year Award to Detective Gabe Sleigh and the Civilian Employee of the Year Award to Kim Pintar.

Approval of Minutes

Motion made and seconded to approve the Regular Council Meeting Minutes of October 3, 2023.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

PUBLIC HEARING:

Clerk Novak read the legal notice for the public hearing to be held tonight for the proposed rezoning on Shankland and Ridge Roads (see attached).

Those Speaking in Favor-

Jeff Smul, 20th Century Construction, 2167 Mentor Avenue Painesville, Ohio – Mr. Smul stated he is in favor of the proposal. He believes they are providing a product that is in dire need in the entire country and in Willoughby; it would be a 55 plus active adult community. He stated the community would be low maintenance with someone who plows the snow and cuts

the grass. The community will have sidewalks and public streets. The homes will be upscale patio homes with no steps so residents can age in the home appropriately. Homes will be two bedrooms and two bathrooms all on the first floor, but a bonus room can be added on the second floor. He stated this type of community reduces traffic and has less impact on schools versus traditional housing. Mr. Smul stated that he looked at the zoning map for the City and noted that there is R-100 and R-60 next to each other and doesn't feel it's a valid argument. He stated the community will have a buffer so you won't be able to see the backs of the houses. Mr. Smul feels the R-60 zoning is the best use of the property and it will enable them to provide the City with a diversity of housing with a 55 plus development.

Tom Riebe, 2167 Mentor Avenue Painesville, Ohio – Mr. Riebe stated when he was before the Planning Commission, he felt there were a lot of people who were in favor of this type of community; there is a great need for empty nesters for this type of housing. Mr. Riebe stated that if they are denied the request for rezoning, he believes this would be akin to spot zoning since they would be denied what has been granted to others. He referenced the rezoning of Chagrin Mill Farm that was rezoned from R-100 to R-60 with R-100 housing surrounding that development.

Those Speaking in Opposition-

Debra Bordonaro, 4987 Shankland, Willoughby, Ohio – Ms. Bordonaro stated she lives right next to the property that is asking to be rezoned. She stated she is on record from the September 28th Planning Commission meeting that if she has to be opposed or in favor she said she would be opposed only because she has concerns about things that could affect her property that haven't been addressed. She asked where the retention basin is going to be located; she doesn't want it near her property. She asked if fencing would be installed near her property line. She asked how the gas well is going to be addressed and wondered if it would affect her. She asked if there are still going to be 19 homes and preferred all ranch homes. She asked if the sidewalks from the development would extend going north on Shankland. She stated her main concern was the water runoff from the development into her property. She stated there are wells on the property. She feels these issues were not addressed. She said if these issues were addressed, she probably would be in favor.

Mark Mastrangelo, 37431 Ridge Road, Willoughby, Ohio – Mr. Mastrangelo stated he opposes the rezoning of the property to R-60 stating he believes it's too dense. He stated R-100 is all along Ridge Road from Rt. 91 all the way to Highland Avenue. The development to the north is R-100 (Arlington and Harlow). At the Planning Commission meeting, he raised the issue that, if approved, it could look like spot zoning. He has concerns about drainage; the houses to the east of the property were part of a farm with two livestock wells. There is a lot of water that runs underground and you can hear it emptying into the storm sewers on Shankland even during dry periods. He had heard that residents on Harlow are having drainage issues probably from runoff from Rt. 84. He is concerned if there is a retention basin in the new development, it would interfere with runoff drainage. He is also concerned about the back yards of the development facing Rt. 84 and how it would be shielded since he hasn't seen a drawing. He asked who will be plowing the sidewalks if the development has a homeowners association. He believes there will be an increase in traffic especially during school hours. He is also concerned about the heavy equipment during the construction phase and it's impact on Ridge Road.

Patricia Norris, 37449 Ridge Road, Willoughby, Ohio – Ms. Norris stated all the houses right now face Ridge Road which makes it a desirable place to be. On the other side of the road, she said the ground is very loose and the telephone polls are not stable and she feels new houses will affect that and the beauty of the City.

Nina Alban, 37311 Harlow Drive, Willoughby, Ohio – Ms. Alban said she agrees with those who spoke against this project. She stated she has drainage issues and is concerned about slab homes and water runoff. She doesn't feel that cluster homes are right for the property and will spoil the integrity of the neighborhood.

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

Economic Development Committee, Mr. Anderson – No report.

Environmental Planning Committee, Mr. Kary – Absent. Mr. Anderson stated the committee discussed EAS #10-8-23.

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

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

Personnel Committee, Mr. Anderson – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Dan Anderson – No report.

WPCC Committee, Mr. Garry – No report.

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 6 yes
 0 no

Motion carried 6 to 0

NEW BUSINESS:

RESOLUTION NO. 2023-122

A resolution approving EAS #10-8-23(a) for the rezoning of approximately 7.4761 of real property located at the northeast corner of Shankland Road and Ridge Road (Permanent Parcel Nos. 27A0080000210, 27A0080000220, 27A0080000230, 27A0080000240, and

Service Director Palmisano – Mr. Palmisano thanked Council for the passage of Resolution No. 2023-124. Leaf pick up started this week with one vehicle. Mr. Anderson confirmed with Mr. Palmisano that the Service Department did the paving on Willoughcroft. Mr. Carr reminded Mr. Palmisano that the crosswalk needs to be painted from Abbotts Mill across the street to Heinen's.

City Engineer Lannon – Absent.

Fire Chief Ungar – Chief Ungar commented that the Service Department did a nice job at paving the back half of the parking lot at Fire Station #1. Chief Ungar stated that tomorrow, the City is hosting a seminar being put on by University Hospitals at the Senior Center for the Willoughby Fire Department as well as other fire departments.

Police Chief Schultz – Chief Schultz thanked Council for the opportunity to have the swearing in and awards ceremony tonight. Chief Shultz reported that the Touch A Truck event was held last week at the Service Garage; he thanked Mr. Palmisano and Ms. Keller for setting up the event. He said the Police Department has a great time at the event. He stated that this Sunday, October 22nd from 6 p.m. to 8 p.m. is the annual Lake County First Responders Trunk or Treat event at the Lake County Captains Stadium and is free for everyone to attend. This Saturday at 5 p.m. is the Maddie Strong Fundraiser at the Willoughby Fraternal Order of Eagles. Maddie Orton is a Willowick Police Officer who suffered a stroke and is being supported by the close knit community of Lake County police officers. The fundraiser is open to everyone. Regarding the new Police Station, Chief Schultz said great progress has been made with meetings with the architect and Mission Critical Partners. He said program and spacing have been identified within the building.

Building Inspector Puskas – No report.

Parks & Recreation Director Keller – Ms. Keller stated that the Trick or Treat Trail is this Saturday from 12 p.m. to 1:30 p.m. at Osborne Park. Pumpkin Chunkin starts at 11 a.m.

Finance Director Hoffman – No report.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers reported she will hold a Ward 1 meeting on October 26th at Fire Station #2 at 7 p.m.

Mr. Kary – Absent.

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 7:55 p.m.

Date approved 11/14/23



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, October 17, 2023 at 7:20 p.m. (remote access through Zoom) in the Municipal Building, One Public Square, Willoughby, Ohio.

Said hearing is for a rezoning application initiated by Jeff Smul of ALM Properties and Lake Investor Group Ltd., 2167 Mentor Avenue, Painesville, OH for the rezoning of PPN #27-A-008-0-00-021-0, #27-A-008-0-00-022-0, #27-A-008-0-00-023-0, #27-A-008-0-00-024-0 and #27-A-008-0-00-025-0 at Shankland & Ridge Road, Willoughby, OH from a Residential One Family (R-100) zone district to a Residential One Family (R-60) zone district.

Persons affected may appear at said hearing and may speak for or against the proposal either in person or by attorney.

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: October 2, 2023