

MINUTES REGULAR COUNCIL MEETING

7:00 p.m.

October 6, 2026

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on October 2, 2026.

ROLL CALL

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

Others Present: Mayor Fiala, Law Director McConville, Service Director Knecht, 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 Anderson.

MAYOR'S APPOINTMENTS

Mayor Fiala reappointed Lisa Richards, Sandy Figler and Tom Roseum as trustees to the Little Red Schoolhouse.

Motion made by Mr. Anderson and seconded by Mr. Garry to confirm the Mayor's appointments to the Little Red Schoolhouse appointments.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Approval of Minutes

Motion made by Mr. Tomaselli and seconded by Ms. Sievers to approve the Regular Council Meeting Minutes of September 15, 2026.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

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 – Ms. Sievers requested the committee meeting scheduled for October 20th be moved to November 3rd.

Personnel Committee, Ms. Sievers – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Mr. Anderson – No report.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – Mr. Kary reminded Council members to review the Planning Commission's agendas. If there is a matter affecting a Councilperson's ward on an agenda, feel free to email him, with any questions, concerns, or comments. He will contact that Councilperson directly when appropriate.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Andy Rattray, 37942 Sharpe, Willoughby - Regarding lighting requirements for e-bikes, Mr. Rattray explained that while riding his bicycle on Wood Street after dark several weeks earlier, he encountered two e-bikes with limited lighting and expressed concern about their visibility and safety. He asked whether lighting had been considered during Council's recent discussions and requested that the issue be reviewed to help improve rider safety. Mr. McConville stated that lighting was not specifically addressed in the recently enacted legislation; however, existing code provisions concerning bicycle lighting may also apply to electric and motorized bicycles. He stated he would look into it and report back to Council.

Heath Wenzel, 4404 River Street, Willoughby – See Exhibit A.

In addition to Mr. Wenzel's written statement, Mr. Wenzel requested Council to convene a Public Safety Committee hearing, require an annual transparency report, and review the policy before the contract is renewed or the system is expanded. He stated this is not an objection to effective policing; rather, it is a request that powerful surveillance tools be governed by clear rules, measurable results, and public accountability. Mr. Wenzel provided the Clerk with a signed copy of his statement and a supporting packet, and respectfully requested that the materials be incorporated into the minutes.

Jeff Malecki, 1249 South Beachview Road, Willoughby - See Exhibit B.

Motion made by Mr. Anderson and seconded by Mr. Tomaselli 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. 2026-121

A resolution authorizing the Mayor to request proposals from qualified persons or firms to provide an update to the City of Willoughby's Comprehensive Master Plan and Zoning Code, 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. 2026-121 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. 2026-121.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2026-122

An ordinance declaring that any funds remaining unclaimed for a period of five (5) years are hereby forfeited and the Willoughby Building Department is hereby authorized to transfer said funds into the Willoughby General Fund, and declaring an emergency.

Motion made by Mr. Anderson to amend Ordinance No. 2026-122 to remove "and declaring an emergency", seconded by Mr. Tomaselli.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Anderson and seconded by Mr. Tomaselli to adopt Ordinance No. 2026-122 as amended.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2026-123

An ordinance amending Chapter 947 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Parks"; specifically, Section 947.03, titled "Hours" and Section 947.08, titled, "Prohibited Acts".

Motion made by Mr. Anderson and seconded by Mr. Tomaselli to adopt Ordinance No. 2026-123.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2026-124

A resolution authorizing an expenditure in the amount of \$78,140 to purchase and install four (4) new light poles at Osborne Park Pool from A.J. Goulder Electric, Inc., 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. 2026-124 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. 2026-124.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2026-125

A resolution approving Change Order No. 3 in the Osborne Park Coastal Improvements Phase 2 with Mark Haynes Construction, Inc., 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. 2026-125 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. Tomaselli to adopt Resolution No. 2026-125.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – Mayor Fiala thanked Council for confirming the trustee appointments to the Little Red Schoolhouse. He stated he and Council President Carr attended the organization's celebration two Saturdays ago, and they were impressed by the facility and all it has to offer. He stated it is an important community asset, and he

hopes the City can identify additional opportunities to collaborate with the organization in the future. He stated that last weekend he attended a welcome event for Amy Sabbath, the new executive director of the Fine Arts Association, who recently assumed the role. He looks forward to working with her, and he is optimistic about developing a strong, lasting collaboration between the Fine Arts Association and Andrews Osborne Academy.

DIRECTOR'S REPORTS

Law Director McConville – Mr. McConville reported that Cheri Lory retired with her final day last Friday. Several candidate interviews have been conducted this week and there are additional interviews scheduled for next week. He is hopeful that the City will be able to extend an offer and have a replacement in place soon.

Mr. McConville confirmed that the gas station moratorium ordinance is scheduled to expire on November 5th of this year. To allow time for continued consideration, he will include a proposed ordinance extending the moratorium on the next agenda. Mr. Luciano asked if the moratorium would be for six months or one year. Mr. McConville stated it was his understanding that the extension would be for six months, although the final decision is, of course, at Council's discretion. Because moratoriums extending beyond one year may be more likely to face legal challenges, he would recommend a six-month extension.

Service Director Knecht – Mr. Knecht reported that the northeast section of the Ohio Water Environment Association held its fall sectional meeting at the WPCC facility on September 24th. The event brought together 135 wastewater-industry professionals, who toured the plant and attended well-received presentations by Matt Turosky and Mike Brooks. He appreciates the staff at the WPCC for the substantial work required to host the meeting.

On behalf of City Engineer Lannon, Mr. Knecht reported that the Ridge Road slope repair was awaiting final pavement, guardrail installation, and striping, with an anticipated opening date of October 14th. Work on the River Street Soil Stabilization Project remains on schedule, with pile installation progressing during favorable weather. The Lincoln Avenue Storm Sewer project began several days early and was off to a strong start. For Phase Two of the Lakeshore EQ Basin, the final roof panels were being installed; although the project had initially fallen slightly behind schedule, the contractor was recovering time. The 2026 Concrete Pavement Slab Replacement Program was expected to conclude by Friday. The Ridge Road sidewalk project associated with Laketran was awaiting a Lake County Water shutdown so that a hydrant could be relocated. Because the shutdown would affect several area businesses, the parties were coordinating the schedule to minimize disruption; once the hydrant was moved, the remaining work was expected to be completed quickly. Surveying and excavation have also begun for the SOM Center Road sidewalk project near Walgreens, and the contractor expected it to finish on time.

Mr. Garry asked whether a retaining wall would be installed near Walgreens, noting that a substantial portion of the embankment had been excavated. Mr. Knecht confirmed that a wall was being considered to retain the slope.

Mr. Anderson asked if someone could remove the sign stating that Route 84 would be closed for 60 days, stating that he's received a few complaints. Mr. Knecht stated he would have it removed. Mr. Tomaselli asked why the project had exceeded the original 60-day schedule and had continued for more than 90 days. Mr. Knecht explained that the contractor encountered unexpectedly poor soil conditions, which required significant additional work on the piles. Despite the unforeseen conditions, the contractor continued working without complaint and made every effort to complete the project as quickly as possible. He stated that a different schedule likely would have been provided had the soil conditions been known in advance and expressed appreciation for the contractor's persistence in bringing the work to completion. Mr. Carr recalled that Mr. Lannon had stated at the previous meeting that the contractor had not requested a change order for additional compensation. Mr. Knecht confirmed that no change order had been requested.

City Engineer Lannon – Absent.

Fire Chief Ungar – Chief Ungar stated that Councilwoman Sievers had requested a review of Ohio's open burning laws as residents begin using outdoor fires in the fall. He explained that open burning complaints represent only a very small fraction of the Fire Department's more than 6,500 annual emergency responses. Open burning, such as a large, uncontained pile of material burning in a yard is prohibited throughout the City largely because such fires generally cannot meet the required 50-foot separation from structures in the City's neighborhoods. Recreational fires and permitted bonfires, however, are allowed. Bonfires are limited to approved celebrations, such as events at South High School or local churches, and may require a fire engine on standby depending on their size. He stated that the department most often responds to concerns involving backyard recreational fires. Such fires must be contained in an approved portable fireplace, chiminea, commercially available fire pit, or a properly constructed in-ground or above-ground pit no larger than three feet wide and two feet deep. Only dry, seasoned firewood may be burned. Many complaints arise when residents burn wet wood or prohibited materials. As a practical guideline, he advised that residents should burn outdoors only the type of material they would place in an indoor fireplace; leaves, pine, treated lumber, and similar materials are not permitted. When properly contained and fueled, a recreational fire may be located within 15 feet of a structure and may be used for pleasure, religious or ceremonial purposes, cooking, warmth, or similar activities.

Chief Ungar emphasized that merely presenting an activity as cooking does not make an otherwise improper fire permissible. He recalled responding to a large fire involving lumber from a dismantled pool deck, where the resident attempted to characterize the fire as recreational by holding a hot dog over it. Because treated lumber was being burned, the fire remained unsafe and prohibited. He explained that the Fire Department retains the authority to extinguish a fire or direct a resident to stop adding fuel when the materials or conditions do not comply with applicable requirements. He concluded that most local complaints involve recreational fires that produce excessive smoke or contain prohibited materials rather than true open burning.

Mr. Tomaselli asked when the City expected to take delivery of the fire truck. Chief Ungar stated that the City had neither rejected nor formally accepted the fire engine because several items needed to be completed before it returned from the factory. Delivery was not expected that week but could occur the following week. He noted that the manufacturer has a mobile unit capable of completing certain equipment installations. As an example, the traffic-signal preemption device had been installed in the warning-light assembly, but its mounting bracket had not yet arrived. He characterized the remaining work as minor items delayed by parts that were not delivered on time.

Police Chief Schultz – Chief Schultz expressed appreciation for the strong partnership between the community, local businesses, residents, and public safety agencies. He emphasized that maintaining a safe and vibrant community requires ongoing collaboration among all stakeholders. He reported that police and fire personnel responded to nearly 400 calls for service over the weekend, with only seven involving criminal incidents. Those incidents included two arrests resulting from proactive traffic stops, one shoplifting arrest, two theft cases in which suspects were apprehended and property recovered, and two isolated property-damage incidents. In addition, officers issued 16 traffic and minor misdemeanor citations and arrested two individuals on outstanding warrants. He noted that approximately 95% of all calls for service involved non-criminal matters, including community assistance, wellness checks, traffic enforcement, and other proactive public safety efforts.

Chief Schultz also highlighted a recent felony assault investigation involving a suspect who fled to Georgia. Through coordination with law enforcement partners and the use of license plate reader technology, authorities located, arrested, and returned the suspect to Willoughby. He stressed that while crime occurs in every community, success is measured by how agencies respond, collaborate, and remain committed to public safety. He commended the department's officers, dispatchers, and support staff for their dedication, integrity, and investment in the community.

Addressing recent concerns regarding late-night activity in downtown Willoughby, Chief Schultz stated that the department recently met with a downtown business owner to discuss strategies for improving safety and reducing potential issues. He noted that these discussions reflect the importance of proactive partnerships and community engagement. He concluded by reaffirming his commitment to maintaining strong relationships with residents and businesses.

Mr. Anderson inquired about the logistics of transporting the Georgia fugitive back to Ohio. Chief Schultz explained that, through the department's partnership with the Lake County Sheriff's Office, a sheriff's deputy and a Willoughby police officer traveled to Atlanta, took custody of the suspect at the airport, and transported him back to the area.

Mr. Tomaselli asked whether recent meetings with downtown business owners were prompted by a measurable increase in late-night incidents or were simply part of ongoing outreach efforts. Chief Schultz responded that the department has maintained an ongoing relationship with the Downtown Bar and Restaurant Association and regularly participates

in meetings to exchange information and address concerns. While activity in the downtown area fluctuates, particularly during busy summer months, holiday weekends, and special events, the department's goal is to identify potential issues early and work collaboratively with businesses and residents to prevent problems before they escalate.

Mr. Tomaselli stated that public perception of increased downtown activity may be influenced by social media and online videos and questioned whether officers were spending more time downtown than they would prefer. Chief Schultz acknowledged that social media can sometimes make incidents appear more serious than they are. He emphasized that officers respond promptly when issues arise and that ongoing meetings with downtown businesses are intended to address concerns proactively and reduce the need for continual police presence.

Chief Building and Zoning Inspector Keller – Regarding City's short-term rental regulations following the adoption of the new legislation, Mr. Keller reported that Stacy Rentz has been proactively identifying short-term rental properties through platforms such as VRBO and Airbnb and notifying property owners of the applicable requirements rather than waiting for complaints to be filed. These efforts have been largely successful. In a few cases, property owners have chosen to appeal determinations to the Board of Zoning Appeals regarding the eligibility of their properties for short-term rental use, while in one instance the owner decided to sell the property. He stated that enforcement and compliance efforts are progressing well and encouraged Council members to forward any complaints or information regarding potential short-term rentals to the office. He noted that staff may already have information on the property and will continue to investigate and follow up as appropriate.

Parks & Recreation Director Keller – Ms. Keller invited the community to attend the Trick-or-Treat Trail on Saturday, October 24th, at 12:00 p.m. at Osborne Park. The Pumpkin Chunkin event will precede the trail and is scheduled to begin at 10:00 a.m. She stated there are three high school teams and one open team currently registered.

Finance Director Hoffman – Ms. Hoffman thanked Council for the passage of amended Ordinance No. 2026-122. She stated that the City's Annual Comprehensive Financial Report has been released by the Auditor of State. The audit was completed with no findings, no deficiencies, and no internal control weaknesses identified. The report is available on the City's website.

COUNCILMEN REPORTS

Ms. Sievers – No report.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Luciano – Mr. Luciano thanked PJ Turosky and Doug Pecarcik for meeting with him to discuss procedures for leaf pick up and snow removal.

Mr. Garry – No report.

Mr. Anderson – No report.

Mr. Carr – No report.

The Regular Council Meeting adjourned at 7:48 p.m.

Date approved 10-20-2026



John Tomaselli, Vice President



Clerk of Council


Robert A. Fiala, Mayor

Willoughby Flock Camera Oversight Packet

Prepared for the Willoughby City Council Meeting

October 6, 2026 | 7:00 p.m. | City Hall B and C Rooms

Prepared by Heath Wenzel

Willoughby resident and small business owner

Purpose

This packet follows the September 1 public-records requests concerning Willoughby's Flock Safety program. The records confirm a program that grew from a free pilot into a five-year surveillance agreement, but the production does not fully answer questions about the original paid deployment, the pre-authorization contract sequence, program auditing, data sharing, effectiveness, and the specific basis for emergency passage.

The immediate request is straightforward: complete the public record, place independent oversight around the program, and require Council review before renewal or further expansion.

Packet Contents

- Three-minute public statement
- Findings and unresolved questions
- Requested Council actions
- Follow-up public-records request to the City
- Follow-up public-records request to the Police Department
- Source record index

Central finding The police chief reported signing the \$183,000 agreement with the mayor's approval before Council authorization. Finance then advised that legislation was required. Council approved the agreement in one evening as an emergency measure, while the final DocuSign copy was executed after the vote.

Three Minute Public Statement

Estimated delivery time 2 minutes 40 seconds to 2 minutes 55 seconds

Good evening. My name is Heath Wenzel. I am a Willoughby resident and small business owner. At the September 1 meeting, I asked for records concerning the city's Flock camera program. I appreciate that the city and Police Department produced documents, and I have now reviewed them carefully.

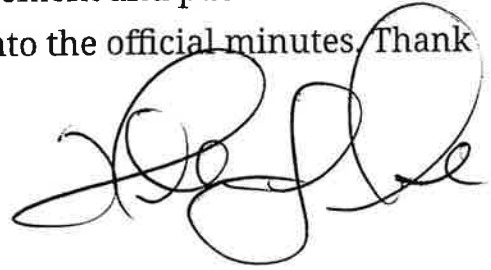
Those records confirm that Willoughby's program began as a free 60-day pilot for ten cameras in October 2020. It later became a \$25,000 annual expense and, in 2023, expanded into a five-year, \$183,000 agreement covering ten license-plate readers and four live downtown cameras.

The records also reveal a serious process concern. On August 23, 2023, Chief Schultz wrote that, with the mayor's approval, he had signed the new five-year contract that morning. The Finance Director responded, quote, 'You signed a new contract for \$183,000? I believe we need legislation.' Council did not authorize that expenditure until September 5. The final DocuSign version was executed after the vote, so I am not accusing anyone of an illegal contract. But it is fair to ask why the administration appeared to commit to the deal before the public's elected representatives approved it.

Council then declared the matter an emergency, suspended three readings, and approved it that same evening. The written justification was public safety and unspecified 'time constraints.' Yet the records identify no deadline, immediate threat, or reason normal public review was impossible.

The production is also incomplete. It does not include the paid contracts from 2021 and 2022, the August 23 version reportedly signed, historical policies, sharing configurations, audit reports, or data supporting the claim that these cameras produced hundreds of arrests. The current policy says audits should occur regularly, but no audits were produced. The contract also permits statewide and nationwide searches and access to participating private cameras, but we were not told who can search Willoughby's data or which private cameras Willoughby can access.

I am submitting focused follow-up requests tonight. I am also asking Council to hold a public Safety Committee hearing, require an annual transparency report, and review the policy before this contract renews or the system expands. This is not opposition to effective policing. It is a request that powerful surveillance tools be governed by clear rules, measurable results, and public accountability. I am providing the Clerk a signed copy of this statement and packet and respectfully request that they be incorporated into the official minutes. Thank you.



10/6/26

Findings and Unresolved Questions

The following conclusions are limited to the records produced in response to the September 1 requests. They distinguish documented facts from questions that remain open.

Issue	What the records establish	What remains unresolved
September 1 record	The official minutes identify Heath Wenzel under Public Portion and reproduce his complete remarks as Exhibit A. Council's and the chief's follow-up discussion is summarized.	The two September 1 public-records requests are not attached and are not independently recorded as received; they appear only through the reference made in the speech.
Program origin	A free 60-day pilot for 10 cameras was signed October 15, 2020. The chief later described annual \$25,000 contracts.	The paid 2021 and 2022 agreements, invoices, purchase orders, and authorization records were not produced.
Pre-approval sequence	On August 23, 2023, the chief said he signed the five-year agreement with the mayor's approval. Finance responded that legislation was needed.	Whether the August 23 document created any obligation, and why execution occurred before Council review.
Emergency passage	Resolution 2023-106 passed 5-0 on September 5, 2023 after Council suspended three readings.	No produced record identifies the specific deadline or condition requiring emergency treatment.
Cost	The five-year total is \$183,000: \$39,000 in year one and \$36,000 annually thereafter.	The first implementation balance was \$21,534.25, not the \$14,000 initially estimated; the difference is unexplained.
Grant	Council accepted \$18,500 described as supplementing five Flock cameras. The chief said no new cameras were being acquired.	The grant application, award terms, expenditure accounting, and explanation of the five-camera language were not produced.
Data reach	The agreement includes statewide and nationwide plate lookup, surrounding-jurisdiction sharing, private community-camera access, and custom hot lists.	No current sharing roster, private-camera inventory, aggregate search report, or access audit was produced.
Effectiveness	The chief told Council the system contributed to hundreds of arrests and other outcomes.	No dashboard, case list, methodology, annual statistics, false-alert data, or outcome report substantiating that statement was produced.
Policy	The current policy requires training, individual credentials, alert verification, probable cause before stops, access logging, and regular audits.	The supplied policy dates to April 2026. Earlier policies, completed audits, a firm audit schedule, and more specific limits on historical searches were not produced.

Requested Council Actions

These actions do not require Council to reject ALPR technology. They require Council to govern it.

Hold a public Safety Committee hearing

Review the program's history, current uses, sharing relationships, audit practices, effectiveness, and renewal terms in a meeting specifically noticed for that purpose.

Require an annual transparency report

Publish camera counts and types, total cost, aggregate searches and alerts, confirmed hits, outcomes, false positives, sharing relationships, complaints, policy violations, and audit findings without identifying individuals or active cases.

Adopt enforceable use restrictions

Replace discretionary terms such as "should" with mandatory requirements where appropriate; require a documented case or law-enforcement purpose for historical searches and custom hot lists; define prohibited uses; and establish audit frequency and independent review.

Require Council approval before expansion or renewal

No additional cameras, capabilities, data-sharing arrangements, renewal term, or materially revised online contract terms should take effect without advance public notice and Council review.

Preserve the governing contract terms

Maintain a dated copy of every incorporated Flock term and condition, privacy term, data-sharing term, and amendment rather than relying only on a changeable web link.

Questions Council Should Answer Publicly

- Did the August 23, 2023 signature bind or otherwise commit the city before Council acted?
- What exact "time constraints" justified emergency passage and the suspension of three readings?
- Were regular ALPR audits conducted from 2021 through 2026? If so, where are the records?
- Which agencies can search Willoughby data, and which private cameras can Willoughby search?
- What measurable outcomes support continued annual spending and future renewal?
- When will the current contract expire, what renewal term applies, and what is the deadline to prevent automatic renewal?

Follow Up Public Records Request to the City

Date: October 6, 2026

To: Alisa Novak, Clerk of Council
City of Willoughby
1 Public Square
Willoughby, Ohio 44094
anovak@willoughbyohio.com

Requester: Heath Wenzel

Email for electronic delivery: HWENZEL@CLEVELANDBIOMECHANICS.COM

Re: Follow-up request concerning Flock authorization, contracting, grant funding, and emergency passage

Pursuant to Ohio Revised Code Section 149.43, I request electronic copies of the following existing public records. This request follows the city's production responding to my September 1, 2026 request and is limited to records not included or not clearly identified in that production.

1. The Flock agreement or order form that Chief James Schultz stated he signed on August 23, 2023, including all versions, attachments, signature certificates, DocuSign or other execution history, and records sufficient to identify when each party signed or approved it.
2. All paid agreements, order forms, invoices, purchase orders, payment records, and financial authorizations for Willoughby's Flock program covering January 1, 2021 through December 31, 2022.
3. Any ordinance, resolution, appropriation, Council authorization, administrative authorization, or legal opinion authorizing the paid Flock program before Resolution 2023-106.
4. Records stating the specific "time constraints" cited in Section 3 of Resolution 2023-106 or otherwise explaining why the resolution required immediate effectiveness and could not proceed through the ordinary reading process.
5. The complete application, award notice, grant agreement, reporting requirements, reimbursement documents, expenditure records, and closeout records for the \$18,500 ARPA Law Enforcement Violence Reduction Grant addressed by Resolution 2023-139.
6. Records sufficient to explain why Resolution 2023-139 refers to five Flock cameras while the December 4, 2023 communication from Chief Schultz says no additional cameras were being acquired and the funds would offset the existing five-year contract.
7. Records sufficient to reconcile the projected \$14,000 first-year balance described in the August 2023 communications with the \$21,534.25 payment documented in 2024.
8. A copy of the version of every Flock term, condition, service term, privacy term, and data-related term incorporated into the 2023 agreement as those materials existed when the agreement was executed.

If no responsive record exists for an item, please state that no responsive record was located. If records are withheld or redacted, please provide the explanation and legal authority required by Ohio Revised Code Section 149.43(B)(3) and produce all reasonably separable non-exempt portions. I prefer the records in their existing electronic format by email.

Sincerely,

Heath Wenzel

Follow Up Public Records Request to the Police Department

Date: October 6, 2026

To: Willoughby Police Records Division
36700 Euclid Avenue
Willoughby, Ohio 44094
clerical@willoughbypolice.com

Requester: Heath Wenzel

Email for electronic delivery: HWENZEL@CLEVELANDBIOMECHANICS.COM

Re: Follow-up request concerning Flock policies, auditing, sharing, performance, and camera inventory

Pursuant to Ohio Revised Code Section 149.43, I request electronic copies of the following existing public records. I am requesting existing policies, reports, exports, lists, and aggregate records—not the creation of a new report and not confidential information identifying individuals or compromising an active investigation.

9. Every version of the Department's ALPR or Flock policy in effect from October 15, 2020 through April 9, 2026, together with records sufficient to identify each policy's effective date and approval date.
10. The Police Records Retention Schedule and Records Maintenance and Release Policy referenced in Policy 431.4, including the retention category applied to ALPR data downloaded from Flock or stored on a Department server.
11. The most recent existing export, report, list, screenshot, or other record identifying agencies, geographic groups, statewide or nationwide networks, and other entities currently granted access to Willoughby-owned Flock devices or data, including the level of access provided.
12. The most recent existing export, report, list, screenshot, or other record identifying privately owned or community Flock devices that Willoughby personnel are authorized to search or access.
13. All completed ALPR or Flock audit reports, compliance reviews, user-access reviews, network-sharing reviews, and aggregate search reviews from January 1, 2021 through the date of this request.
14. Existing aggregate reports from January 1, 2021 through the date of this request showing searches, alerts, confirmed hits, false or inaccurate hits, custom hot-list entries, stolen-vehicle recoveries, arrests, missing-person recoveries, cases assisted, or other recorded outcomes.
15. Records supporting or calculating the statement made to Council on September 5, 2023 that the cameras had resulted in "hundreds of arrests," including any dashboard, outcome report, case compilation, memorandum, presentation, or underlying aggregate count.
16. Records sufficient to identify the current number, type, general location, installation or activation date, and operational status of each city-owned ALPR and PTZ camera. Precise technical details that would compromise system security are not requested.
17. Current written rules, directives, or training materials, if any, addressing searches or sharing related to First Amendment-protected activity, immigration enforcement, reproductive-health investigations, political activity, religious activity, protected-class information, or requests from agencies outside Ohio.
18. Records sufficient to identify when Policy 431 was first adopted, who approved it, which personnel have completed the required training, and the most recent date on which an ALPR system audit was completed.

If no responsive record exists for an item, please state that no responsive record was located. If records are withheld or redacted, please provide the explanation and legal authority required by Ohio Revised Code Section 149.43(B)(3) and produce all reasonably separable non-exempt portions. I prefer the records in their existing electronic format by email.

Sincerely,

Heath Wenzel

Source Record Index

The packet's factual statements are drawn from the following records supplied by the City of Willoughby and Willoughby Police Department in September 2026.

Record	Relevance
Willoughby Police Department New Deal	October 15, 2020 free 60-day pilot for 10 cameras.
Resolution 2023-106 and supporting communications	Five-year authorization; August 2023 emails; contract sequence; emergency language.
Flock 5 Year Contract 2023	Equipment, price, 30-day retention, network functions, private community-camera access, renewal terms.
City Council Legislation	September 5 and December 5, 2023 caucus and regular-meeting minutes.
Finance records	2023, 2024, and 2025 invoices, payments, purchase orders, account allocation, and credits.
Resolution 2023-139	The \$18,500 ARPA-related grant and supporting communications.
Policy 431 Automated License Plate Readers and PTZ Cameras	Current use, retention, access, verification, sharing, and audit rules; published April 10, 2026.
Pole Power Drops for Flock Cameras	Eight identified ALPR locations and planned relocations or utility work.
September 1, 2026 public-records requests	The scope of the original requests used to evaluate the completeness of the production.
September 1, 2026 approved Council minutes	The prior speech is preserved as Exhibit A; Council's and Chief Schultz's responses are summarized; the two records requests are not attached.

Documented Camera Locations

The utility-work record identifies eight ALPR locations: SR 306 at I-90 northbound; Lost Nation Road at Reeves southbound; SR 91 near the BP station and cemetery northbound; SR 91 at Maplegrove Extension southbound; US 20 at SR 91 eastbound; Vine Street at Ben Hur Road westbound; Mentor Avenue at Kirtland Road eastbound; and Lost Nation Road near 1136 Lost Nation Road southbound. The two remaining ALPR sites and exact downtown PTZ locations were not identified in the production.

Exhibit B

Jeff Malecki
1249 S Beachview Rd
Willoughby Ohio 44094
(951)764-9345
jeffrey.malecki@yahoo.com

1 Public Square
Willoughby, Ohio 44094

RE: Development Moratorium and Formal Notice of Ethical Conflict & Request for Third-Party Engineering Review For The Windermere Village Major Subdivision 1200 Lost Nation Rd and The Windermere Dr Brownfield Located at 1230 Lost Nation Rd / Windermere Dr Willoughby OH, 44094

To the Administrative and Legislative Officials of the State of Ohio and City of Willoughby in the County of Lake County Ohio 44094

This correspondence serves as a third formal public notice and inquiry regarding a substantial conflict of interest governed by Ohio Ethics Law (O.R.C. § 102.03) concerning the proposed major subdivision layout situated within 50 feet of the Lake County Land Bank Property (A Private Nonprofit , Non-Governmental 501c3 Corporation) Brownfield Zoned Property and The Windermere Village Major Subdivision Located in Willoughby Ohio 44094

County Auditors plat ID: 27B056D000130 (Brownfield)and County Auditors Plat ID: 27B056C000660 (Windermere Village Major Subdivision)

Public records indicate that the City of Willoughby utilizes private engineering firm CT Consultants for municipal oversight, with Tim Lannon acting as the designated City Engineer. Concurrently, CT Consultants is providing a State Grant Funded Private Technical Services , Environmental Studies and Remediation Planning to the Lake County Land Bank (Lake County Land Reutilization Corporation) a "Private Nonprofit, Non-Governmental 501c3 Corporation" for the adjacent Brownfield Zoned Property's Delineation, Testing Phases 1 and 2, and to make Sound Scientific Recommendations for the Future Remediation of the Brownfield Site.

Under established Ohio Ethics Commission rulings, a contracted municipal engineer is legally prohibited from reviewing their own private work product, as they cannot maintain individual loyalty to a private client while protecting the fiduciary interests of the municipality.

Because the structural preliminary plat layout and Hydrologic and Hydraulic / Drainage (HACE) engineering rules for the subdivision are heavily dictated by the environmental boundaries, toxic runoff vectors, and soil integrity of the neighboring brownfield zone, any review performed by CT Consultants or Tim Lannon constitutes a facial violation of O.R.C. § 102.03.

Consequently, We the Community demand that the City of Willoughby produce public

documentation confirming that City Engineer Tim Lannon and CT Consultants have been entirely recused from these Development Projects . Secondly, We request confirmation that the city has assigned a completely independent, neutral engineering corporation to conduct the HACE evaluation and plat verifications to guarantee public safety and legal compliance, Thirdly We Request that all previously premature actions taken by the City Administration, City Planning Commission, City Council Pertaining To The Major Windermere Village Subdivision While Having Known Knowledge of the Active Testing and Before the Proper Scientifically Backed Remediation Had Been Completed or Signed-Off With a Documented NFA, (No Further Action) CNS, (Covenant Not to Sue) or a COC (Certificate of Completion) also without the Final Sign-Off By The Director of the Ohio EPA be Deemed Null and Void. Lastly We Request a Development Moratorium be placed on this Development until All of The Above have been Satisfactorily Completed.

Please submit your written response and file confirmations to my address listed above.

Respectfully submitted,



Jeff Malecki (Community Activist)
10/06/2026

I am formally submitting this written, signed and notarized copy of my testimony directly to the City Clerk of Council, Mrs. Novak, to be hard copied and entered permanently, accurately into the official public record and minutes.

OHIO JURAT
§147-551

State of Ohio

County of

Lake

} ss.



Affix Seal Here

Sworn to or affirmed and subscribed before me by

Jeff Malecki

Name of Person Making Jurat

this date of

10/06/2026

Date

Jared Brill

Signature of Notary Public Administering Jurat

Notary

Title or Rank

05/31/2026

Commission Expiration Date

OPTIONAL

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