

MINUTES REGULAR COUNCIL MEETING

7:03 p.m.

December 16, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on December 12, 2025.

ROLL CALL

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

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 Merhar.

PUBLIC HEARING – IN RECESS

Approval of Minutes

Motion made by Mr. Anderson and seconded by Mr. Tomaselli to approve the Regular Council Meeting Minutes of December 2, 2025.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – Mr. Carr reported there was a joint work session with Council and the Planning Commission last week regarding short-term rental legislation and the output of that for the tabled pieces of legislation; that legislation will remain tabled. Revisions will be made to one piece of legislation and prohibit short-term rentals in residential areas and continue with the conditional use in the Downtown and Lakeshore Districts.

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 – No report.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – Mr. Kary thanked Council and the Planning Commission for the work session held on December 9th; he believes the City is headed in the right direction (with regards to short term rentals).

CORRESPONDENCE: Mr. Carr read an e-mail from Robert and Shirley Garcowski, 5477 Oakridge Drive, Willoughby, Ohio (Exhibit A attached).

PUBLIC PORTION: No one spoke.

Motion made by Mr. Garry 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

UNFINISHED BUSINESS:

ORDINANCE NO. 2025-129- Tabled

An ordinance amending Chapters 1103, 1131, 1141, and 1155 of the Codified Ordinances of the City of Willoughby, Ohio titled, “Definitions”, “One Family Residential Districts”, “Business Districts”, and “Use Specific Regulations”, respectively, and declaring an emergency.

No action taken.

ORDINANCE NO. 2025-130 - Tabled

An ordinance replacing Chapter 195 of the Codified Ordinances of the City of Willoughby, Ohio, titled, “Transient Guest Tax”, in its entirety.

No action taken.

ORDINANCE NO. 2025-131

An ordinance amending Chapter 779 of the Codified Ordinances of the City of Willoughby, Ohio, titled, “Transient Guest Registration”; specifically, Section 779.01 titled, “Register Required; Exceptions” and Section 779.03 titled, “False Registration”.

No action taken.

NEW BUSINESS:

RESOLUTION NO. 2025-140

A resolution authorizing the Director of Parks and Recreation to apply for a Statewide Healthy Play Education & Funding Initiative through OPRA, Playcore, Gametime, and DWA Recreation for the purpose of acquiring financial assistance for Playground Equipment, and declaring an emergency.

Motion made by Ms. Sievers and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-140 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. Garry to adopt Resolution No. 2025-140.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-141

A resolution authorizing the Mayor to reject all bids for Playground Equipment and Park Amenities, and declaring an emergency.

Motion made by Mr. Garry and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-141 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Garry and seconded by Ms. Sievers to adopt Resolution No. 2025-141.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-142

A resolution approving Change Order No. 1 in the Willoughby Police Station Console Equipment and Services Agreement with Motorola Solutions, Inc., 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. 2025-142 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. 2025-142.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-143

A resolution approving Change Order No. 1 in the Nason Basin to Grove Avenue Storm Sewer Phase 1 Project with Trax Construction Co., 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. 2025-143 be declared an emergency measure.

Roll Call 7 yes
0 no Motion carried 7 to 0

Motion made by Mr. Merhar and seconded by Ms. Sievers to adopt Resolution No. 2025-143.

Roll Call 7 yes
0 no Motion carried 7 to 0

ORDINANCE NO. 2025-144

An ordinance adopting the City of Willoughby Cybersecurity Program, 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. 2025-144 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. Kary to adopt Ordinance No. 2025-144.

Roll Call 7 yes
0 no Motion carried 7 to 0

ORDINANCE NO. 2025-145

An ordinance authorizing Amendment No. 2 to Ordinance No. 2025-79, the Manning & Payroll Ordinance, relative to Vacations, and declaring an emergency.

Motion made by Mr. Merhar and seconded by Mr. Anderson that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-145 be declared an emergency measure.

Roll Call 7 yes
0 no Motion carried 7 to 0

Motion made by Mr. Merhar and seconded by Mr. Anderson to adopt Ordinance No. 2025-145.

Roll Call 7 yes
0 no Motion carried 7 to 0

RESOLUTION NO. 2025-146

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. Garry and seconded by Mr. Tomaselli that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-146 be declared an emergency measure.

Roll Call 7 yes
0 no Motion carried 7 to 0

Motion made by Mr. Garry and seconded by Mr. Tomaselli to adopt Resolution No. 2025-146.

Roll Call 7 yes
0 no Motion carried 7 to 0

RESOLUTION NO. 2025-147

A resolution authorizing the Director of Finance to transfer funds from the General Fund to various other funds, 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. 2025-147 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. Garry to adopt Resolution No. 2025-147

Roll Call 7 yes
0 no Motion carried 7 to 0

RESOLUTION NO. 2025-148

A resolution authorizing temporary appropriations totaling \$39,815,156 for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending March 31, 2026, and declaring an emergency.

Motion made by Mr. Merhar and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-148 be declared an emergency measure.

Roll Call 7 yes
0 no Motion carried 7 to 0

Motion made by Mr. Merhar and seconded by Mr. Kary to adopt Resolution No. 2025-148.

Roll Call 7 yes
0 no Motion carried 7 to 0

RESOLUTION NO. 2025-149

A resolution authorizing the Mayor to enter into a contract agreement not to exceed \$76,200 with Chagrin River Watershed Partners, Inc. necessary to the Floodplain

Restoration and Recreational Trail Improvements, commencing in 2026, and declaring an emergency.

Motion made by Ms. Sievers and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-149 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. Garry to adopt Resolution No. 2025-149.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-150

A resolution honoring Service Director Richard G. Palmisano and commending him for his 34 plus years of service to the City of Willoughby.

Mr. Anderson read this Resolution in its entirety.

Motion made by Mr. Anderson and seconded by Mr. Tomaselli to adopt Resolution No. 2025-150.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – Mayor Fiala wished Council and directors a very Merry Christmas and Happy New Year. He thanked Mr. Merhar for his years served on Council noting it has been a pleasure working with him.

Mr. Carr stated that the lighting ceremony continues to improve each year and was fantastic this year. Mayor Fiala stated that Ms. Keller and her team are responsible for the tree lighting.

DIRECTOR'S REPORTS

Law Director Lucas – Mr. Lucas thanked Mr. Merhar for always being available and willing to assist whenever he needed guidance. His support has been greatly appreciated, and Mr. Lucas wished him all the best moving forward. He wished Council, directors and staff a joyful Christmas and a Happy New Year.

Service Director Palmisano – Mr. Palmisano addressed the Mayor, directors, chiefs, and members of Council stating he'd like to take this opportunity to say that it's been an honor and a privilege to work with such a group of dedicated professionals who truly believe in what they do and care about the City. He stated that it makes it so much easier to accomplish goals when everyone has Willoughby's best interests at heart. These feelings carry over to the Service Department and the Wastewater Pollution Control Center and the people who work there in the office and in the field. He stated the team strives to make Willoughby the courtesy city and a

place that people desire to live in and visit. He stated it has been a pleasure to serve the residents of Willoughby.

City Engineer Lannon – Mr. Lannon wished everyone a Merry Christmas and a Happy New Year.

Regarding the current condition of the roadway along Route 84, Mr. Anderson noted that the erosion appears to have advanced closer to the road than he previously thought possible. He asked Mr. Lannon to provide an update on when the full project is scheduled to begin and if the City should be concerned about the stability of the road near the curb. Mr. Lannon stated that based on his most recent observation, which occurred last Thursday or Friday, the erosion had reached the back of the curb, leaving approximately a two-foot section intact. He stated he will verify this again to compare with his previous assessment. At one point, there were barrels along the edge of the road to redirect traffic away from the curb; however, those barrels have since fallen down the slope, possibly due to wind or vandalism. He stated he is actively monitoring the situation.

Regarding the project timeline, Mr. Lannon stated he initially allowed until the first of the year for First Energy and AT&T to relocate overhead utility lines. He stated that approximately half of the power lines have been moved, but the communication lines need to be transferred to the opposite side of the road. Once that is complete, the contractor will need time to submit required documentation and procure structural steel for the piles, which is a lengthy process. Based on these factors he stated that March appears to be the most realistic timeframe for the start of construction. Mr. Anderson stated that his concern stems from the possibility of snowplows pushing wet snow over the edge during winter operations. The added weight could exacerbate the erosion problem. He asked if this was something the City should be worried about? Mr. Lannon stated that it was a concern. While snow alone is not a major issue, the combination of snow and salt creates heavy, wet conditions which is a concern. Unfortunately, there are limited mitigation options at this time, aside from reinstalling barrels to keep vehicles farther from the curb.

Fire Chief Ungar – Chief Ungar wished everybody a Merry Christmas and a Happy New Year. He thanked Mr. Merhar for his service to his ward (ward 5). He congratulated Mr. Palmisano on his retirement noting it has been a pleasure working with him.

Police Chief Schultz – Chief Schultz thanked Council for the passage of Resolution 2025-142. He stated that it was a pleasure to work alongside Mr. Merhar. He congratulated Mr. Palmisano on his retirement noting that he provided a tremendous amount of leadership to the Service Department, and it was an honor working with him for 30 plus years.

Chief Building and Zoning Inspector Keller – No report. Mr. Keller wished everyone a Merry Christmas and a Happy New Year.

Parks & Recreation Director Keller – Ms. Keller wished everyone a Merry Christmas and a Happy New Year. She congratulated Mr. Palmisano on his retirement.

Finance Director Hoffman – Ms. Hoffman thanked Council for the passage of Ordinance No. 2025-145 and Resolution Nos. 2025-146, 147 and 148. She wished everyone Happy Holidays. She congratulated Mr. Palmisano on his retirement.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers congratulated Mr. Palmisano on his retirement. Happy Holidays to all.

Mr. Kary – Mr. Kary thanked Mr. Merhar for his support on Council and on Planning Commission. He stated that Mr. Merhar has a great sense of professionalism. He wished Mr. Palmisano the best and stated he was a great leader. He stated that Mr. Palmisano never, ever, ever let a call or a note from him go unanswered immediately.

Mr. Tomaselli - Mr. Tomaselli congratulated Mr. Palmisano on his retirement (from all the Tomaselli's). He thanked Mr. Merhar for his time on Council and his service to the community outside of Council. He thanked the Service Department and Police Department for their help with the Miracle on Erie Street 5K. He stated it was the biggest one to date with 425 people. He thanked Parks & Rec Department, Fire Department and Police Department for the Santa Parade. He stated it's wonderful to see the looks on everyone's face; it's a great tradition. He wished everyone a Merry Christmas and Happy New Year.

Mr. Merhar – Mr. Carr stated that Mr. Merhar has been a great asset and that his business acumen is going to be missed during Council discussions.

Mr. Merhar congratulated Mr. Palmisano on his retirement. He stated that he's enjoyed his time on Council and is grateful for the time serving the City. He stated he is planning on doing some other things for the City, whether it be volunteer work or another elected position. He stated he is grateful for all the relationships that he's made on Council. He wished everyone a Merry Christmas.

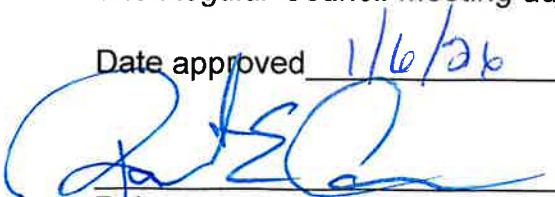
Mr. Garry – Mr. Garry wished everyone Merry Christmas and Happy New Year. He congratulated Mr. Palmisano on his retirement and thanked Mr. Merhar.

Mr. Anderson – Mr. Anderson thanked Mr. Merhar for his help over the years. He congratulated Mr. Palmisano for his 34 years in the Service Department. He wished everyone a Merry Christmas.

Mr. Carr – Mr. Carr congratulated Mr. Palmisano on his retirement. He wished everyone Happy Holidays. He reminded everyone that January 6th will be the first meeting of the year with a swearing in taking place that night with Judge Cornochio.

The Regular Council Meeting adjourned at 7:38 p.m.

Date approved 1/6/25



Robert E. Carr, President



Alison Ward

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 21, 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 Chapter 1103 titled “Definitions”, specifically Section 1103.03 titled “Definitions of General Terms” adding definitions for “Hosting Platform”, “Short Term Rental”, and “Transient Guest”; Chapter 1131 titled “One Family Residential Districts”, specifically Section 1131.03 titled “Schedule of Permitted Uses” adding schedule of permitted uses for Short Term Rental; Chapter 1141 titled “Business Districts”, specifically Section 1141.03 titled “Schedule of Permitted Uses” adding schedule of permitted uses for Short Term Rental; Chapter 1155 titled “Use Specific Regulations”, specifically Section 1155.04 titled “Use-Specific Regulations” adding standards and requirements for Short Term Rental.

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: October 3, 2025

Exhibit A



Outlook

Tuesday 12/16 meeting

From Shirley Garcowski <sgarcowski@oh.rr.com>

Date Mon 12/15/2025 5:28 PM

To Carr, Robert <rcarr@willoughbyohio.com>

Hello, due to some medical issues, I doubt we'll be able to join the meeting tomorrow.

Would you please have the following entered into record? Please confirm the same.

Thank you.

Robert and Shirley Garcowski
440.220.2495
sgarcowski@oh.rr.com

5477 OAK RIdge

"Short-Term Rental (Airbnb) is an awful idea for Willoughby. We will have to contend with loud, obnoxious transients. Who wants to live next to this? Is this what we want our charming town to come to?"

If Willoughby can't enforce now when this is prohibited, how will they enforce any rules and regs if this is allowed? I hear that all of the time "we will enforce...." Empty words without specifics especially when it's stated that Willoughby is unable to enforce the current prohibitions. If there are specifics, then there could be specifics as to how to address those ignoring the prohibition now. I'm seeing lots of financial incentives for the city: fees for registration and inspection and transient tax. Is that why it's being supported? What about the citizens peace of mind and safety? Our homes are our sanctuaries. We've sunk thousands in keeping our homes and neighborhoods to be a community that is highly desirable. The last thing we want is this. I doubt if affluent towns allow this. Shouldn't we strive to be more like them—not less? Our property values are going to sink if this is approved.

If you can see these properties listed on-line now for short-term rental, I don't understand how difficult it is to enforce the prohibitions already in place. When you find a listing, fine these owners—and fine them as high as needed so as to deter, with escalations of cost if found repeatedly. If they are currently being rented, the police should request proof of ownership with ID to match. If none can be provided, the renters need to leave immediately. If Willoughby can regulate with allowing them, they can regulate the existing prohibitions. Thank you."