

MINUTES REGULAR COUNCIL MEETING

7:08 p.m.

May 21, 2024

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on May 17, 2024.

ROLL CALL

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

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 Puskas, Parks & Recreation Director Keller, Finance Director Hoffman (via Zoom), Clerk Novak

Motion made by Mr. Tomaselli and seconded by Ms. Sievers 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 Merhar.

Approval of Minutes

Motion made by Mr. Merhar and seconded by Mr. Tomaselli to approve the Regular Council Meeting Minutes of May 7, 2024.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

PUBLIC HEARING:

Clerk Novak read the legal notice regarding Ordinance No. 2024-52 (see attached).

Those Speaking in Favor – No one spoke.

Those Speaking in Opposition – No one spoke.

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – No report.

Economic Development Committee, Mr. Anderson – Absent.

Environmental Planning Committee, Mr. Kary – No report.

Finance and Audit Committee, Mr. Tomaselli – Reported there was a meeting this evening to discuss the capital requests for 2024.

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

Personnel Committee, Mr. Anderson – Absent.

Safety Committee, Mr. Tomaselli – Mr. Tomaselli requested a committee meeting in June to discuss the new Police Station.

Service Committee, Dan Anderson – Absent.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – No report.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Bill Collins, 38409 S. Beachview, Willoughby – Mr. Collins stated he wanted to discuss the McKinley property. He stated the wording originally sent out by Pastor Mike Currier (Pastor Mike) was that the project was to be used for extended housing which is for individuals recovering from drug and alcohol abuse which he absolutely doesn't want to have in his neighborhood. He later learned through an e-mail that the project was for seniors and veterans 55 and over with mental struggles. He worked for over 35 years with individuals with disabilities and his wife worked for Cuyahoga County Board of MRDD. He stated individuals struggling mentally can have episodes that could lead them to harm others. He stated he and his neighbors are not for this type of atmosphere and what Pastor Mike is trying to make happen in the north end of Willoughby. He understands that if Pastor Mike meets all the criteria (for the project) there isn't much that can be done. He stated he and his neighbors would rather have the property sold and have houses built on it.

Mayor Fiala stated that Pastor Mike attended the last Planning Commission meeting for discussion only and there was no action taken and he has not applied for anything. He stated he has made it clear (and he thinks he can speak for Councilwoman Sievers) that they are not in favor of the proposal for the same reasons spoken by Mr. Collins. He feel the citizens should have a voice about the neighborhood and neighbors and he has told that to Pastor Mike. Councilwoman Sievers stated she sent Pastor Mike an e-mail stating that the community doesn't approve of the project; the community would prefer a developer come in and put up single unit houses for single unit families. She did not hear back from him. Mr. Carr stated it will be very difficult for the project to get approvals through the City.

Jeff Malecki, 1249 S. Beachview, Willoughby – Mr. Malecki stated he is in total agreement with Mr. Collins and his fellow neighbors. He applauded the Mayor who was not in favor of the project when it was discussed in 2023. He stated the north end has bigger issues; environmental, pollution and road structure. He stated the four homes need to be built.

Beatrice Barilatz, 1212 S. Beachview, Willoughby – Ms. Barilatz stated her house is the lowest house in the City and according to a draft study from 2007, her home is the only non-flood resistant home in the City. She stated if you cover all the greenspace there is nowhere

for the water to go. She stated she has had 3 feet of water in her house covering 1,500 square feet and in 2013 she had 4 feet of water in her house. She doesn't want anything built on the greenspace because it will affect her. She stated the report she has indicated that the City of Eastlake was going to enlarge the culvert that goes under Lakeshore Blvd. Service Director Palmisano informed Ms. Barilatz that the culvert project under Lakeshore Blvd. was completed a few years ago.

Michael Prah, 1193 S. Beachview, Willoughby – Mr. Prah stated he has been a resident of Ward 1 for 50 years and in that time he has seen a lot of change; some good and some bad. He stated at one time, there was a thriving business community with a grocery store, bakery, a hardware store and a furniture store. He stated that those stores are gone now but one good thing that has come about is the building of over 2 dozen single family homes. He believes new homes are better for the area financially over businesses due to the income taxes generated by the people living in the homes. He stated Pastor Mike will make application for the project eventually and he asked Council to reject it in favor of single family homes.

Gino Pescrilli, 38387 Sheerwater Lane, Willoughby – Mr. Pescrilli stated he agrees with Mr. Collins that the project shouldn't go through for the sheer fact there's no investment in the community. He is concerned with the crime at the North Lane Condominiums and Park Lane. He stated he and his wife heard gunshots a few weeks ago. He stated something needs to be done with the Section 8 housing and corporations coming into the community and buying houses. He read that a lot of cities across the country are making it illegal for corporations to buy houses within the city limits. These corporations are in turn renting the houses out and the houses are not being cared for. He asked Council to do some research on corporate ownership in Willoughby.

Shelly Dalton, 1223 S. Beachview, Willoughby, Ohio – Regarding the McKinley property, she stated a lot of the community has shown up four or five times to voice concerns about the project but Pastor Mike has not stopped. She asked if there will be a point where Pastor Mike stops asking. Mayor Fiala stated he hopes Pastor Mike gets the message that the community is not in favor of the project.

James Huey, 38379 N. Beachview, Willoughby, Ohio – Mr. Huey stated he had heard the City is going to be spending money on erosion control at Osborne Park and he hoped that wasn't the case.

Robert Wagner, S. Beachview, Willoughby, Ohio – Mr. Wagner stated he is against the project. He wondered how senior citizens and disabled veterans were going to manage getting to the second floor of the proposed two story duplexes. Mr. Wagner suggested Pastor Mike replicate a program that was done in Cleveland where mentally challenged individuals were taught how to grow a garden in a greenhouse and the produce was sold to restaurants.

Terry Vidrick, 1190 S. Beachview, Willoughby, Ohio – Ms. Vidrick stated she and her husband oppose the proposed project. Ms. Vidrick asked if the project does go through, she asked what criteria will be used to decide who lives there and who doesn't, who is qualified to makes those decisions and will there be someone on site living there for support, help and to monitor or oversee the residents. She would like those questions answered if the project does go through.

Dominic Antonelli, 1127 Hayes Avenue, Willoughby – Mr. Antonelli stated he remembered a time when College Court was closed off and had a barrier. He isn't sure why it changed, but the street is a cut through and cars are speeding through. He suggested a stop sign. Ms. Sievers asked if the portable radar sign could be placed there.

Terry Rackard, 1147 Windermere Drive, Willoughby – Ms. Rackard stated since College Court has been opened up, cars speed through. She lives at the corner of College Court and Windermere and requested a stop sign be put up.

Jeff Malecki, 1249 S. Beachview, Willoughby – Mr. Malecki thanked Chief Schultz for his service and offered his driveway for patrol cars to catch speeders.

Motion made by Mr. Tomaselli and seconded by Mr. Merhar 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

UNFINISHED BUSINESS:

ORDINANCE NO. 2024-52 – Second Reading

An ordinance declaring 100% of the improvements to certain parcels of real property to be a public purpose, describing the public improvements to be made to benefit those parcels, requiring the owners of the improvements thereon to make service payments in lieu of taxes, establishing a Willoughby Union Realty, LLC Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of such service payments and related matters, 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. 2024-52 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. 2024-52.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

NEW BUSINESS:

RESOLUTION NO. 2024-59

A resolution authorizing the Mayor to enter into a contract with Davis Diggers, Inc. in the amount of \$360,456.90 for implementation of the Hartford Road Watermain and Water Pollution Control Center Watermain Improvements Project for the Base Bid plus Alternate, 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. 2024-59 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. 2024-59.

Roll Call 6 yes
 0 no

Motion carried 6 to 0

MAYOR’S REPORT – Mayor Fiala thanked Council for the legislation for the former Union High School that will finally lead to construction. Mr. Carr stated the tour of Daniel’s Park last night was fantastic. Regarding the discussion earlier on the proposed project at McKinley Center, Mr. Kary advised that the Mayor and Ms. Sievers meet with Pastor Mike and discuss the project.

DIRECTOR’S REPORTS

Law Director Lucas – No report.

Service Director Palmisano – Mr. Palmisano thanked Council for the input and approval of the Service Department’s capital needs.

City Engineer Lannon – Mr. Lannon stated that the barrels on Rt. 84 across from Shankland are for monitoring an active slide. That area was documented back in 2021 and recent pictures show that guardrail posts have slid down the hill. Mr. Carr asked when the River Street slope stabilization will take place. Mr. Lannon stated the project will take place later this summer and will include a water main replacement that the county will be doing. An MOU will be before Council with regards to the water main replacement and resurfacing next year.

Fire Chief Ungar – No report.

Police Chief Schultz – Regarding the comments earlier about the speeding on College Court, Windermere and S. Beachview, he stated he will look into placing the speed trailer there which was effective last year and will send his motorcycle officer to the area.

Chief Schultz reported that his department sent officers to the funeral for fallen Euclid Police Officer Jacob Durbin. He stated it was a tragic event and thousands of police officers attended the funeral for him. He was impressed with the number of people who lined the streets from the funeral home to the cemetery.

Chief Schultz stated that Grant Elementary had their 5th grade D.A.R.E. graduation today with their instructor Patrol Officer Ryan Gregorin. He and Community Involvement Officer Ross Shirey also attended. He stated Officer Gregorin did an outstanding job and the kids loved him.

Chief Building and Zoning Inspector Puskas – No report.

Parks & Recreation Director Keller – Ms. Keller reported that the pool will be open this coming Saturday. Events for the month of June will be e-mailed out to Council by the end of the week. This past weekend at Osborne Park there was a Celebration of Mama event; the event was organized by FIT4MOM.

Finance Director Hoffman – No report.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers thanked the residents who showed up tonight (to discuss the proposed project on the McKinley property). Her Ward 1 meeting will take place on May 30th at 6:00 p.m. at Osborne Park lakeside pavilion.

Mr. Kary – No report. Mr. Kary stated there will be a rebirth of the flea market at Osborne Park through the Heart of Willoughby. The market will take place on Tuesday nights beginning on the first Tuesday of June.

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 7:57 p.m.

Date approved 6/11/24



Robert E. Carr, President



Clerk of Council


Robert A. Fiala, Mayor

LEGAL NOTICE

Notice is hereby given that the Council of the City of Willoughby will hold a Public Hearing on Tuesday, May 21, 2024 at 7:10 p.m. in the Municipal Building, One Public Square, Willoughby, Ohio for the following item:

ORDINANCE NO. 2024-52 - AN ORDINANCE DECLARING 100% OF IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO BENEFIT THOSE PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A WILLOUGHBY UNION REALTY, LLC MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND RELATED MATTERS, AND DECLARING AN EMERGENCY.

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: May 6, 2024