

MINUTES REGULAR COUNCIL MEETING

7:03 p.m.

May 6, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on May 2, 2025.

ROLL CALL

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

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

Approval of Minutes

Motion made by Mr. Anderson and seconded by Mr. Garry to approve the Regular Council Meeting Minutes of April 15, 2025.

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 – Reported there was a committee meeting this evening to discuss one item that is on the agenda tonight.

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

Parks & Recreation Committee, Ms. Sievers – Ms. Sievers requested a committee meeting on May 20th to review the pool survey results and project updates.

Personnel Committee, Mr. Merhar – No report.

Safety Committee, Mr. Tomaselli – No report.

Service Committee, Mr. Anderson – Mr. Anderson stated he would not be at the next Council meeting and wanted to know if the discussion regarding the former landfill could be pushed to the June meeting. Mr. Carr stated that it could be discussed during a Committee of Full committee meeting.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – No report.

CORRESPONDENCE: Clerk Novak read a request from the Ohio Division of Liquor Control for a new D5D liquor license for Coppia LLC, dba Coppia, 1745 Lost Nation Road, Willoughby, OH 44094. There were no objections.

PUBLIC PORTION: John Royko, 38195 Strumbly Place, Willoughby – (Previous information regarding flooding at his house including pictures was shared with Council prior to tonight's meeting). Mr. Royko stated that his backyard is near Grant Elementary and he has struggled with yard and basement flooding for nearly 20 years. He has consulted with private contractors, Willoughby-Eastlake schools and the City including his Ward Councilman Ken Kary to mitigate the flooding. To date, he still has flooding with heavy rain. He stated the flooding has cost him thousands of dollars when his basement floods, replacing carpet and drywall etc. Mr. Royko stated he was before Council tonight asking for their help. Willoughby-Eastlake schools is willing to help. He stated the City, who approved the storm water management for his development, needs to help. He stated his walk out basement is the lowest point in the area and everything funnels down to it. Service Director Palmisano stated the flooding at Mr. Royko's house is horrible. He stated that the Sewer Supervisor went out to the property with a representative from CT Consultants. The result of that was a recommendation to Mr. Royko to install a catch basin that ties into his downspouts. Mr. Palmisano stated that in order to alleviate the problem, the City would have to go on private property. Mr. Royko stated that it seems the area wasn't engineered properly when the development was put in and he doesn't feel it's his responsibility for the mitigation. Mr. Palmisano stated he will send the Sewer Supervisor out and look at the property. Mr. Kary suggested an underground retention pond on the school property.

Motion made by Mr. Merhar 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. 2025-43**

A resolution approving EAS #8-3-25 for a restaurant with outdoor patio at the existing building located at 1745 Lost Nation Road (Coppia).

Motion made by Mr. Kary and seconded by Mr. Merhar that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-43 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Kary and seconded by Mr. Merhar to adopt Resolution No. 2025-43.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-44 – First Reading

An ordinance accepting Amendment No. 3 to Ordinance No. 2024-38, the Manning & Payroll Ordinance, relative to the position of Mayor.

ORDINANCE NO. 2025-45 – First Reading

An ordinance accepting Amendment No. 4 to Ordinance No. 2024-38, the Manning & Payroll Ordinance, relative to the positions of Council.

RESOLUTION NO. 2025-46

A resolution authorizing the Mayor to accept and enter into an agreement for Lakeshore Improvement Project Osborne Park Project with the Lake Development Authority and Lake County Board of Commissioners to accept funding for the Osborne Park Project, 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. 2025-46 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. Merhar to adopt Resolution No. 2025-46.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-47

A resolution authorizing the Mayor to review and accept the best pricing and time period proposed by a retail electric supplier for the subsequent inclusion within an agreement for purchase of electricity for the City of Willoughby’s Street Lighting, within such time period parameters from twelve (12) to thirty-six (36) months, effective with the May, 2026 meter read date, 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. 2025-47 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. 2025-47.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-48

A resolution authorizing the Mayor to review and accept the best pricing and time period proposed by a retail electric supplier for the subsequent inclusion within an agreement for purchase of electricity for the Willoughby-Eastlake Water Pollution Control Center, within such time period parameters from twelve (12) to thirty-six (36) months, effective with the June, 2026 meter read date, and declaring an emergency.

Motion made by Mr. Garry and seconded by Mr. Anderson that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-48 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. Anderson to adopt Resolution No. 2025-48.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-49

A resolution authorizing the Mayor to review and accept the best pricing and time period proposed by a natural gas supplier for the subsequent inclusion within an agreement for the purchase of natural gas and related services for the City of Willoughby’s public buildings, within such time period parameters from twelve (12) to forty-eight (48) months, effective December 1, 2025, 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. 2025-49 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. 2025-49.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-50

A resolution recognizing the responsibility of the City of Willoughby to affirmatively further fair housing, 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. 2025-50 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. 2025-50.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-51

A resolution authorizing the Mayor to apply to the Lake County Office of Planning and Community Development for a Community Development Block Grant for the Fiscal Year 2025, 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. 2025-51 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. Merhar to adopt Resolution No. 2025-51.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-52

A resolution authorizing an expenditure in an amount not to exceed \$110,000 for the purchase of four (4) Dispatch Consoles from Watson Consoles for use by the Willoughby Police Department, and declaring an emergency.

Motion made by Mr. Tomaselli and seconded by Mr. Anderson to amend Resolution No. 2025-52 striking the word "Capital" and replacing with "Police Department Safety Facility" in Section 1.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

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. 2025-52 be declared an emergency measure as amended.

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. 2025-52 as amended.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-53

A resolution authorizing the Mayor to reject all bids for the Lakeshore Boulevard East Equalization Basin 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. 2025-53 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. Merhar to adopt Resolution No. 2025-53.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-54

A resolution authorizing Verdantas LLC to re-advertise for bids for the Lakeshore Boulevard East Equalization Basin Project Phase 1, 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. 2025-54 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. Merhar to adopt Resolution No. 2025-54.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR’S REPORT – Mayor Fiala stated that at the request of Chief Schultz and Service Director Palmisano, the City will be installing stop signs on Cheltenham Drive and Gale Road to assist with traffic control. If these two signs don’t help, two additional stop signs can be added on Hurricane. The City is evaluating on whether or not to drop the speed limit on Kirtland Road to 25 m.p.h. all the way to Rt. 306.

DIRECTOR’S REPORTS

Law Director Lucas – No report.

Service Director Palmisano – Mr. Palmisano thanked Council for the passage of Resolution No. 2025-47, 2025-48 and 2025-49. Regarding the information he sent Council from CEP Renewables about the proposed solar panels for the landfill, he stated the landfill is in the process of closing. Testing and monitoring should be completed by December, 2025. He stated CEP Renewables approached him two years ago; their specialty is placement of solar panels on landfills. The area involved is 8.5 acres out of the 32.7 acres of the landfill. Mr. Palmisano stated that the landfill has a lot of life left; the City has been using the landfill for spoils for all of

the City's major projects for as long as he can remember. Using the landfill for spoils has saved the City millions of dollars and there is at least 15 to 20 years left of capacity for spoils. If the City is successful in closing the monitoring, no more ground water testing would need to be done, in fact, a pump station has been turned off. The pump station gathered all the ground water underneath the landfill and pumped it to a gravity system that went to the plant for treatment. One aspect that will not change is the methane gas venting; the venting will always be there and it must be tested going forward. He stated that \$47,000 has been budgeted this year for the monitoring and the closure of the facility. He stated he would like to have CEP Renewables come in and give a presentation to explain what the process is. It is a marginal amount of money that the City would make but the City would not be responsible for the maintenance; the City is currently mowing the 9 acres. Mr. Carr stated he thought Council should take a step back and look at all the options. He stated he thought the space could be used as a park, leaving it as greenspace. Mr. Carr stated he did some digging around on the internet to see what else the landfill space could be and learned it could also be a golf course or a park. He requested that Councilman Sievers (chair of Park & Recreation Committee) and Councilman Anderson (chair of Service Committee) get together and do some research on the options. He would like to schedule a Committee of Full meeting to review the research. Mr. Tomaselli noted that the site will still be active so it will be difficult to have a soccer field if there are trucks depositing spoils. Mr. Tomaselli asked if the City could bury the old cement slab that the old shredder plant was on. Mr. Palmisano stated that the driveway will be moved over to the west and a new road will be created extending to the back of the landfill so the valley area will eventually be filled in; the cement slab will be part of the road.

City Engineer Lannon – Mr. Lannon reported that the retaining wall work on River Street was completed last week; restoration work is being completed now including guardrail, grass and paving. The watermain should be completed in another three weeks. The focus now is the Rt. 84 retaining wall with the Ohio Public Works Commission (OPWC) money becoming available after July 1st. The single State Issue on the ballot today, if passed, would make more money available in the future (a 10 year renewal). There is a list of projects to apply for this year and they will be provisional based on the renewal. Mr. Carr asked how extensive the failure is on Rt. 84. Mr. Lannon stated it's similar to River Street which is 300 ft. of wall. He stated what is planned for Rt. 84 is an extension of the old sheet pile wall further northeast for another 300 ft. The project is roughly \$1.5 million. Eventually there will probably be retaining wall all the way to River Road.

Fire Chief Ungar – No report. Chief Ungar stated the recent charity basketball game was well attended.

Police Chief Schultz – Chief Schultz thanked Council for the passage of Resolution No. 2025-52. Chief Schultz stated the ground breaking for the new Police Station was last week; he thanked Communications Director Shana Boyd for her hard work on that. Ms. Sievers asked when the portable speed radar trailer would be out. She has residents concerned about speeding on Windermere and College Court and on Commanche. He stated it is on the schedule to go up on Lakeshore Blvd. shortly.

Chief Building and Zoning Inspector Keller – No report. Mr. Carr asked about property inspections. Mr. Keller stated that letters are going out; they are mostly complaint based. Ms. Brooks will be looking at neighborhoods as well including the downtown area in early summer. Mr. Tomaselli asked about letters sent to residents on St. John Bluff near the conservation

easement. It is his understanding that wood piles, sheds and swing sets are a violation. He stated there are residents simply cutting the grass; he asked why cutting the grass is a violation. Mr. Keller stated that the land conservancy considers that area a conservation area where it should remain in its natural state. He stated it's a bigger issue when they cross over onto the City property and cut grass. The Western Reserve Land Conservancy makes those determinations but the City sends the letter. Mr. Keller stated they would not be prosecuting anyone.

Parks & Recreation Director Keller – Ms. Keller reported that the pickleball courts grand opening at Osborne Park is this Thursday. The rib burn off is May 17th and 18th. The Memorial Day parade is May 26th with a 9 a.m. line up time. Osborne Park pool opens Memorial Day weekend. The pool survey closes next Monday. She stated there was an ad in the Willoughby Times about the survey which really boosted the survey; there were over 1,100 surveys.

Finance Director Hoffman – Ms. Hoffman stated she will be presenting capital requests for approval at the next Council meeting.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers reported the annual Ward 1 meeting will be May 21st at the Osborne Park Lakeside Pavillion at 6 p.m.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

Mr. Garry – No report.

Mr. Anderson – No report.

Mr. Carr – No report.

Motion made by Mr. Tomaselli and seconded by Ms. Sievers to go into Executive Session in accordance with ORC 121.22(G)4 to review negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.


Roll Call 7 yes
 0 no

Motion carried 7 to 0

The Council meeting reconvened at 8:16 p.m. from the Executive Session.

The Regular Council Meeting adjourned at 8:17 p.m.

Date approved 5/20/25


Robert E. Carr, President


Clerk of Council


Robert A. Fiala, Mayor