

MINUTES REGULAR COUNCIL MEETING

7:05 p.m.

August 12, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on August 8, 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, Assistant Police Chief Tartaglia, Chief Building & Zoning Inspector Keller, Parks & Recreation Director Keller, Finance Director Hoffman, Clerk Novak, Engineering Tech John Crislip

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

Approval of Minutes

Motion made by Mr. Anderson and seconded by Mr. Garry to approve the Regular Council Meeting Minutes of July 8, 2025.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

PUBLIC HEARINGS:

Clerk Novak read the legal notice for the public hearing on the proposed Codified Ordinance text amendments (see attached).

Those Speaking in Favor –

Jeffrey Malecki, 1249 S. Beachview, Willoughby, Ohio – In regard to the medical marijuana or the recreational dispensary of marijuana, Mr. Malecki stated he felt it was a good thing. He believes, as discussed by Council in an earlier meeting, that the saturation isn't over the top and it's kept safe from children and underage minors. He doesn't feel it should be promoted but at the same time gaining from the revenue.

Those Speaking in Opposition –

Patricia Weiss, 586 Tioga Trail, Willoughby, Ohio – Ms. Weiss stated that she's not really speaking against the proposal, she stated she has a question. She stated there is a limit on alcohol consumption when you get behind the wheel of a car, she asked if there is a limit on marijuana prior to operating a vehicle. Ms. Weiss wanted to know if the City's safety forces can take care of any issues with someone partaking in their purchase in the parking lot or at Osborne Park. Law Director Lucas stated there is no specific limit prohibition. The OVI ordinances based on the state statutes indicate you can be pulled over if your impaired by alcohol or by drugs.

Richard Legan, 520 & 530 Tioga Trail, Willoughby, Ohio – Mr. Legan stated he was opposed to it because the area of Lost Nation Road and Lakeshore Boulevard is very congested. He stated he believes impaired drivers would be bad for the area.

Clerk Novak read the legal notice for the public hearing on the proposed rezoning (see attached).

Those Speaking in Favor – No one spoke.

Those Speaking in Opposition –

Richard Legan, 520 & 530 Tioga Trail, Willoughby, Ohio – Mr. Legan stated he has property at 4310 and 4312 Center Street. In July, he stated there was a resolution stating the property would be multi-family low rise and now it's going to be a downtown district which has many, many uses. He stated he was here tonight for clarification and asked that the City maintain that area as it has been.

STANDING AND REGULAR COMMITTEE REPORTS

Committee of Full, Mr. Carr – Mr. Carr stated there was a committee meeting tonight to discuss short term rentals. The administration will be preparing some draft ordinances that will go to the Planning Commission first.

Economic Development Committee, Mr. Anderson – No report.

Environmental Planning Committee, Mr. Kary – Mr. Kary stated the committee met this evening to discuss EAS #13-5-25 and #14-6-25(a)

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 – No report.

CORRESPONDENCE: No correspondence.

PUBLIC PORTION:

Jeffrey Malecki, 1249 S. Beachview, Willoughby, Ohio – Mr. Malecki stated he's the person whose going to catch a lot of water from the proposed McKinley project. He passed some information out regarding wetlands and an assessment that he had done with regards to two town ditch. He stated that no one addressed the glacier fill as far as the water absorption. A glacier fill is where water bottoms out and just goes wherever it wants and no one knows the depth of that yet. Mr. Malecki referenced the City Ordinance 1109 in that it states that if

something is irregular or unusual for the capacity of the City, the City should hire an outside third party and not rely on the builder for the reports.

Richard Legan, 4310 & 4312 Center Street, Willoughby, Ohio – Mr. Legan asked why it's changed (the rezoning on tonight's agenda) from multi-family townhouse to downtown. He asked if there would be a massage parlor there or a tattoo shop. He stated he needs an answer. Mr. Carr stated that there will be townhomes there similar to what's there now; they will be part of the ranch home development.

David Cox, 5332 Chestnut Hill, Willoughby, Ohio – Regarding the art used to decorate the utility boxes in the City, Mr. Cox stated he wanted to bring to Council's attention the utility box at the corner of Euclid and Shankland. He stated it's pretty clear that it's an AI generated piece of art. He stated he feels that if the City is going to decorate the City, it should be done by supporting local artists.

Bill Collins, 38409 S. Beachview Road, Willoughby, Ohio – Regarding the proposed development on Windermere, Mr. Collins questioned the use of splash blocks in that development. He stated the water will eventually go into two town ditch; there are a couple of homes on the west side (north of two town ditch) and he feels the water will go directly into their backyards. He stated that he feels that not making the developer for Windermere tie into the stormwater at Lost Nation Road is absurd.

Terry Ricker, 1147 Windermere Road, Willoughby, Ohio – Ms. Ricker asked who was paying for the City to cut the grass at McKinley Center if the property owner doesn't pay taxes. She stated the property has garbage everywhere, tree branches down and broken windows. She questioned whether or not the development will be kept up if McKinley Center isn't. She stated the building only gets used 4 days a week.

(Engineering Tech John Crislip stated that the owner will be assessed the cost of lawn cutting).

Mike Parletts, 1212 S. Beachview Road, Willoughby, Ohio – Mr. Parletts stated he went through the file on the Windermere project and has been to several meetings regarding the project. At the first meeting, there was discussion about variances. He believes that according to the codified ordinances there needs to be a variance and he cannot find one in the file. Mr. Carr stated the subject of a variance came up earlier. Mr. Lucas stated that under the R50 zoning classification, no zoning variance is required.

Shelly Dalton, 1223 S. Beachview Road, Willoughby, Ohio – Ms. Dalton stated her property is diagonal to the proposed development and the water would be running off through her yard. She stated that in an earlier meeting, there was mention of the use of old clay pipes. When she purchased her property she had clay pipes that collapsed within six months. She voiced concern that the water will seep down the hill and the sewer pipes will be seeping into the ground; what's preventing the sewer water from draining into her backyard. Ms. Dalton voiced concerns that without fencing, residents of the development would use her backyard as public space.

Motion made by Mr. Anderson and seconded by Mr. Garry 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. 2025-83

A resolution approving EAS #13-5-25 for the construction of six (6) duplexes located at 1200 Lost Nation Road (Windermere Village).

Motion made by Mr. Kary and seconded by Ms. Sievers to adopt Resolution No. 2025-83.

Roll Call 0 yes
 7 no

Motion defeated 0 to 7

RESOLUTION NO. 2025-84

A resolution approving EAS #14-6-25(a) for the rezoning of .1789 acres of real property located at 4317 Center Street and further identified as Permanent Parcel No. 27A023J000520 from Residential Multi-Family Low Rise (R-MF-L) to Downtown Business (D-B) (The Enclave at Literary Point Phase 2).

Motion made by Mr. Kary and seconded by Mr. Merhar to adopt Resolution No. 2025-84.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-85

An ordinance amending the Zone Map of the City of Willoughby, Ohio, to reclassify .1789 acres of certain real property located at 4317 Center Street and further identified as Permanent Parcel No. 27A023J000520 from Residential Multi-Family Low Rise (R-MF-L) to Downtown Business (D-B).

Motion made by Mr. Kary and seconded by Mr. Merhar to adopt Ordinance No. 2025-85.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-86

An ordinance amending Chapter 1141 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Business Districts", specifically, Section 1141.03, titled, "Schedule of Permitted Uses".

Motion made by Mr. Anderson and seconded by Mr. Garry to adopt Ordinance No. 2025-86.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-87

A resolution approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of the City of Willoughby, Ohio, 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. 2025-87 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. 2025-87.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-88

An ordinance authorizing the sale of real property located at 38435 North Beachview Road, consisting of a 0.1157 acre lot identified as Permanent Parcel No. 27B056A000740, without public bidding, for the sum of One Hundred Forty Thousand Dollars (\$140,000), 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 Ordinance No. 2025-88 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 Ordinance No. 2025-88.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-89

A resolution approving the City of Willoughby's participation in the Lake County Transportation Improvement District (LCTID), 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 Resolution No. 2025-89 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 Resolution No. 2025-89.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-90

An ordinance authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation (ODOT) and requesting the cooperation of the Director of the Ohio Department of Transportation to resurface SR-174 (River Street) from SR-84 (Ridge Road) to US-20 (Euclid Avenue) in the City of Willoughby, Lake County, Ohio, 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 Ordinance No. 2025-90 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 Ordinance No. 2025-90.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-91

A resolution authorizing Verdantas LLC to re-advertise for bids for the Lakeshore Boulevard East Equalization Basin Project Phase 2, and declaring an emergency.

Motion made by Mr. Anderson and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-91 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Anderson and seconded by Ms. Sievers to adopt Resolution No. 2025-91.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-92

A resolution authorizing the City Engineer to prepare plans and specifications and to advertise for bids for the SR-84 Slope Stabilization Project, 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. 2025-92 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. 2025-92.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-93

A resolution authorizing an expenditure in the amount of \$213,500 for the closed-circuit televising (CCTV) and engineering analysis of the Plains Road Force Main for the Willoughby-Eastlake Water Pollution Control Center, 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. 2025-93 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. 2025-93.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-94

A resolution authorizing the Mayor to enter into a contract with J.D. Striping & Services, Inc. in the amount of \$123,984 for the 2025 Highway Pavement Lane Marking Project, and declaring an emergency.

Motion made by Mr. Anderson and seconded by Mr. Tomaselli that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-94 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. Tomaselli to adopt Resolution No. 2025-94.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-95

A resolution declaring it necessary to improve the streets and public thoroughfares of the City of Willoughby, Ohio, within the termini designated herein, by supplying said streets and public thoroughfares with street lighting, 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. 2025-95 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. 2025-95.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-96

A resolution declaring a certain vehicle no longer necessary to the operation of the Willoughby Fire Department as surplus and authorizing the Safety Director to transfer the vehicle to the Heights/Hillcrest Technical Rescue Team without compensation.

Motion made by Mr. Anderson and seconded by Mr. Tomaselli to adopt Resolution No. 2025-96.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-97

A resolution accepting a donation of \$5,680 from the Willoughby VFW Post 1500 to be used for the purchase of a Scott RIT PAK Emergency Air Supply System for the Willoughby Fire Department.

Motion made by Ms. Sievers and seconded by Mr. Anderson to adopt Resolution No. 2025-97.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-98

A resolution accepting a donation of \$25,000 from the Fraternal Order of Eagles, Willoughby Aerie No. 2300, to be used for the purchase of new Automated External Defibrillators (AEDS) for the Willoughby Fire Department.

Motion made by Mr. Merhar and seconded by Ms. Sievers to adopt Resolution No. 2025-98.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-99

A resolution accepting a donation of \$25,000 from the Fraternal Order of Eagles, Willoughby Aerie No. 2300, to be used for the purchase of furniture and equipment at the new Willoughby Police Department Facility.

Motion made by Mr. Merhar and seconded by Mr. Garry to adopt Resolution No. 2025-99.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-100

An ordinance accepting the final plat for the Villas at Union Pointe Subdivision, and declaring an emergency.

Motion made by Mr. Merhar and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-100 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. Garry to adopt Ordinance No. 2025-100.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-101

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. Anderson and seconded by Mr. Garry that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-101 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. 2025-101.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – Mayor Fiala thanked Rich Palmisano, Judean Banker, the Service Department, the Parks and Rec Department for their hard work putting together the Last Stop Willoughby Parade and the event itself.

Regarding Wes Point Park, the City has asked the developer for Union Pointe to provide funding for the redesign of the park. The City is in the process of retaining a landscape architect to do the design work (to be paid by the developer). There will be a community meeting at some point and the City will work on funding for the project.

Mr. Carr stated that residents have recently talked to him about the discontinuation of the animal nuisance program. Mayor Fiala stated he had heard similar comments and the City will be reinstating the program; it was included in the budget adjustment made this evening. Service Director Palmisano stated that the City will go out for bid for a new contract. The current contractor's contract has been terminated. He doesn't know what the cost will be per animal; because of the high cost last time, the City reduced the number of animals from 5 to 2. It was

noted that the City is the only community in the area that offers this service. The City has spent over \$128,000 in trapping over the last 8 years.

DIRECTOR'S REPORTS

Law Director Lucas – No report. Mr. Carr stated that it was brought to his attention that there are some sidewalk gaps on Maplegrove (near Gully Brook). He asked that the City start the process like the City did with Walgreens. Mr. Lucas stated he will talk to City Engineer Lannon and Rich Palmisano to get an idea what specific properties are missing sidewalks.

Service Director Palmisano – No report. Mr. Kary stated with an increase in walkers and bike riders along the Lost Nation path on the east side, he asked if the striping could be repainted. Mr. Palmisano stated he would look into it.

City Engineer Lannon – Mr. Lannon reported that the City contractor Trax is getting ready to bore under Route 2 from Nason Basin to the south side of Route 2 at the Vine Street on ramp.

Fire Chief Ungar – Chief Ungar thanked Council for the passage of Resolution Nos. 2025-96, 97 and 98. The Police Department versus the Fire Department softball game is this Sunday at Andrews Osborne Academy. The game will benefit the Holiday Heroes Program that the Police Department supports near the holidays. Mr. Carr thanked Chief Ungar for providing a fire truck for the Bald Eagle block party recently.

Assistant Police Chief Tartaglia – Assistant Chief Tartaglia thanked the Willoughby Eagles for their continued support and Council for the passage of Resolution No. 2025-99.

Chief Building and Zoning Inspector Keller – No report.

Parks & Recreation Director Keller – Ms. Keller reported that the Osborne Park pool closes this Sunday; it will be open for two weekends until Labor Day. Summer camps are over. She congratulated the Willoughby Stingers for their three peat this year. Mr. Carr asked about the permit (for Osborne Park). Mayor Fiala stated he had a meeting with State Senator Jerry Cirino today and he stated he would intervene on the City's behalf.

Finance Director Hoffman – Ms. Hoffman thanked Council for the passage of Resolution Nos. 2025-95 and 101.

COUNCILMEMEN REPORTS

Ms. Sievers – Ms. Sievers stated she had a ward meeting this past Wednesday. She thanked everyone who attended including Council. She thanked the residents in attendance tonight at the Council meeting.

Mr. Kary – No report.

Mr. Tomaselli – No report.

Mr. Merhar – No report.

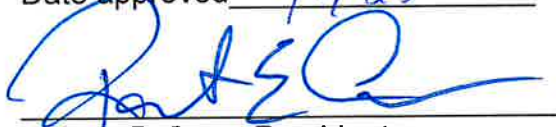
Mr. Garry – No report.

Mr. Anderson – No report.

Mr. Carr – Mr. Carr stated that Council will have a single meeting in November as the first meeting is scheduled for election day.

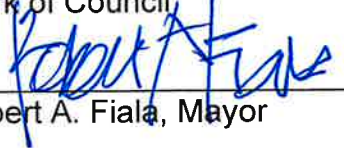
The Regular Council Meeting adjourned at 8:07 p.m.

Date approved 9/9/25



Robert E. Carr, President



Clerk of Council

Robert A. Fiala, Mayor

LEGAL NOTICE

Pursuant to Chapter 1115.03(f) of the Codified Ordinances of the City of Willoughby, Ohio notice is hereby given of a Public Hearing to be held by the Council on Tuesday, August 12, 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 1141 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Business Districts", specifically Section 1141.03, titled, "Schedule of Permitted Uses" to add Retail Sales of Adult Use Cannabis Dispensary as a permitted use in the Lakeshore Gateway (L-G) District.

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: July 28, 2025

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, August 12, 2025 at 7:10 p.m. (remote access through Zoom) in the Municipal Building, One Public Square, Willoughby, Ohio.

Said hearing is for a rezoning application initiated by Probuilt Homes, PO Box 384, Mentor, Ohio 44060 for the rezoning of .1789 acres of land from Residential Multi Family Low Rise (R-MF-L) to Downtown Business (DB) located at 4317 Center Street, PPN #27A023J000520.

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

BY ORDER OF THE COUNCIL OF THE CITY OF WILLOUGHBY

Alisa Novak
Clerk of Council

Publish: July 28, 2025