

MINUTES REGULAR COUNCIL MEETING

7:03 p.m.

September 23, 2025

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on September 19, 2025.

ROLL CALL

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

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 Anderson.

Approval of Minutes

Motion made by Mr. Anderson and seconded by Mr. Tomaselli to approve the Regular Council Meeting Minutes of September 9, 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 – 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 – Reported there was a committee meeting tonight to discuss the opportunity to purchase an ambulance with legislation expected before Council at the October 7th meeting.

Service Committee, Mr. Anderson – No report.

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 transfer from D & S Tavern Inc., 38770 Lakeshore Blvd., Willoughby, Ohio to PKA Enterprises LLC, Lakeshore Lounge, 38770 Lakeshore Blvd., Willoughby Ohio. There were no objections.

PUBLIC PORTION: No one spoke.

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

ORDINANCE NO. 2025-116

An ordinance accepting Amendment No. 1 to Ordinance No. 2025-79, the Manning & Payroll Ordinance, relative to the Water Pollution Control Center Division, and Hourly Personnel, Full Time, 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 Ordinance No. 2025-116 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 Ordinance No. 2025-116.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-117

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. Merhar and seconded by Ms. Sievers that the rules of Council requiring three separate readings be suspended and that Resolution No. 2025-117 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. 2025-117.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-118

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. Gary and seconded by Mr. Kary that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2025-118 be declared an emergency measure.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

Motion made by Mr. Gary and seconded by Mr. Kary to adopt Ordinance No. 2025-118.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

ORDINANCE NO. 2025-119

An ordinance authorizing a development agreement with Riverside Commons @ RT 2 LLC for the Riverside Commons Phase One Development Project, 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 Ordinance No. 2025-119 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 Ordinance No. 2025-119.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

RESOLUTION NO. 2025-120

A resolution accepting a donation of \$50,000 from the Fraternal Order of Eagles, Willoughby Aerie No. 2300, to be used for the purchase of fitness equipment at the new Willoughby Police Department Facility.

Motion made by Mr. Merhar and seconded by Mr. Garry to adopt Resolution No. 2025-120.

Roll Call 7 yes
 0 no

Motion carried 7 to 0

MAYOR'S REPORT – Mayor Fiala reported that the Ohio Department of Natural Resources (ODNR) will be releasing the City's permit for Osborne Park; construction should begin the second week of October. Ms. Keller will be in touch with the contractor to get the work started. Regarding the work being done at Andrews Osborne Academy, Mr. Tomaselli asked if the work is being done to remove the invasive species. Ms. Keller stated invasive species removal work has taken place over the last two months.

DIRECTOR'S REPORTS

Law Director Lucas – No report.

Service Director Palmisano – Mr. Palmisano thanked Council for the passage of Resolution 2025-116. Mr. Carr asked if the trees in the tree lawn that need to come down need to be marked. Mr. Palmisano stated the trees that have been reported will be assessed by the arborist and will either be removed or pruned. Tree planting will take place in December. Mr. Anderson asked about the final paving on Rt. 84 near Rt. 91. Mr. Palmisano stated the paving is being completed by the Ohio Department of Transportation (ODOT) who made the decision to do the work during the day because of the noise restrictions. He stated he has made arrangements with ODOT so that the final phase will be done at night.

City Engineer Lannon – Mr. Lannon reported the work being done on Third Street near the post office is work on a sewer lateral project that came from an Ohio EPA audit because the sanitary sewer was basically connected to the storm sewer which ended up in the Chagrin River. The U.S. Government refused to do anything about it for years but it's finally being completed.

Fire Chief Ungar – Chief Ungar thanked Council for the discussion on the new ambulance; he will work on getting legislation ready for the next Council meeting.

Police Chief Schultz – Chief Schultz thanked Council for Resolution No. 2025-120. He thanked the Willoughby Fraternal Order of Eagles including President Jerry Frye and Secretary Ed Glass for their continued support of the Police Department. The FOE and the VFW have been very supportive of Willoughby's public safety forces.

Chief Schultz gave an overview of the homicide that took place at Fox Run Apartments last Monday (September 15th). He stated the entire police staff that was working that day was working the case along with other neighboring agencies and K-9's. Within two and a half hours from the 9-1-1 call, the department had a suspect in custody. He stated that the Bureau of Criminal Investigation (BCI) was on scene at 6:30 p.m. to document the crime scene which is protocol for major incidents. Search warrants were issued and conducted throughout the evening. A press release was sent out about 8:30 p.m. that evening. Officers were back on scene about 7:00 a.m. the next day, canvassing the crime scene for more evidence including K-9's. He stated that throughout the week many more suspects were identified. A total of six people are currently in custody related to the incident: all felony charges. Two individuals are juveniles and four individuals are adults. Chief Schultz stated it was an isolated incident. He stated there was a lot of chatter in the community regarding the communication about the incident. He stated again that the official press release went out about 8:30 p.m. which is the department's standard protocol. There was concern that information should have been sent out to the community earlier. He stated this incident was very fluid and different from static

incidents the department responds to such as a car accident. He stated that at no time did any of the officers, detectives or himself feel that the public was in danger. He stated that sometimes providing information can hamper an investigation and could possibly put the officers working the scene in danger. He stated there was a social media post about 6:40 p.m. that created a lot of the confusion. He stated he will provide information in a timelier manner moving forward.

Chief Schultz updated Council on an incident that took place earlier this year regarding a pursuit of an individual that took place through Lake and Geauga Counties. The individual was charged with several felonies and was recently sentenced to a minimum of 11 years in prison with a maximum of 16 years.

Regarding the homicide on Lost Nation Road, Mr. Kary asked how residents are notified of a lockdown in case the public was in danger. Chief Schultz stated there are a few methods; one of easiest methods is a reverse 9-1-1. This involves setting up a geofence to target a certain area and an automated message would go out to those residents. He stated that based on the information at the scene, his department did not believe that the public was in danger.

Chief Building and Zoning Inspector Keller – No report.

Parks & Recreation Director Keller – No report.

Finance Director Hoffman – Ms. Hoffman thanked Council for the passage of Resolution No. 2025-117 and Ordinance No. 2025-118.

COUNCILMEN REPORTS

Ms. Sievers – Ms. Sievers thanked the Police and Fire Departments for their efforts last Monday (incident on Lost Nation Road). She expressed her condolences to the victims family. The annual White Cane Safety Walk is scheduled for October 11th from 10 a.m. to 1 p.m.

Mr. Kary – No report.

Mr. Tomaselli – No report.

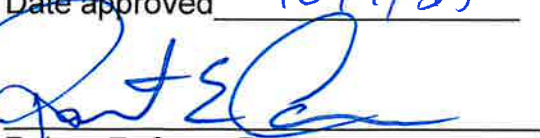
Mr. Merhar – No report.



Mr. Garry – No report.

Mr. Anderson – No report.

Mr. Carr – No report.

The Regular Council Meeting adjourned at 7:37 p.m.

Date approved 10/7/25

Robert E. Carr, President


Clerk of Council

Robert A. Fiala, Mayor