

# MINUTES REGULAR COUNCIL MEETING

7:07 p.m.

March 21, 2023

Pursuant to Codified Ordinance Chapter 107 and ORC Section 121.22, notice of the following meeting was given on March 17, 2023.

## ROLL CALL

**Council Members Present:** Sievers, Tomaselli, Anderson, Carr, Garry 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, Finance Director Hoffman, Clerk Novak

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

Motion made and seconded to excuse Councilman Kary from tonight's meeting.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

## Approval of Minutes

Motion made and seconded to approve the Regular Council Meeting Minutes of March 7, 2023.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

## STANDING AND REGULAR COMMITTEE REPORTS

**Committee of Full, Mr. Carr** – Regarding the summer Council schedule, Mr. Carr stated the normal cadence has been to schedule the meetings for the second Tuesday of the month, which is June 13th, July 11th and August 8th. He noted he is out of town on July 11th and the tax budget needs to be approved by July 15th.

**Economic Development Committee, Mr. Anderson** – No report.

**Environmental Planning Committee, Mr. Kary** – Absent.

**Finance and Audit Committee, Mr. Tomaselli** – Reported there was a committee meeting this evening for a second discussion on the 2023 operating budget.

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

**Personnel Committee, Mr. Anderson** – No report.

**Safety Committee, Mr. Tomaselli** – No report.

Service Committee, Dan Anderson – No report.

WPCC Committee, Mr. Garry – No report.

Planning Commission, Mr. Kary – Absent.

**CORRESPONDENCE:** Clerk Novak read a request from the Ohio Division of Liquor Control for a new D5I permit for Bholupir Two, Inc. dba Sunoco, 36944 Vine Street, Willoughby, Ohio 44094. A memo was sent out by Chief Building and Zoning Inspector Keller stating the location didn't meet the seating capacity. Mr. Keller stated it is undersized and doesn't meet the regulations. The City can either request a hearing or return with no concerns (a hearing will be requested).

**PUBLIC PORTION:** No one spoke.

**Motion made and seconded 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

**NEW BUSINESS:**

**RESOLUTION NO. 2023-39**

**A resolution authorizing an expenditure in an amount not to exceed \$181,000 for the purchase of one (1) Western Star 49X Trailer Hauling Conventional Day Cab Semi-Truck from Valley Freightliner, Inc. through the State of Ohio Cooperative Purchasing Program for use by the Willoughby-Eastlake Water Pollution Control Center, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-39 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2023-39.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**ORDINANCE NO. 2023-40**

**An ordinance amending Chapter 913 of the Codified Ordinances of the City of Willoughby, Ohio, titled, "Sanitary Sewerage System Charges"; specifically, Section 913.10, titled, "Surcharge for Extra-Strength Wastes", and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2023-40 be declared an emergency measure.

Roll Call 6 yes  
0 no

Motion carried 6 to 0

Motion made and seconded to adopt Ordinance No. 2023-40.

Roll Call 6 yes  
0 no

Motion carried 6 to 0

**RESOLUTION NO. 2023-41**

**A resolution authorizing the Mayor to enter into a First Amendment between the City of Willoughby and SBA Towers IV, LLC, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-41 be declared an emergency measure.

Roll Call 5 yes  
1 no (Sievers)

Motion carried 5 to 1

Motion made and seconded to adopt Resolution No. 2023-41.

Roll Call 5 yes  
1 no (Sievers)

Motion carried 5 to 1

**ORDINANCE NO. 2023-42**

**An ordinance providing for the Manning Levels and Compensation of Elected and Appointed Officials and Salaried and Non-Union Employees of the City of Willoughby, Ohio; repealing any and all other ordinances or parts thereof which may be inconsistent herewith or which may be redundant hereto; and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Ordinance No. 2023-42 be declared an emergency measure.

Roll Call 6 yes  
0 no

Motion carried 6 to 0

Motion made and seconded to adopt Ordinance No. 2023-42.

Roll Call 6 yes  
0 no

Motion carried 6 to 0

**RESOLUTION NO. 2023-43**

**A resolution approving an agreement between the Willoughby Part-Time Firefighter Association and the City of Willoughby, Ohio, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-43 be declared an emergency measure.

Roll Call 6 yes  
0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2023-43.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**RESOLUTION NO. 2023-44**

**A resolution to make appropriations for current expenses and other expenditures of the City of Willoughby, Ohio, during the period ending December 31, 2023, and declaring an emergency.**

Motion made and seconded that the rules of Council requiring three separate readings be suspended and that Resolution No. 2023-44 be declared an emergency measure.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

Motion made and seconded to adopt Resolution No. 2023-44.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

**MAYOR’S REPORT** – Mayor Fiala stated the City received a \$1.5 million grant from the Northeast Ohio Areawide Coordinating Agency (NOACA) for the Vine Street Corridor that the City never applied for. The grant is an 80/20 match and there will be a meeting next week to determine how the money can be used. It will be a challenge in how the money is distributed between the municipalities.

Regarding the safety levy, Mayor Fiala stated the campaign committee is up and running and they are functioning on their own. There have been three ward meetings and two more in the next few weeks. Palm cards regarding the levy have been made and can be distributed by the City because they only contain the facts. The campaign committee is comprised of Jerry Ranally, Wade Mitchell, Seamus and McPat Coyne; Mayor Fiala will request a weekly report from the committee. Mr. Carr stated that the committee meets every Wednesday at 4:30 p.m. via Zoom or at TDA if anyone wants to attend. Contributions are being accepted by the campaign committee and yard signs will be available soon. Information on the levy can be found on the City website and there is a levy campaign website ([www.willoughbycitizensforsafety](http://www.willoughbycitizensforsafety)) as well as a Facebook page.

**DIRECTOR’S REPORTS**

**Law Director Lucas** – No report.

**Service Director Palmisano** – Mr. Palmisano thanked Council for the passage of Resolution No. 2023-39. Mr. Anderson asked when Euclid Avenue beginning downtown will be paved. Mr. Palmisano stated it is scheduled for 2025. There are valve replacements taking place on Euclid Avenue and with the asphalt plant opening soon on April 15<sup>th</sup>, those will be addressed. Mr. Palmisano said third shift for snow plowing will end this week.

**City Engineer Lannon** – No report.

**Fire Chief Ungar** – No report. Ms. Sievers thanked Chief Ungar for his department’s attention given to the homeowner on Garden.

**Assistant Police Chief Tartaglia** – No report. Mr. Carr thanked the department for their attendance at the recent ward meetings.

**Building Inspector Keller** – No report. Mr. Keller introduced Building Inspector Larry Puskas. Mr. Puskas stated he has been with the City for seven years and has 23 years of overall experience. He said he feels privileged to step into the position of Chief Building and Zoning Inspector and said the department has a great staff and work together well as a team. Mr. Puskas will begin his new position at the beginning of April.

**Parks & Recreation Director Keller** – Absent.

**Finance Director Hoffman** – Ms. Hoffman thanked council for the passage of Ordinance No. 2023-42 and Resolution Nos. 2023-43 and 2023-44.

**COUNCILMEN REPORTS**

**Ms. Sievers** – Reported her ward meeting was last night focusing on the safety levy; she thanked everyone for their attendance.

**Mr. Kary** – Absent.

**Mr. Tomaselli** – Reported his ward meeting took place recently and it went very well.

**Mr. Merhar** – Reported that he and Mr. Garry are having a joint ward meeting tomorrow at the Senior Center at 7:00 p.m.

**Mr. Garry** – No report.

**Mr. Anderson** – No report.

**Mr. Carr** – No report.

Motion made and seconded to go into Executive Session in accordance with ORC 121.22(G)3 to discuss imminent litigation at 7:36 p.m.

Roll Call      6 yes  
                    0 no

Motion carried 6 to 0

The Council meeting reconvened at 8:08 p.m. from the Executive Session.

*The Regular Council Meeting adjourned at 8:08 p.m.*

Date approved 4/4/23

Robert E. Carr, President

Clerk of Council

Robert A. Fiala, Mayor