

CHRISTOPHER HALLUM  
President of Council

MICHAEL KLINE  
Vice President of Council

GLORIA MAJESKI  
Clerk of Council, Pro Tem  
2/11/21 meeting

COUNCIL:

NANCY E. FELLOWS

JOE JARMUSZKIEWICZ

DANIEL KNECHT

TANYA TAYLOR DRAPER

DANIEL ZEGARAC

# City of Willoughby Hills

## Regular Council Meeting

### Minutes of February 11, 2021

*Policy No. 2: All Council meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part of the official records and minutes. Written minutes of Council shall be shortened whenever possible.*

Prior to the meeting, the choral group "Northern Lights" of Eastlake North High School performed a vocal medley of songs to honor our Police, Fire and all Safety Forces. Police Chief Naegele and Fire Chief Gandee were in attendance to represent our First Responders. **(Audio: 0:01-18:40)**

The Regular Council Meeting was called to order on Thursday, February 11, 2021 at 7:00 p.m. remotely, using Zoom and Facebook Live. Council President Hallum presided.

**Pledge of Allegiance (Audio 23:10-23:28)**

**ROLL CALL (by Council President Chris Hallum) (Audio: 23:58-24:29)**

**Members Present:** Councilwoman Tanya Taylor Draper; Councilman Dan Zegarac, Councilwoman Nancy Fellows, Council President Chris Hallum, Councilman Joe Jarmuszkiewicz, Council Vice President Mike Kline and Councilman Dan Knecht.

**Also Present:** Mayor Andy Gardner, Finance Director Frank Brichacek, Law Director Michael C. Lucas and City Engineer Pete DiFranco

**APPOINTMENT OF CLERK PRO-TEM (Audio: 24:33-25:19)**

**Motion made by Councilwoman Taylor Draper** seconded by **Councilwoman Fellows** to appoint **Gloria Majeski** as Council Clerk Pro Tem for tonight's meeting.

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.  
**NAYS:** None  
Vote: 7/0

**Motion Carries** to appoint Gloria Majeski as Council Clerk Pro Tem for tonight's meeting.

**DISPOSITION OF THE JOURNAL (Audio: 25:41-27:17)**

**Motion made by Council Vice President Kline** seconded by **Councilman Knecht** to adopt the minutes of the January 28, 2021 Regular Council Meeting, as amended. (To reflect Councilman Zegarac's request to amend page 7 with regard to Ms. Monaco retirement notification to HR)

**Roll Call: AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS: None**

Vote: 7/0

**Motion Carries** to adopt the minutes of the Regular Council meeting of January 28, 2021, as amended.

### **COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 27:36-27:47)**

Email dated 1/26/21 from [Ohio@OpenTheBooks.com](mailto:Ohio@OpenTheBooks.com) re. Records Request for electronic copy of all employees for the year 2020 (requested in order to make this information available to the public)

Email dated 1/27/21 from PC-ABR clerk – Information for 1/27/21 Master Plan Subcommittee meeting

Email dated 1/27/21 from Gloria Majeski – Agenda/Legislation for 1/28/21 meeting

Email dated 1/28/21 from Gloria Majeski – Notification of 2021 CRC meetings

Email dated 1/29/21 from OMCA Membership – Dues notification (to Council President for action)

Email dated 1/29/21 from Newsletter.com – City E-newsletter 1/29/21

Email dated 1/29/21 from Gloria Majeski – CRC Zoom instructions

Email dated 1/29/21 from Patty Fulop, LC Port Authority – November dashboard

Email dated 1/30/21 from Gloria Majeski – State of City event on 2/4/21

Email dated 2/1/21 from Gloria Majeski – Council Meeting notification to media for February

Email dated 2/1/21 from Gloria Majeski – Notification of January 2021 Passed Legislation for Publication

Email dated 2/1/21 from PC-ABR clerk – Zoom instructions for 2/4/21 meeting with agenda

Email dated 2/2/21 from Gloria Majeski – Civil Service Meeting notification to media for 2/24

Email dated 2/2/21 from Gloria Majeski – Records Commission Meeting notification to media for 2/12

Email dated 2/5/21 from Newsletter.com – City E-newsletter of 2/5/21

Email dated 2/5/21 from Patty Fulop, LC Port Authority – LC Port Authority newsletter

Email dated 2/5/21 from Gloria Majeski – Agenda & Legislation for 2/8/21 Work Comm. of Council meeting, Finance, Rules & Legislation meeting

Email dated 2/5/21 from PC-ABR clerk – PC-ABR minutes of 1/21/21

Email dated 2/8/21 from WH Court – Response to Public Records Request received on 2/7/21

Email dated 2/8/21 from Gloria Majeski- Notification of deletion of Ordinance 2021-11 from 2/8/21 agenda

Email dated 2/8/21 from PC-ABR clerk – Zoom instructions for 2/18/21 PC-ABR meeting

### **PUBLIC PORTION #1 (Audio: 27:49-32:07)**

**An opportunity for the public to address Council concerning anything pertaining to tonight's agenda**

Public Portion opened at 7:05 p.m.

**Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094**

- 1) Ms. Bing said that she did not see the agenda for tonight's meeting posted on the City website.
- 2) Ms. Bing said that one of her neighbors pointed out that the meetings are not being put on Facebook on the "City side."

Public Portion closed at 7:07 p.m.

**Questions/comments following Public Portion:**

**Council President Hallum** explained to Mrs. Bing that we had some issues with Facebook Live and getting the meetings to post there. There were some program changes. It seems to be working now. We will make sure to get it on Facebook Live.

**Council Clerk Pro Tem** Majeski apologized for tonight's meeting agenda not being posted on the City website but explained that with so many other things with the Council responsibilities being added to her other duties, items may get overlooked. There are times when the Law Director or Council need to respond and while waiting for others to respond, it may get forgotten, but there were copies of the agenda in the lobby. She asked Mrs. Bing to please call or email in the future and if something is missing, it can be taken care of prior to the meeting and perhaps help other residents who may be having the same issue, as well.

**Council President Hallum** stated that if the Zoom access information was specifically what Mrs. Bing was searching for, the numbers for Regular Council meetings will always remain the same and the Committee meeting ID numbers will also remain the same.

**MAYOR'S REPORT (Audio: 32:10-36:14)**

**Mayor Gardner reported:**

- 1) COVID Update -- Lake County remains in the Red Level today, but trending in a good direction for cases and hospitalizations. Please continue to stay safe and the City will continue to post updates on vaccines as they become available. The County hosted a Point of Dispensary (POD) in Wickliffe last Friday with 1561 individuals receiving vaccine. Dose numbers are released each Monday. Just remember to register at [www.lcghd.org](http://www.lcghd.org).
- 2) Police: In January, there were 971 calls, including (430 traffic, 43 suspicious conditions, and 65 public assists).
- 3) Fire: In January, there were 148 runs (113 EMS/car accidents, 9 fires/hazardous conditions, and 26 service runs). Of the 148 calls, 38 were overlapping. We gave mutual aid 9 times and received mutual aid 7 times. The Fire Department is reminding us that the river is icing over and we need to heed caution. Stay off of the ice.
- 4) AARP Tax Assistance -- The only in-person sites currently available are in Solon and Warrensville Hts. Sign up on the AARP website.
- 5) The Charter Review Commission will hold Public Hearings on February 23 and February 24, 2021, at 7pm via Zoom. They are looking for public input for any Charter amendments.
- 6) Recreation Commission is still looking for one new member. If you are interested, please obtain the application on the City website.
- 7) E-newsletter continues to take new members...please sign up at [newsletter@willoughbyhills-oh.gov](mailto:newsletter@willoughbyhills-oh.gov). Our goal is to quadruple the number of E-newsletter recipients by July 1, 2021!
- 8) Sympathies to the families of Gail Atkins, Jose and Jelena Cindric, June Mortenson and Mary Ann Hauber.

**Questions/comments following the Mayor's Report:**

None

## **LAW DIRECTOR'S REPORT (Audio: 36:44-39:38)**

### **Law Director Lucas reported:**

- 1) He has had conversations with BZA Chairman Frank Cihula concerning potential sign regulation modifications, in part to address the duration of limits. He is reviewing a particular area and then will speak to Chairman Cihula.
- 2) He is working on revisions to our regulations on massage establishments in the City's Zoning Code Business Section. He would then like to take a look at the entire Business Regulation Section. Some business descriptions are archaic and have not been updated in a while.
- 3) He received a Public Records request and is working with Finance Director Brichacek to ensure complete compliance. If there is any gray area regarding Public Records requests, he will error on the side of liberal response. The Finance Director has been providing a lot of information to assist with this.

### **Questions/comments following the Law Director's Report:**

None

## **FINANCE DIRECTOR'S REPORT (Audio: 39:43-41:19)**

### **Finance Director Brichacek reported:**

No official report for tonight's meeting.

### **Questions/comments following the Finance Director's Report:**

**Councilman Zegarac** asked when Council will be receiving the budget to approve. **Finance Director Brichacek** stated that he hopes to have a draft for the next Council meeting. **Councilwoman Fellows** asked about the possibility of a premium change in the City's Property & Casualty Insurance based upon the two Police Department vehicles that were totaled and are now being replaced. **Finance Director Brichacek** stated that we won't know that until we go out to bid in September.

## **CITY ENGINEER'S REPORT (Audio: 41:22-56:16)**

### **City Engineer DiFranco reported:**

- 1) ODOT will be closing Eddy Road to 91 to thru traffic beginning March 1, 2021 (weather permitting) for up to approximately 240 days (10/27/21) for rehab project at I-271 bridge crossover. Eddy Road will remain open to local traffic; you will not be able to go over the bridge. Signs will be posted at Bishop and SOM Center, diverting thru traffic to Chardon Road. This project is being done in conjunction with the I-271 ramp project which ODOT is doing and is expected to be done in the fall of 2021.
- 2) Ordinance 2021-009 is a preliminary agreement with ODOT for resurfacing Chardon Road (from SOM Center east to the east Corporation line near Worrell Road). A grant was received through

NOACA. Anticipated project cost is \$1.7m, with the grant covering 80% (\$1.3m). The City is responsible for 100% all design costs and anything below the surface course of asphalt, joint repairs (below surface repairs) and \$500,000 has been budgeted for the City's portion for base repairs and engineering. ODOT is administering the project, which involves 2.6 miles in Phase I.

Phase II is then Chardon Road, west of SOM Center, which has the construction planned for 2024. Initially, this was a planned single project, but the City was able to get it split into two parts to help with Street Rehab budget planning.

- 3) Planning to resurface River Road (Resurfacing Grants) include North of Chardon, planned for 2024 construction and South of Chardon, planned for 2025 construction. This, too, has been split into two phases to help with budget planning.
- 4) Chardon Road Bridge over the Chagrin River project is set for 2025 for ODOT to rehab it. There has been discussion about doing this at three-year intervals from the project on tonight's agenda, but the bridge project is still tentative and the decision to proceed with resurfacing at this time has been made as listed in the ordinance.
- 5) Requesting Motion to go out to bid for 2021 Street Rehab and 2021 Sewer Rehab in tonight's portion of New Business.
- 6) He is working on the Zoning issue with regard to Ordinance 2021-10 for the Judgment Entry for the Zoom Car Wash. The Judgment Entry has been signed by the Judge and the business owner and the 30-day clock starts after that, but is contingent on Council approval. Basically, there are 2 meetings to approve this or it will end up in litigation.

**Questions/comments following City Engineer's Report:**

**Councilman Jarmuszkiewicz** asked about the Route 6 project – for the “under surface repair, who does the work?” **City Engineer DiFranco** said that it was part of the project and that the City would pay for that portion. ODOT will get a general idea where the issues are and will include a quantity in their bid; this may change during construction, but should be close. **Council President Hallum** asked about the 2022 date for the project – is that to complete or start? **City Engineer DiFranco** stated that the contract will be awarded in February 2022 and the construction should be completed no later than November 2022. **Council President Hallum** asked about lane closures. **City Engineer DiFranco** said that one lane will be maintained, without a detour, since the closures will be “pretty small” and flagging will help with the traffic flow. **Councilman Jarmuszkiewicz** asked if a traffic survey study was ever done in that area and, if so, how many cars go through that area daily. **City Engineer DiFranco** stated that ODOT does those studies and information is available on line. **Councilwoman Fellows** asked if the PC-ABR would also have to approve the Zoom Car Wash as she struggles with Council having to approve this project before PC-ABR approves it. **City Engineer DiFranco** stated that they have the process started; PC-ABR had a work session with the applicant and they provided additional information and the business is on an upcoming agenda for

preliminary approval, with the final approval probably being in about two months. **Council President Hallum** stated that Page 9 of the Judgment Entry has a disclaimer regarding approval from PC-ABR. **Councilwoman Fellows** asked if Council is approving the conceptualization of this. **City Engineer DiFranco** stated “yes.” **Councilwoman Fellows** stated that with the Chardon Road Bridge, many years ago the Pleasant Valley Road Bridge was talked about becoming a walking bridge or a bridge with weight limits and then a new road would be put in alongside it. She felt this should perhaps be brought back up to preserve the historic aspect of the bridge. The work on Chardon Road will make the bridge deteriorate faster. Perhaps the Council could bring this up in Committee as she would like to see the bridge maintained. **Council President Hallum** stated that this could be discussed at a Monday night Committee meeting and added that the Pleasant Valley Road Bridge may be closed down during the Chardon Road construction. **Councilwoman Fellows** added that barriers could be added to accomplish that and be moved for emergency vehicles, if the bridge is closed.

### **COMMITTEE REPORTS/BOARD & COMMISSION REPORTS (Audio: 56:21-58:59)**

#### **Recreation Commission – reported by Councilman Jarmuszkiewicz:**

**Councilman Jarmuszkiewicz** reported that he has no Recreation Commission report, but reports that the Commission is still looking for new members. Baseball and softball registration is ongoing. Applications are available on the City website. **Council President Hallum** added that it is “a great league and a great group of coaches.”

#### **Master-Plan Subcommittee of PC-ABR – reported by Councilwoman Taylor Draper:**

**Councilwoman Taylor Draper** reported that the Master Plan Committee will meet next week, to follow the PC-ABR meeting. Meeting information is available on the City website.

**Council President Hallum** added that Charter Review Commission meetings are also on the City website calendar and encourages residents to submit their ideas for Public Hearings. **Councilwoman Fellows** asked if “Rules and Legislation” on the City website could be corrected (it was listed as “Rules and Regulations”).

### **UNFINISHED BUSINESS (Audio: 59:03-1:01:53)**

**Councilwoman Fellows** asked about the Council Clerk position that was recently posted as a “part-time” position and wondered if there should be some discussion in Council Committee to possibly consider this as a “full-time” position. **Council President Hallum** stated that he wanted to “start the search” and that discussion could certainly be had in a Council Committee meeting and he would put it on the upcoming Working Committee of Council meeting agenda.

**Council Vice President Kline** stated that he would like to schedule a Council Business Subcommittee meeting for Monday, March 1, 2021 at 6:00 p.m. via Zoom to discuss Chapter 7 of the Codified Ordinances

(Business Regulations). This will be a one-hour meeting with future meetings to follow. **Council President Hallum** added that he would like Economic Development Director Monica Drake to be in attendance. **Council Vice President Kline** agreed and will extend the invitation to her.

**LEGISLATION (Audio: 1:01:56-1:21:25)**

**ORDINANCE 2021-007 – FIRST READING (Audio 1:10:56-1:04:45)**

**AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT AND DECLARING AN EMERGENCY.**

**Motion made by Councilwoman Taylor Draper, seconded by Councilman Zegarac to waive Three Readings on Ordinance 2021-007.**

**Discussion on the Motion:**

None

**Roll Call:     **AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.****

**NAYS: None**

Vote: 7/0

**Motion Carries to waive Three Readings on Ordinance 2021-007 to accept the NOPEC NEC grant.**

**Motion made by Councilwoman Taylor Draper, seconded by Council Vice President Kline to adopt Ordinance 2021-007.**

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated that this Ordinance is a NOPEC grant to make City improvements to invest it back into our City. It provides for a provision for the Mayor to select a Committee to look at the best way to spend the NOPEC NEC fund. **Council President Hallum** added that it is approximately \$24,000 that is available for energy conservation projects and we have made many good City improvements with this grant in the past.

**Roll Call:     **AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.****

**NAYS: None**

Vote: 7/0

**Motion Carries to adopt Ordinance 2021-007 to accept the NOPEC NEC grant.**

**ORDINANCE 2021-008 – FIRST READING (Audio: 1:04:50-1:08:20)**

**AN ORDINANCE DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF FOUR (4) NEW POLICE VEHICLES AND DECLARING AN EMERGENCY.**

**Motion made by Councilman Jarmuszkiewicz, seconded by Councilman Zegarac to waive Three Readings on Ordinance 2021-008.**

**Discussion on the Motion:**

**Councilwoman Taylor Draper** stated that Police Chief Naegele had discussed the necessity to pass this legislation tonight. She agreed that timing is a concern and would like the vehicles on the road by June.

**Roll Call:     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS:** None

Vote: 7/0

**Motion Carries to waive Three Readings on Ordinance 2021-008 to purchase four new Police vehicles.**

**Motion made by Councilwoman Fellows seconded by Councilman Zegarac to adopt Ordinance 2021-008.**

**Discussion on the Motion:**

**Council President Hallum** stated that two of these vehicles were replacements for vehicles involved in accidents. **Councilman Zegarac** add that he figured approximately \$42,000 to \$43,000 for the two cars that were totaled. **Finance Director Brichacek** agreed.

**Roll Call:     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS:** None

Vote: 7/0

**Motion Carries to adopt Ordinance 2021-008 to purchase four new Police vehicles.**

**Mayor Gardner** thanked Council for approving this expenditure and **Police Chief Naegele** thanked Council for their support of the Police Department.

**ORDINANCE 2021-009– FIRST READING (Audio: 1:08:29-1:10:54)**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS RELATING TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PROJECT NO. 112503 PROVIDING FOR RESURFACING OF CHARDON ROAD (U.S. 6) FROM APPROXIMATELY S.O.M. CENTER ROAD (SR-91) TO THE EAST CORPORATION LINE NEAR WORRELL ROAD IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**Motion made by Councilman Jarmuszkiewicz seconded by Councilwoman Fellows to waive Three Readings on Ordinance 2021-009.**

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated that at Monday's meeting, there was discussion about the process of designing the road being expedited

**Roll Call:**     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.  
                  **NAYS:** None  
                  Vote: 7/0

**Motion Carries to waive Three Readings on Ordinance 2021-009 for the ODOT Project No. 112503 providing resurfacing of Chardon Road, as noted above.**

**Motion made by Councilwoman Taylor Draper seconded by Councilman Zegarac to adopt Ordinance 2021-009.**

**Discussion on the Motion:**

None

**Roll Call:**     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.  
                  **NAYS:** None  
                  Vote: 7/0

**Motion Carries to adopt Ordinance 2021-009 for the ODOT Project No. 112503 providing resurfacing of Chardon Road, as noted above.**

**ORDINANCE 2021-010 – FIRST READING (Audio: 1:10:57-1:18:04)**

**AN ORDINANCE PROVIDING FOR THE CONSENT AND RATIFICATION OF THE TERMS AND CONDITIONS SET FORTH IN THE AGREED JUDGMENT ENTRY AND ORDER, CASE TITLED BISHOP WASH INVESTMENTS, LLC VS. THE CITY OF WILLOUGHBY HILLS, CASE NO. 20CV001409 AND DECLARING AN EMERGENCY.**

**Motion made by Council President Hallum seconded by Councilwoman Taylor Draper to waive Three Readings on Ordinance 2021-010.**

**Discussion on the Motion:**

**Council President Hallum** stated that he wants to show businesses that we want to welcome them in to Willoughby Hills and while they still must pass everything else with PC-ABR, he believes getting this done now show our support. **Councilwoman Taylor Draper** seconds that and favors bringing businesses which will increase tax revenue, but wants it noted that any type of noise issues will be addressed and will be discussed with the residents in the town home community behind it. It is paramount. She supports this Ordinance and will make sure it works out for those residents. **Councilwoman Fellows** stated that there is a

reason for Three Readings and both Assistant Law Director Lobe and City Engineer DiFranco stated that we have time to do two readings. She agrees with bringing in new business, but wants to do due diligence when it comes to the number of readings. **Councilman Jarmuszkiewicz** agreed that Assistant Law Director Lobe mentioned two readings but going three readings would cost the City too much money as it would go to litigation. He feels it is a good idea to pass it and let the other Boards put the safeguards that are necessary. **Councilman Zegarac** asked if both the Court and business owner had signed off and **Council President Hallum** advised him that they both had.

**Roll Call:**     **AYES:** Taylor Draper, Zegarac, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** Fellows

                  Vote: 6/1

**Motion Carries to waive Three Readings on Ordinance 2021-010 to provide for the consent and ratification of the terms and conditions set forth in the Agreed Judgment Entry and Order in Case #20CV001409 Bishop Wash Investments LLC vs. the City of Willoughby Hills.**

**Motion made by Councilwoman Taylor Draper seconded by Councilman Zegarac to adopt Ordinance 2021-010.**

**Discussion on the Motion:**

**Councilwoman Fellows** said that she “has been down this road before and knows the difficulties of not having PC-ABR approve the plan.” She will vote for the “conceptualization of the business only.” Further, she stated that “as Councilwoman Taylor Draper said, if there are noise issues, it will be too late to change that. Business is business.” **Councilman Zegarac** stated that there is already noise on Bishop as it gets busy and there is quite a bit of noise from the traffic. **Council President Hallum** agreed, and stated that this will be a drive-thru business, **Councilwoman Taylor Draper** responded that she had seen the car wash business first hand and there is no noise; the vacuums are quiet and the drive thru pay area has no noise. “Business won’t be business” on her watch in her district...”residents will not be disturbed by businesses.”

**Roll Call:**     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

                  Vote: 7/0

**Motion Carries to adopt Ordinance 2021-010 to provide for the consent and ratification of the terms and conditions set forth in the Agreed Judgment Entry and Order in Case #20CV001409 Bishop Wash Investments LLC vs. the City of Willoughby Hills.**

**RESOLUTION 2021-001 – FIRST READING (Audio: 1:18:06-1:21:25)**

**A RESOLUTION SUPPORTING THE CITY’S PARTICIPATION IN THE NOPEC 2021 COMMUNITY EVENT SPONSORSHIP PROGRAM AND AWARD ACCEPTANCE AND DECLARING AN EMERGENCY.**

**Motion made by Councilman Jarmuszkiewicz seconded by Councilman Zegarac to waive Three Readings on Resolution 2021-001.**

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated that this is usually used for City events. We get it through NOPEC. It is in the amount of \$1500 per year. We got it the last several years and it must be submitted soon. The Recreation Commission talked about using it toward this year’s Touch A Truck event which will feature a parade in September with COVID hopefully being behind us.

**Roll Call:     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS:** None

Vote: 7/0

**Motion Carries to waive Three Readings on Resolution 2021-001 to approve the NOPEC Sponsorship grant submission.**

**Motion made by Councilwoman Taylor Draper seconded by Councilman Knecht to adopt Resolution 2021-001.**

**Discussion on the Motion:**

None

**Roll Call:     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.**

**NAYS:** None

Vote: 7/0

**Motion Carries to adopt Resolution 2021-001 to approve the NOPEC Sponsorship grant submission.**

**NEW BUSINESS (Audio: 1:21:30-1:23:08)**

Motion was made by **Councilman Jarmuszkiewicz** seconded by **Councilman Knecht** to allow the Mayor to go out to bid for 2021 Street Rehab.

**Discussion on the Motion:**

**Roll Call:**     **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

Vote: 7/0

**Motion Carries** to allow the Mayor to go out to bid for 2021 Street Rehab.

Motion was made by **Councilman Knecht** seconded by **Councilwoman Fellows** to allow the Mayor to go out to bid for 2021 Sewer Rehab.

**Discussion on the Motion:**

**Roll Call:** AYES: Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

NAYS: None

Vote: 7/0

**Motion Carries** to allow the Mayor to go out to bid for 2021 Sewer Rehab.

**PUBLIC PORTION #2 (Audio: 1:23:12-1:34:21)**

**An opportunity for the public to address Council with any comments, issue or concern.**

Public Portion opened at 8:02 p.m.

**Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094**

- Mrs. Bing spoke on the Council Clerk position. She said the Clerk discussion should not be pushed off for two weeks from now and just posted as “Part-time.” Different people may apply. She does not understand the logic and asked that Council get “all their ducks in a row” to determine who is to interview, post appropriately and “run the City as a business.”

**Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44092**

- Ms. Fulton had the following three concerns:
  - 1) (Audio issues with “awful feedback from Council President Hallum”) concerned about a massage establishment coming back into Willoughby Hills when we had a “prior one with problems.”
  - 2) Eddy Road Bridge – when is the smaller bridge to be redone?
  - 3) Three Readings seem to be dismissed recently; just curious as to “why.”

Public Portion closed at 8:04 p.m.

**Comments following Public Portion:**

**Councilman Jarmuszkiewicz** said in response to Ms. Fulton’s comments about the need for Three Readings on an Ordinance/Resolution, he felt that Three Readings is important if further discussion or investigation is needed. He believes there is no need to read something three times if you are accepting funds or if you have a need to expedite a project. There has to be a reason for it. Eddy Road, for example, has a deadline to begin on March 1 and last for 240 days, and that is the smaller one that will be replaced. Secondly, with regard to Ms. Fulton’s comments regarding a massage establishment in our city, he felt that the way the

current ordinance is written is limited. Doctors' offices are now doing massotherapy, which is not permissible currently. He believes our current law is "archaic and restricted." **Council President Hallum** added that he agreed, especially since the current law prohibits a male working on female for massage therapy or a female working on a male for massage therapy. He believes that it limits businesses and needs to be rewritten. **Councilwoman Taylor Draper** added that "none of us are advocating for the old-time massage parlors." **Councilman Zegarac** added that there is a massotherapist located on Chardon Road now, next to Local Tavern and massage therapy is "everywhere." It involves not only massage, but also breathing, stretching and yoga. He stated that the "massage parlors went out with beer joints and saloons." **Councilwoman Fellows** agreed that the definition of gender may need to be identified and deferred to the Law Director. **Law Director Lucas** agreed that the older language needs to be updated and he is looking at other communities' zoning. He hopes that it will end up being more modern and more regulated for the establishments.

**Councilman Zegarac** replied to Ms. Bing's comments concerning the Council Clerk position. He felt that "part-time" was good at 25 to 30 hours per week. He felt that there are plenty of people who would do it for part-time. Full-time employment brings up a big undertaking with insurance and benefits issues and hopefully we can bring someone in on a part-time basis. Gloria and Assistant Law Director Lobe are busy doing work that was left from former Clerk Savage, including Codification that has not been done since 2016. We need someone to come in to continue to organize. **Council President Hallum** added that we are trying to watch our budget and not overspend and we could allow for part-time hours with some additional provisions for hours for special projects, but he is certainly open to discussing this at the next Working Committee of Council meeting.

**FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY**  
(Audio: 1:34:22-1:39:59)

**Councilwoman Taylor Draper** stated that she was proud of Mayor Gardner's presentation at the recent WWLCC State of the City and encouraged others to watch it. She enjoyed the PowerPoint presentation, which she felt showed his pride in the city and his recognition of Council and Administration, working together as a team. "You did a good job" she told the Mayor.

**Councilman Jarmuszkiewicz** announced that Local Tavern is open again on Chardon Road. We need to continue to support small businesses in our city. They appreciate the promotion to bring people in.

**Councilman Zegarac** stated that Council passed the Car Wash Ordinance, and during the Business Grant Program through CARES, we established a relationship with businesses in that area. They will be happy to have the car wash there.

**Councilwoman Fellows** offered "kudos to the Mayor on his presentation" and also announced that resident John Plecnik had been sworn in as our newest Lake County Commissioner (joining Commissioners Young and Hamercheck), calling it an "awesome appointment" and added that he was the third Lake County Commissioner from Willoughby Hills. **Council President Hallum** added that he had viewed the Zoom meeting where the Lake County Central Committee voted to approve Mr. Plecnik and was a little surprised that with the vast majority of what he saw of the Lake County Elected Officials supporting (candidate) Chuck Hillier, the Committee ignored the Elected Officers' endorsements and appointed Mr. Plecnik. He

added that “he can only pray that Mr. Plecnik learned from his mistakes that were made here and he has the opportunity to really show Willoughby Hills and the County.” **Councilman Zegarac** said he heard someone scream on the tape (?), but wanted to offer that he is serving Mr. Plecnik’s unexpired term, having gotten it after Councilwoman Majka’s resignation. **Councilwoman Fellows** added that Mr. Plecnik relinquished his seat on Council to be able to run for the “State Central Committee,” adding that (her husband) Dale could confirm that.

**ADJOURNMENT (Audio: 1:40:10-1:40:48)**

**Motion** was made by **Councilman Jarmuszkiewicz** seconded by **Councilman Zegarac** to adjourn.

**Discussion on the Motion:**

None

**Roll Call:** **AYES:** Taylor Draper, Zegarac, Fellows, Hallum, Jarmuszkiewicz, Kline and Knecht.

**NAYS:** None

Vote: 7/0

**Motion Carries** to adjourn the Regular Council meeting of February 11, 2021.

**The Regular Council Meeting of February 11, 2021 was adjourned at 8:18 p.m.**

**APPROVED:** 2/25/21  
Date

  
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**Christopher Hallum**  
*President of Council*

**ATTEST:** Maria Majka  
*Council Clerk Pro-Tem*