

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

GLORIA MAJESKI
Clerk of Council, Pro Tem
2/25/21 meeting

COUNCIL:
NANCY E. FELLOWS
JOE JARMUSZKIEWICZ
DANIEL KNECHT
TANYA TAYLOR DRAPER
DANIEL ZEGARAC

City of Willoughby Hills

Regular Council Meeting Minutes of February 25, 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.

The Regular Council Meeting was called to order on Thursday, February 25, 2021 at 7:05 p.m. remotely, using Zoom and Facebook Live. Council President Hallum presided.

Pledge of Allegiance (Audio: 24:04-24:22)

ROLL CALL (by Council President Chris Hallum) (Audio: 26:20-26:58)

Members Present: Councilman Dan Zegarac, Councilwoman Nancy Fellows (arrived at 7:12 p.m.), Council President Chris Hallum, Councilman Joe Jarmuszkiewicz, Council Vice President Mike Kline, Councilman Dan Knecht and Councilwoman Tanya Taylor Draper.

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: 27:30-28:11)

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

Roll Call: **AYES:** Zegarac, Hallum, Jarmuszkiewicz, Kline, Knecht and Taylor Draper.
NAYS: None
Vote: 6/0

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

DISPOSITION OF THE JOURNAL (Audio: 28:19-29:21)

Motion made by Council Vice President Kline seconded by **Councilwoman Taylor Draper** adopt the minutes of the February 11, 2021 Regular Council Meeting.

Roll Call: **AYES:** Zegarac, Hallum, Jarmuszkiewicz, Kline, Knecht and Taylor Draper.
NAYS: None
Vote: 6/0

Motion Carries to adopt the minutes of the Regular Council meeting of February 11, 2021.

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 29:39-29:56)

Mayor's Court Report dated Month End January 31, 2021

Email dated 02/15/21 from newsletter.com re. Water Main Break Notification

Email dated 02/16/21 from newsletter.com re. Republic Services Delay

Email dated 2/16/21 from Gloria Majeski (with Councilwoman Fellows' reply) re. Calls regarding woods behind Bishop Park Apartments being cut down

Email dated 2/17/21 from BZA re. BZA Meeting notification for Tuesday, March 9, 2021

Email dated 2/17/21 from Gloria Majeski (with City Engineer DiFranco's reply) re. Codification of Ordinances by Walter Drane Co. for August 2016 to December 2020

Letter dated 2/18/21 from Mayor Gardner to resident Lisa Kubish re. Resignation on Recreation Commission

Email dated 2/18/21 from Gloria Majeski re. Civil Service Packet for CRC Public Hearing

Email dated 2/18/21 from Gloria Majeski re. Council Business Subcommittee Mtg. 3/1/21

Email dated 2/18/21 from OH Municipal League re. Vaccine Distribution

Email dated 2/19/21 from Gloria Majeski re. Council Meeting Minutes draft of 2/11/21

Email dated 2/19/21 from City Engineer DiFranco (with Councilman Zegarac reply) re. Preliminary Approval-PC-ABR-2819 Bishop – Zoom Car Wash

Email dated 2/19/21 from newsletter.com re. City Newsletter of 2/19/21

Email dated 2/22/21 from PC-ABR re. PC-ABR meeting set for 3/4/21

Email dated 2/22/21 from Recreation Commission Clerk re. Rec. Comm. meeting set for 3/3/21

Email dated 2/22/21 from Finance Director Brichacek re. Preliminary 2021 Annual Appropriations Ordinance

PUBLIC PORTION #1 (Audio: 29:59-31:41)

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

Public Portion opened at 7:11 p.m.

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

- 1) Ms. Bing stated there was an "echo" coming from the Zoom transmission tonight.

Vicki Miller, 2857 Hayes Drive, Willoughby Hills, OH 44094

- 1) Mrs. Miller also concurred that there were audio issues. (Which **Council President Hallum** then addressed and repaired for the remainder of the meeting).

Public Portion closed at 7:13 p.m.

MAYOR'S REPORT (Audio: 31:48-34:21)

Mayor Gardner reported:

- 1) COVID Update – Lake County remains in the Red Level today, but trending in a good direction for cases and hospitalizations. The County reported 43 new cases during the time period February 15th to yesterday. Willoughby Hills Community Center will host a Point of Dispensary (POD) on Wednesday, March 3, 2021, and then again on 3/24/21 for the second vaccine dose. Five hundred

individuals are expected to receive the vaccine at that time. Appointments are being made thru the Lake County General Health District (www.lcghd.org). Mayor thanked his staff for their coordinated efforts in the planning of the vaccine distribution. We will continue to post updates on the vaccine. The Mayor thanked the library (or accommodating the County by closing the library for a good part of the day to facilitate the distribution). He recommended avoiding the Community Center on Wednesday (unless receiving the vaccine) as parking will be limited.

- 2) Welcome to Tom Roseum, the City's newest member of PC-ABR. Mr. Roseum attended his first Master Plan meeting last week.
- 3) The Charter Review Commission continues their work to review the Charter for amendments. Public Hearings were held on February 23 and February 24, 2021. With the resignation of Claude Bailey, Vicki Miller will be appointed (following Council confirmation) and administered the Oath of Office at the next meeting. Mayor Gardner requested confirmation of her appointment in "New Business" tonight.
- 4) We continue to encourage residents to sign up for the E-newsletter, which goes out every Friday. Visit www.newsletter.com to sign up.
- 5) Sympathy to the family of long-time resident Larry O'Donnell who passed away on Sunday. His family has requested that donations may be made in Larry's memory to the WHISPER fund to help his fellow seniors. This is a very nice gesture by the O'Donnell family.

Questions/comments following the Mayor's Report:

None

LAW DIRECTOR'S REPORT (Audio: 34:22-35:33)

Law Director Lucas reported:

- 1) He is working on the final modifications to amendments to the "massage establishment" ordinance and will plan to have it ready for the next Council meeting. Administration is currently reviewing massage establishments and all other businesses identified in Chapter 7 and a Business Subcommittee meeting has been planned, which he has been invited to attend.

Questions/comments following the Law Director's Report:

None

FINANCE DIRECTOR'S REPORT (Audio: 35:38-37:17)

Finance Director Brichacek reported:

- 1) The proposed Ordinance 2021-012 is on First Reading on tonight's agenda. The 2021 Budget book should be available on Friday. There are detailed pages posted on the City website and shows what they are comprised of and how they were developed.
- 2) It is time to reappoint members to the Income Tax Board of Review. The Mayor will appoint one member and Council appoints two members. This is for a two-year term. The Board is established pursuant to the Income Tax Code which was adopted a few years ago (requirements of the State), and states that the appointments should be made.

Questions/comments following the Finance Director's Report:

None.

CITY ENGINEER'S REPORT (Audio: 37:41-38:51)

City Engineer DiFranco reported:

- 1) Borings were drilled on Dodd Road yesterday for the slope stabilization project. Once he gets the report, he will do a plan from there next week for the repair of the slope.
- 2) Bids for Street Rehab, Sewer Rehab and Pavement Markings Programs will be going out next week.

Questions/comments following City Engineer's Report:

Councilman Knecht asked **City Engineer DiFranco** if the Corporate 90 Force Main Project is in service yet. **City Engineer DiFranco** stated that it is done, with the exception of lawn restoration at SOM and Chardon Roads, which is planned for spring.

COMMITTEE REPORTS/BOARD & COMMISSION REPORTS (Audio: 38:52-41:11)

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

Councilwoman Taylor Draper reported that last week's Master Plan Meeting (held in lieu of the PC-ABR meeting) included its newest member, Tom Roseum, who has served thirty-five years as a contractor, teaches at Euclid Construction Management as good experience and is a "talented" individual. The invited guest at the recent meeting was Mr. Dave Anderson, former Willoughby Mayor, and now Executive Director of the Lake County Port Authority. He gave a comprehensive report with a PowerPoint presentation and described the role of the Port Authority. Lake County Port Authority promotes economic development for Lake County municipalities. The Port Authority is a State Agency that can acquire and improve property and assists small businesses to expand, featuring tax-exempt bonds, fixed financing, community block development grants and encourages businesses to come and others to expand. The next meeting is set for March 10, 2021, and the Subcommittee is currently considering dates for Public Hearings.

UNFINISHED BUSINESS (Audio: 41:33-44:38)

Council Vice President Kline reported that as Finance Chairman he is scheduling some Finance Committee meetings to review the 2021 Budget. He has planned two meetings via Zoom: Tuesday, March 9 and Tuesday, March 23, 2021 at 6:00 p.m. **Council President Hallum** offered that he is working with the Mayor to plan the ordinances on future agendas so that perhaps the Monday Working Committee of the Whole meetings could be shortened to allow time for the Finance Committee and budget discussions. **Council Vice President Kline** planned for the entire Tuesday meeting to allow adequate discussion time. **Mayor Gardner** stated he wanted to follow up on an earlier Council meeting discussion relating to the Pleasant Valley Road Bridge. He reviewed his notes and Pete had provided some history with the bridge. There was talk of making the bridge a “pedestrian only bridge” and after further thought and research, offered that ODOT allows cities to apply for bridge construction fees limited to \$2m per project, with a 20% match (not including engineering fees). “If we were to consider, there are some real dollars we would have to look for. There is only about \$10m per year that is made available so it might be competitive to get it.” If the Pleasant Valley Road bridge was changed to a “pedestrian only bridge,” the City would have the option to 1) build a new bridge to the north, which would impair the scenic nature of the existing bridge, or 2) close the bridge to motor vehicles, which would impact the residents in that area. **Mayor Gardner** wanted to share these thoughts as a follow up to the last meeting.

LEGISLATION (Audio: 44:40-56:20)

ORDINANCE 2021-011 – FIRST READING (Audio: 44:40-48:05)

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PROJECT NO. 112503 TITLED LAK US 006 02.60 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 Dan Zegarac, seconded by Councilman Knecht to waive Three Readings on Ordinance 2021-011.

Discussion on the Motion:

Councilman Zegarac asked if there was any reason NOT to waive and adopt this tonight. **Council President Hallum** stated that the sooner the engineering gets done, the sooner the City can go out to bid and get better pricing. **City Engineer DiFranco** stated that it is “a bit different with ODOT doing the bids. Stage 1 design must be completed by April 1 in order to complete the design by the end of July.”

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

NAYS: None

Vote: 7/0

Motion Carries to waive Three Readings on Ordinance 2021-011 to authorize the engineering fees associated with ODOT Project No. 112503 for the resurfacing of Chardon Road, as identified above.

Motion made by Councilman Zegarac, seconded by Councilman Knecht to adopt Ordinance 2021-011.

Discussion on the Motion:

None

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

NAYS: None

Vote: 7/0

Motion Carries to adopt Ordinance 2021-011 to authorize the engineering fees associated with ODOT Project No. 112503 for the resurfacing of Chardon Road, as identified above.

ORDINANCE 2021-012 – FIRST READING (Audio: 48:07-48:30)

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2021; REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

Council President Hallum stated that this will remain on First Reading.

ORDINANCE 2021-013 – FIRST READING (Audio: 48:33-52:45)

AN ORDINANCE DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF A DIGITAL WATCHDOG VIDEO SYSTEM TO SERVE THE SURVEILLANCE AND SECURITY NEEDS OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

Motion made by Councilwoman Taylor Draper, seconded by Councilman Zegarac to waive Three Readings on Ordinance 2021-013.

Discussion on the Motion:

Councilwoman Taylor Draper stated that Police Chief Naegele spoke of the urgency of this purchase in order to maintain the safety and security of the Police Department and the entire City complex. **Council President Hallum** added that the current system has failed in the Interrogation Room and a temporary system is in place, but it is good to get this in place to protect the residents and our Safety Forces. **Councilman Zegarac** agreed that it was “cut and dry and that there is nothing to debate,” adding “nothing will change with Three Readings.”

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

NAYS: None

Vote: 7/0

Motion Carries to waive Three Readings on Ordinance 2021-013 to purchase a digital Watchdog Video System.

Motion made by Councilwoman Taylor Draper, seconded by Councilman Zegarac to adopt Ordinance 2021-013.

Discussion on the Motion:

None

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

NAYS: None

Vote: 7/0

Motion Carries to adopt Ordinance 2021-013 to purchase a digital Watchdog Video System.

Mayor Gardner thanked Council for approving this expenditure and **Police Chief Naegele** thanked Council for their ongoing support of the Police Department and important for his ongoing plan for security throughout the Police Department and the entire City complex.

RESOLUTION 2021-002 – FIRST READING (Audio: 52:41-56:20)

A RESOLUTION RECOGNIZING POLICE DETECTIVE JAMIE ONION ON HIS ACKNOWLEDGMENT AS THE 2020 NORTHERN OHIO VIOLENT FUGITIVE TASK FORCE (NOVFTF) OFFICER OF THE YEAR.

Motion made by Councilman Jarmuszkiewicz seconded by Councilwoman Taylor Draper to waive Three Readings on Resolution 2021-002.

Discussion on the Motion:

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

NAYS: None

Vote: 7/0

Motion Carries to waive Three Readings on Resolution 2021-003 recognizing Police Detective Jamie Onion as the 2020 Northern Ohio Violent Fugitive Task Force Officer of the Year.

Motion made by Councilwoman Fellows seconded by Councilman Jarmuszkiewicz to adopt Resolution 2021-002.

Discussion on the Motion:

Police Chief Naegele stated that it is no secret that law enforcement has faced difficulty over the past few years and it is nice to have this opportunity for acknowledgement. The U.S. Marshal partnership with

Willoughby Hills is good and it is nice to offer this partnership to Detective Jamie Onion, Detective Ron Parmertor and the other officers. It brings a lot to the Department. It is “not a surprise that he was recognized, but we are thankful.” **Council President Hallum** stated that this award will be presented to Detective Onion at a later date.

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

Motion Carries to adopt Resolution 2021-002 recognizing Police Detective Jamie Onion as the 2020 Northern Ohio Violent Fugitive Task Force Officer of the Year.

NEW BUSINESS (Audio: 56:22-58:35)

Motion was made by **Councilman Zegarac** seconded by **Councilwoman Taylor Draper** to confirm the Mayor’s appointment of resident Vicki Miller to the Charter Review Commission.

Discussion on the Motion:

Council President Hallum stated that Vicki has been very active in the community and serves on our Recreation Commission and attends Council meetings and thinks she will be a good addition to the group.

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

Motion Carries to confirm the Mayor’s appointment of resident Vicki Miller to the Charter Review Commission.

PUBLIC PORTION #2 (Audio: 58:38-1:05:51)

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

Public Portion opened at 7:40 p.m.

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

- Mrs. Bing stated that at the last meeting, the Business Code language was discussed for “licensed massage threapy businesses.” She said that the previous statement made by Councilman Zegarac about “the old massage parlor going away with the beer joints and saloons,” sadly is not so. She told of 2019 headlines where massage parlors were involved in human trafficking crimes, adding “sadly, it goes on in many places.” “We had one three years ago here in our community.” She agrees that it is best to move on, but wanted everyone to know that “massage parlors are still out there.”

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

- Ms. Fulton stated that she has been aware that in the Service Department, there were a “number of people with COVID.” She wanted to know what the City is doing about it and if they are following the City’s protocols.”

Public Portion closed at 7:44 p.m.

Comments following Public Portion:

Council President Hallum responded to Mrs. Bing’s comments, clarifying that **Councilman Zegarac** meant that the term “massage parlors” is derogatory and we should update our language. **Law Director Lucas** added that the title for that particular section should be amended to read “Massage Establishments” for the reasons previously discussed.

Mayor Gardner addressed Ms. Fulton’s concerns about the Service Department. He stated that there have been no COVID cases for “quite some time” but were identified at the end of the year. Cases spiked in the PD, FD and Service, with the last case more than one month ago. There was a case of a Service worker being exposed and the Mayor reached out to LCGHD to have him tested so he did not have to stay home. They are maintaining social distancing when possible, wearing masks, keeping one person to a vehicle and are following all of the recommended protocols.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY
(Audio: 1:05:02-1:08:43)

Mayor Gardner reminded all that there are lots of good fish fries and we should remember to support our local businesses. **Council President Hallum** agreed that almost every one of our restaurants are having their annual fish fries. **Council President Hallum** gave an update on the renovations in Council Chambers as follows: The Service Department has installed a laminate flooring, with the remainder carpeting being due to be installed on March 12th. The project should be completed done by the end of March.

Councilwoman Fellows apologized for being late to the meeting due to a work project she was working on with California personnel and “lost track of time.”

ADJOURNMENT (Audio: 1:08:45-1:09:27)

Motion was made by **Councilwoman Fellows** seconded by **Councilman Knecht** to adjourn.

Discussion on the Motion:

None

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

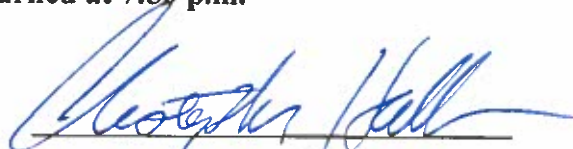
NAYS: None

Vote: 7/0

Motion Carries to adjourn the Regular Council meeting of February 25, 2021.

The Regular Council Meeting of February 25, 2021 was adjourned at 7:50 p.m.

APPROVED: March 11, 2021
Date


Christopher Hallum
President of Council

ATTEST: Daria Majeri
Council Clerk Pro-Tem