

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

KAREN MEHOLLIN
Clerk of Council

City of Willoughby Hills

COUNCIL:

JULIE BELICH

NANCY E. FELLOWS

JOE JARMUSZKIEWICZ

DANIEL KNECHT

TANYA TAYLOR DRAPER

Regular Council Meeting

Minutes of June 10, 2021 Amended

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, June 10, 2021 at 7:00 p.m. remotely, using Zoom and Facebook Live. Council President Hallum presided.

Call to Order 7:00 p.m. (Audio: 0:01-0:21)

Pledge of Allegiance (Audio: 0:21-0:37)

ROLL CALL (Audio: 0:46-1:26)

Members Present: Councilwoman Julie Belich, Councilwoman Nancy Fellows, Council President Chris Hallum, Councilman Joe Jarmuszkiwicz, Council Vice President Mike Kline, Councilman Dan Knecht, and Councilwoman Tanya Taylor Draper

Also Present: Law Director Michael C. Lucas, Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. DiFranco.

Absent: Mayor Andy Gardner

DISPOSITION OF THE JOURNAL (Audio: 1:33-3:12)

Motion made by Council Vice President Kline seconded by **Councilman Taylor Draper** to adopt the minutes of the May 27, 2021 Regular Council Meeting.

Roll Call: AYES: Belich, Hallum, Jarmuszkiwicz, Kline, Knecht, and Taylor Draper

NAYS: None

ABSTAIN: 1 (Fellows)

Vote: 6/0/1

Motion Carries to adopt the minutes of the Regular Council meeting of May 27, 2021.

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 3:15-3:27)

5/25/21 email from Gloria Majeski, re: Agenda, Amended Legislation for Rec Coordinator Job Descrip.

5/22/21 email from Gloria Majeski, re: Ord 2021-38 Amended PT Council Clerk.

5/25/21 email from Chris Hallum, re: Council Seating Chart.
5/26/21 email from OMCA, re: Mandated Facial Coverings.
5/26/21 email from Robert Gandee, re: Mileage quest regarding chase/command vehicle.
5/26/21 email from PC-ABR, re: No Meeting June 3.
5/26/21 email from PC-ABR, re: Master Plan Work Session Meeting Availability.
5/26/21 memo from Katherine Lloyd, re: PCABR Meeting on June 3 canceled.
5/27/21 email from Gloria Majeski, re: Amended Ordinance 2021-033 Massage Parlors.
5/27/21 email from OMCA, re: Locating Landlords and/or Holding Companies for vacant properties.
5/27/21 email from Gloria Majeski, re: Charter Review Commission Meetings schedule.
5/27/21 email from Gloria Majeski, re: Mask Guidance for City Property.
5/27/21 email from Gloria Majeski, re: Amended Agenda 5/27/21.
5/27/21 email from Gloria Majeski, re: Charter Review Commission Meetings schedule REVISED.
5/28/21 email from Newsletter, re: City E-Newsletter.
5/28/21 email from Gloria Majeski, re: Ordinances adopted at last night's Council Meeting.
5/28/21 email from Gloria Majeski, re: Adopted Legislation for the Month of May 2021 (Public Notice).
5/28/21 email from Gloria Majeski, re: Question at last night's Council meeting re: Alcohol at WHCC.
5/28/21 email from Jenna Bing, re: Question at last night's Council meeting re: Alcohol at WHCC.
5/28/21 email from Gloria Majeski, re: Question at last night's Council meeting re: Alcohol at WHCC.
5/28/21 email from Jenna Bing, re: Question at last night's Council meeting re: Alcohol at WHCC.
6/1/21 mail re: Mayor's Court Monthly Statement.
6/1/21 email from Shane McGinty, re: 1157.05 Home Occupations/Airbnb.
6/1/21 email from Gloria Majeski, re: Draft – Regular Meeting Minutes of May 27, 2021.
6/1/21 email from Gloria Majeski, re: Gaetano's Liquor Permit Hearing Request.
6/1/21 email from Council Clerk, re: Media Notification of June Council Meetings.
6/1/21 email from Gloria Majeski, re: Adopted Legislation for the Month of May 2021 Media REVISED.
6/1/21 email from Gloria Majeski, re: Council Resolution Presentation to James Shannon.
6/4/21 email from Council, re: 2022 Tax Budget Public Hearing Notice.
6/4/21 email from Council, re: Agenda for 6/7/21 Working Committee of Council Rules & Legislation.
6/4/21 email from Gloria Majeski, re: City e-newsletter.
6/4/21 email from Stephanie Kellner, re: Proof and cost of 2022 Tax Budget Public Hearing Notice.
6/4/21 email from Frank Brichacek, re: Proposed Tax Budget 2022.
6/4/21 email from Gloria Majeski, re: Debbie Semik's Mom passing.
6/4/21 email from Gloria Majeski, re: Question from 5/27/21 Council Mtg – alcohol at WHCC.
6/4/21 email from Jenna Bing, re: Question from 5/27/21 Council Mtg – alcohol at WHCC.
6/4/21 email from Gloria Majeski, re: Signed RC-2 Willoughby Hills Council.
6/4/21 email from Rec Commission, re: WH Recreation Commission Subcommittee Meeting on Wed 6/15/21.
6/4/21 email from Rec Commission, re: WH Recreation Commission Subcommittee Meeting on Wed 6/15/21; Corrections.
6/8/21 email from Gloria Majeski, re: Updated City Roster.
6/10/21 email from Gloria Majeski, re: Updated City Roster corrections.

PUBLIC PORTION #1 (Audio: 3:40-4:10)

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

Public Portion #1 opened at 7:04 p.m.

No one spoke.

Public Portion #1 closed at 7:04 p.m.

MAYOR'S REPORT (Audio: 4:12-4:20)

Mayor Andy Gardner was not in attendance.

LAW DIRECTOR'S REPORT (Audio: 4:25-4:35)

Law Director Michael C. Lucas was not present at the time, but arrived later at the meeting.

FINANCE DIRECTOR'S REPORT (Audio: 4:45-8:20)

Finance Director Brichacek reported that income tax revenue collections continue to be strong; paralleling collections of two years ago. "We really won't have a good idea of where income tax stands until probably August because the nuances from the last couple of years with changes and filing deadlines will be behind all of the years." The only area of concern in terms of revenue is the Mayor's Court which is running behind what we budgeted. Basically through 5 months Mayor's Court has brought in the same amount of revenue as it did through 5 months last year. Finance Director Brichacek added that on tonight's agenda is the Resolution adopting the 2022 Tax Budget. This is the first step in the annual budgetary cycle. The primary purpose of the Tax Budget is to enable the City to demonstrate to the County Budget Commission the need to levy property taxes. He requested that the Resolution be introduced today on First Reading. He added in compliance with State Law a Public Hearing on the Tax Budget has been scheduled prior to the start of the June 24th meeting. He then requested that the Tax Budget either be adopted on June 24th or, preferably, it continues to Third Reading and be adopted on July 8th. In accordance with the State law, Council must adopt a Tax Budget by no later than July 15th of the year preceding and if that doesn't happen the City puts its' Local Government Allocation at risk as well as its' property taxes. When he referred to the 2022 Tax Budget, these are the 2021 property taxes which will be collected in calendar year 2022.

Questions/comments following Finance Director's Report:

Council President Hallum clarified that Finance Director Brichacek's request is for Resolution 2021-008 to be introduced, not passed. Also, there are two copies of the Tax Budget available in the Finance Department for public inspection during regular business hours. For convenience, the Tax Budget has also been posted online for public viewing.

CITY ENGINEER'S REPORT (Audio: 8:25-9:45)

City Engineer DiFranco reported that the “2021 Annual Street Rehab Program should be starting next week on the streets of Meadowbrook, Alan, and Diane. The Sewer Rehab Annual Program is ongoing. They’ve been working on Stark and they’ll move on shortly. We’re continuing to work with the selected contractor on the Dodd Road Slope Stabilization. We had to do a little change of course. Upon contacting CEI, they weren’t able to take the power line out of service overhead so we’re looking at, rather from working above, working from the bottom of the slope so that line doesn’t interfere. We’re also working on the design of the Chardon Road Rehab Project.”

Questions/comments following City Engineer’s Report:

None.

COMMITTEE REPORTS/BOARD & COMMISSION REPORTS (Audio: 9:50-11:30)

PC-ABR – reported by Councilwoman Taylor Draper: (Audio: 9:55-10:15)

Councilwoman Taylor Draper reported that the Planning Commission and Architectural Board of Review Committee didn’t meet last week however they are looking for dates to convene to review the opinions and ideas offered by the public/citizens during the public meetings. Hopefully we’ll have something soon.

Recreation Commission Report by Councilman Jarmuszkiewicz: (Audio: 10:20-11:30)

Councilman Jarmuszkiewicz reported that there will be a Pickleball meeting Tuesday at the tennis courts on the 15th at 6:00PM to review how far we are and what we’re doing. If anyone else would like to show up and provide input with what can be done with Pickleball Courts as far as leagues or play. Also, he extended our condolences to Tom Horwatt’s family on the passing of Bea, his wife. She’s been a volunteer with Tom with the Boys League for the last 64 years and has done a tremendous job. They’re co-founders of the Boys League. She’s run the concession stand as well as many years and was Chairman for Willoughby Hills Recreation. **Councilman Jarmuszkiewicz** stated that he knew the Mayor is out of town but he offered his condolences. His family, as well as many other families, are saddened by the loss.

Questions/comments following Committee Reports:

None.

UNFINISHED BUSINESS (Audio: 11:40-12:50)

Council Vice President Kline reported that with the passing of Resolution of 2021-005 honoring James Shannon at the last meeting, normally the recipient would be brought in for the Council to present the Resolution. Because Jim and his wife moved out of town on June 7th, Mr. Shannon was invited in on June 2nd. Both he and **Council President Hallum** were able to present the Resolution to Jim that afternoon in

Council Chambers. Mr. Shannon was very humbled and appreciative. Video of the presentation will be uploaded to the City's website and the City's Facebook page.

LEGISLATION (Audio: 12:55-20:30)

ORDINANCE 2021-015 – as Amended May 6, 2021 - LEFT ON THIRD READING ON JUNE 10, 2021 (Audio: 13:00-14:15)

AN ORDINANCE AMENDING CHAPTER 157 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, AND THEREBY INCLUDE PROVISIONS RELATING TO PART-TIME EMPLOYMENT, REPEALING AND SUPERSEDING CURRENT CHAPTER 157 AND ANY PRIOR CONFLICTING LEGISLATION, AND DECLARING AN EMERGENCY.

Council President Hallum stated that this will remain on Third Reading since **Law Director Lucas** is still reviewing this and making a few last minute changes. **Councilman Jarmuszkiewicz** pointed out that he spoke with Law Director Lucas about keeping the final version on Third Reading before passing for additional reading. Council President Hallum agrees as there is no rush and just wants to get it right.

ORDINANCE 2021-033 AMENDED– THIRD READING (Audio: 14:20-16:35)

AN ORDINANCE AMENDING PART SEVEN – BUSINESS REGULATIONS CODE, CHAPTER 755 CAPTIONED “MASSAGE PARLORS” OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS.

Motion was made by **Councilman Jarmuszkiewicz** seconded by **Councilwoman Belich** to adopt Ordinance 2021-033 as Amended.

Discussion on the Motion:

Councilwoman Taylor Draper commented that she understands the community had some concerns with the massage parlor idea. She felt the Law Director covered all bases of concern and felt comfortable with adopting the Ordinance. **Council President Hallum** agreed saying Council spent a lot of time in Working Committees discussing it and making changes and improvements so it's what we needed.

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

NAYS: None

Vote: 7/0

Motion Carries to adopt Ordinance 2021-33 as Amended to amend Part Seven – Business Regulations Code, Chapter 755 Captioned “Massage Parlors” of the Codified Ordinances.

ORDINANCE 2021-036– Amended - THIRD READING (Audio: 16:40-17:10)

AN ORDINANCE AMENDING PART THIRTEEN – BUILDING CODE, TITLE ONE – STANDARDS BY THE ESTABLISHMENT OF CHAPTER 1351 – NOTICE OF FORECLOSURE FILING, VACANT PROPERTY NOTIFICATION AND DESIGNATION OF OWNER

RESPONSIBILITY, OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

Council President Hallum stated this will remain on Third Reading as there are still a few minor changes to be made with Law Director Lucas.

ORDINANCE 2021-041 –SECOND READING (Audio: 17:15-17:40)

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE PROPOSAL AS SUBMITTED BY RICHARD L. BOWEN & ASSOCIATES, INC. PROVIDING ZONING ADMINISTRATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS, FOR THE PERIOD JULY 1, 2021 THROUGH DECEMBER 31, 2021 AND DECLARING AN EMERGENCY.

Council President Hallum stated this will remain on Second Reading.

RESOLUTION 2021-007 – FIRST READING (Audio: 17:42-20:10)

A RESOLUTION RECOGNIZING FLORINE O’RYAN FOR HER OUTSTANDING EFFORTS AND COMMITMENT TO THE CITY OF WILLOUGHBY HILLS DURING HER LIFETIME IN THE CITY OF WILLOUGHBY HILLS.

Motion was made by Councilwoman Taylor Draper seconded by Councilman Knecht to waive Three Readings on Resolution 2021-007.

Discussion on the Motion:

None.

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

Motion Carries to waive Three Readings on Resolution 2021-007.

Motion was made by Councilwoman Taylor Draper seconded by Councilman Knecht to adopt Resolution 2021-007.

Discussion on the Motion:

None.

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

Motion Carries to adopt Resolution 2021-007 recognizing Florine O’Ryan for her outstanding efforts and commitment to the City of Willoughby Hills during her lifetime in Willoughby Hills.

RESOLUTION 2021-008 – FIRST READING (Audio: 20:15-20:30)

A RESOLUTION ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2022 FOR THE CITY OF WILLOUGHBY HILLS.

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

NEW BUSINESS (Audio: 20:40-20:47)

No New Business.

PUBLIC PORTION #2 (Audio: 20:50-29:58)

An opportunity for the public to address Council with any comments, issues or concerns.

Public Portion #2 opened at 7:21 p.m.

Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44092 (Audio: 21:15-23:00)

Ms. Fulton asked when live Council meetings will begin again as the sound quality tonight was very poor. She also wondered if there was a WHISPER report. Lastly, she voiced her concern about delivery trucks parking just anywhere on the street, more specifically Amazon, going both against and with traffic. She referred to this as “accidents waiting to happen” and is wondering if there’s anything the City can do to eliminate this or enforce possibly parking delivery trucks at the end of driveways and off the streets.

Shane McGinty, 2649 Bates Lane, Willoughby Hills, OH 44092 (Audio: 23:15-24:19)

Mr. McGinty wondered if there was an explanation as to why the City seems to be selectively enforcing Ordinance 1157.05, which is the home occupancy that limits businesses being run out of your house. “The Bed and Breakfast next to my home has over 300 confirmed reservations throughout the rest of the year in a residential neighborhood and I’m just wondering why the City isn’t doing anything about it when this Legislation has been around since 1975 (is when it was passed).” He is wondering what the City is doing about this.

Public Portion #2 closed at 7:29 p.m.

Comments following Public Portion:

Councilman Jarmuszkiewicz commented to Ms. Fulton regarding the Amazon trucks. “I could see that being a problem with a lot of places they do stop but they could also cause more of a traffic problem with pulling in and backing out into the street. It’s something we should probably look at and see what areas are having the most problems. They should never be pulled the wrong way on the road but they can be pulled over to the side of the road like FED-EX and UPS trucks do. We can check with the Law Director to see if

there's any recourse to that. In regards to Mr. McGinty, we are going to be addressing the Air Bnbs as the short term rentals. We're trying to get some information together now and at the next few meetings we should be starting to talk about what we can do and how to regulate it or stop it where it's not supposed to be. It's going to be really complicated. As you said, some of the stuff's gone on since 1970-80. I don't know why, how, or when it started but we will look at the whole picture and try to come up with plans to address the issues that are at hand." **Council President Hallum** added that there "has been discussion on this for a while. The Law Director is looking at some surrounding City Ordinances and how they're handling it. We know it's an issue and we're doing our best to put the right thing in place that's going to resolve the issue rather than just push something into place quickly that might not be the right solution." **Council President Hallum** also reiterated that June is a transition month. We are still using June so that some people can either be here in person from a Council perspective or they can attend via ZOOM. In July we will be going back to how it was before. There will be no more ZOOM. It will be back to the way it was prior to COVID. Residents can come in as before and sit in Council Chambers with everyone here. It will also still be put on the cable channel as well as the City's Facebook Live page. **Councilwoman Taylor Draper** wanted to comment on the WHISPER status. Due to COVID there really was no activity to report. There have been a few requests coming in and some activity. Things should be picking up as things are opening up. **Law Director Lucas** reported "that there will be Air BnB Legislation completed for review by Council at the next Council meeting. There's been several other communities that are also reviewing that particular issue. We'll have a draft at the next Council meeting for the First Reading. In terms of parking, if they're parking on the wrong side of the street then they're parking incorrectly and can be cited or get a traffic ticket. If an officer sees them, they could be ticketed. It would be a matter of an officer catching them in the act. One could be proactive and write down the license plate number of the vehicle and report it to the police."

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY:
(Audio: 30:10-35:03)

Councilman Jarmuszkiewicz stated that "with the recent passing of some of our older residents, it's brought to light about how much work and volunteering and how much time goes into making the City a nice place to live. It's still a great place to live and that's why we still encourage others to get involved and step up and keep the ball rolling to keep the City getting better. They pretty much paved the path for everyone else to show unselfishness and to build up the community as a whole." **Council President Hallum** mentioned being in the process of Council working with Administration to put together District meetings that should be ready late June or sometime in July. Council is putting together a slideshow so that the Community can attend an approximately one-hour meeting at the Community Center for each District. "Each District will have its' own meeting to avoid overcrowding. Residents can attend their District meeting to listen to what's been going on since January 2020 - things that have been going on in the City, things that have been accomplished – along with a short Q&A session as well. We'll be putting signs around the Districts ahead of time to let them know when the meeting will be." **Council Vice President Kline** acknowledged the recent favorable articles about the City in the News Herald. "These articles have ranged from appointing Julie Belich to Council to activities and events coming back up in the City column as well as

the Pickleball Courts nearing completion. I think there were several more all in a very favorable light for the City. It's great to see the City getting good publicity. Also, Saturday is Shred Day from 9-noon, rain or shine, in City Hall Parking Lot." **Council President Hallum** referenced the News Herald article on being one of the leaders for coming up with the Business Loan Grant during COVID. "Several communities copied what we did." **Council Clerk Mehollin** stated that she read the wrong header for Resolution 2021-008 and corrected it to be "A Resolution adopting a Tax Budget for the fiscal year 2022 for the City of Willoughby Hills."

ADJOURNMENT (Audio: 35:05-35:50)

Motion was made by **Councilman Jarmuszkiewicz** seconded by **Councilwoman Belich** to adjourn.

Discussion on the Motion:

None

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

NAYS: None

Vote: 7/0

Motion Carries to adjourn the Regular Council meeting of June 10, 2021.

The meeting was adjourned at 7:35 p.m.

APPROVED:

June 24, 2021

Date

ATTEST:


Karen Mehollin
Council Clerk



Christopher Hallum

President of Council