

President of Council
MICHAEL KLINE

Vice President of Council
TANYA TAYLOR DRAPER

Council Clerk
NICHOLAS AIELLO

Council
JULIE A. BELICH
JOE JARMUSZKIEWICZ
DANIEL KNECHT
VICKI MILLER
KATHLEEN SIVO

City of Willoughby Hills

Regular Council Meeting Minutes of July 11, 2024

The Regular Council Meeting was called to order on Thursday, June 27, 2024 at 7:00 p.m. in Council Chambers. **Council President Kline** presided.

Call to Order 7:00 p.m. (0:09)

Cell Phone Reminder to Turn off Devices

Pledge of Allegiance (Audio: 0:14)

ROLL CALL (Audio: 0:50)

Members: Councilman Dan Knecht, Councilwoman Vicki Miller, Councilwoman Kathleen Sivo, Council Vice President Tanya Taylor Draper, Councilwoman Julie A. Belich, Councilman Jarmuszkiewicz, and Council President Michael Kline,

In Attendance: Law Director Michael Lucas, City Engineer Pete DiFranco, and Finance Director Bruce Scott, and Mayor Hallum

DISPOSITION OF THE JOURNAL (Audio : 1:07)

Motion made by **Councilwoman Miller**, seconded by **Council Vice President Taylor Draper** to approve the June 24, 2024 Working Committee of Council and Rules & Legislation minutes.

Roll Call: **AYES:** Knecht, Miller, Sivo, Taylor Draper, Belich, Kline,
NAYS: None
ABSTAIN: Jarmuszkiewicz

Vote: 6/0/1

Motion passes to approve the minutes of the June 24, 2024 Working Committee of Council and Rules & Legislation minutes.

Motion made by **Councilwoman Miller**, seconded by **Councilman Knecht** to approve the June 27, 2024 Regular Meeting of Council minutes.

Roll Call: **AYES:** Knecht, Miller, Sivo, Taylor Draper, Belich, Kline,
NAYS: None
ABSTAIN: Jarmuszkiewicz

Vote: 6/0/1

Motion passes to approve the minutes of the June 27, 2024 Regular Meeting of Council minutes.

COUNCIL CORRESPONDENCE

06/20/24 Email from Ohio@OpenTheBooks.com New Ohio Public Records Act - City of Willoughby Hills submitted on 06/20/24

06/20/24 Email from whdrancel@aol.com Re: 2023 Codification Process

06/19/24 Email from Karen Mehollin Sewer Rate Legislation

06/19/24 Email from Karen Mehollin RE: Bowen Exhibit Signed

06/19/24 Email from Karen Mehollin RE: Evolve visit

06/19/24 Email from Karen Mehollin FW: New Resolution and Exhibit A

06/19/24 Email from Mayor Hallum RE: PCABR Meeting 6/20/24 -- Thursday -- 7:00 PM

06/19/24 Email from Wendy Lauer RE: Resolution 2004-016

06/19/24 Email from Wendy Lauer Wendy Lauer shared "014" with you

06/19/24 Email from Wendy Lauer RE: Resolution 2004-016

06/19/24 Email from Wendy Lauer RE: Resolution 2004-016

06/19/24 Email from Joe Jarmus Out of town on vacation

06/19/24 Email from Rich Iafelice RE: Resolution 2004-016

06/19/24 Email from Julie Belich RE: Appeal of Non-Compliance - STR - 2925 Mill gate

06/19/24 Email from Willoughby Hills Council RE: City's Public Record Retention Policy

06/19/24 Email from Pietro DiFranco Automatic reply: City's Public Record Retention Policy

06/19/24 Email from Elizabeth Rothenberg RE: City's Public Record Retention Policy

06/19/24 Email from Karen Mehollin RE: City's Public Record Retention Policy

06/19/24 Email from Rich Iafelice RE: Resolution 2004-016

06/19/24 Email from Michael C. Lucas Resolution

06/19/24 Email from Naegele, Matthew RE: Resolution

06/19/24 Email from Email from Michael C. Lucas RE: Resolution

06/19/24 Email from Michael C. Lucas Resolution No. 2024-__

06/19/24 Email from Pietro DiFranco RE: City's Public Record Retention Policy

06/19/24 Email from Karen Mehollin Re: City's Public Record Retention Policy

06/18/24 Email from Mielke, Logan FOIA Request: 2255 & 2260 Par Lane, Willoughby Hills, OH

06/18/24 Email from Elizabeth Rothenberg RE: City's Public Record Retention Policy

06/18/24 Email from Pietro DiFranco RE: FOIA Request: 2255 & 2260 Par Lane, Willoughby Hills, OH

06/18/24 Email from Mielke, Logan RE: FOIA Request: 2255 & 2260 Par Lane, Willoughby Hills, OH

06/18/24 Email from Rich Iafelice FW: Resolution 2004-016

06/18/24 Email from Karen Mehollin FW: Swear-In Ceremony

06/18/24 Email from Elizabeth Rothenberg RE: City's Public Record Retention Policy
06/18/24 Email from Pietro DiFranco Appeal of Non-Compliance - STR - 2925 Mill gate
06/18/24 Email from bza WH BZA Meeting on Tuesday, May 14, 2024 - 8:00 PM
06/17/24 Email from Michael Williams Fwd: Room Rental Opportunity: Mike Williams
06/17/24 Email from Karen Mehollin Evolve visit
06/17/24 Email from Elizabeth Rothenberg City's Public Record Retention Policy
06/17/24 Email from Tanya Taylor Draper RE: PCABR Meeting 6/20/24 -- Thursday -- 7:00 PM
06/15/24 Email from Julie Belich RE: Notice of Noncompliance-Short Term Rentals
06/15/24 Email from Chris Gumal Room Setup Reminder for Monday, 6/17/24 06/14/24
06/14/24 Email from Pietro DiFranco Willoughby Hills City Engineer Report
06/14/24 Email from Tanya Taylor Draper RE: PCABR Meeting 6/20/24 -- Thursday -- 7:00 PM
06/14/24 Email from Finance Director 06/13/2024 Finance Report
06/14/24 Email from Karen Mehollin FW: Mayor's Report - June 14, 2024
06/14/24 Email from Elizabeth Rothenberg RE: Resolution of Necessity
06/14/24 Email from Elizabeth Rothenberg RE: Resolution of Necessity
06/13/24 Email from Karen Mehollin RE: Suggested corrections to Draft Council Meeting Minutes of 5/23/24
06/13/24 Email from Karen Mehollin FW: Resolution Request
06/13/24 Email from Willoughby Hills Council RE: Working Committee Meeting Minutes 6/10/24 First Draft
06/13/24 Email from Michael C. Lucas RE: RES 2024-014 Draft
06/13/24 Email from Willoughby Hills Council RE: Agenda Amended for 6/13/2024
06/13/24 Email from Finance Director RE: Agenda Amended for 6/13/2024
06/13/24 Email from Michael C. Lucas New Resolution and Exhibit A
06/12/24 Email from zoninginspector RE: Notice of Noncompliance-Short Term Rentals
06/12/24 Email from Elizabeth Rothenberg RE: Resolution of Necessity
06/12/24 Email from Julie Belich Re: Notice of Noncompliance-Short Term Rentals
06/12/24 Email from Elizabeth Rothenberg RE: Resolution of Necessity
06/12/24 Email from Elizabeth Rothenberg RE: Resolution of Necessity
06/12/24 Email from Gloria Majeski Suggested corrections to Draft Council Meeting Minutes of 5/23/24
06/11/24 Email from Finance Director FW: LGF - Alternative Formula - FOR LEGISLATIVE ACTION
06/11/24 Email from Kathleen Sivo RE: Notice of Noncompliance-Short Term Rentals
06/11/24 Email from Michael C. Lucas RE: LGF - Alternative Formula - FOR LEGISLATIVE ACTION
06/11/24 Email from Willoughby Hills Council RE: LGF - Alternative Formula - FOR LEGISLATIVE ACTION
06/11/24 Email from Michael Williams Re: Room Rental Opportunity: Mike Williams
06/11/24 Email from Robin Shell Request for Ordinance 2004-16
06/11/24 Email from Mike Kline RE: Agenda for Regular Council Meeting 6/13/24
06/11/24 Email from Elizabeth Rothenberg Resolution of Necessity
06/11/24 Email from Robin Shell RE: Request for Ordinance 2004-16
06/11/24 Email from Michael C. Lucas RE: LGF - Alternative Formula - FOR LEGISLATIVE ACTION
06/11/24 Email from Chris Gumal Re: Tomorrow's program

PUBLIC PORTION #1 (Audio: 3:15)

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

Public Portion #1 opened at 7:03 p.m.

Jen Varro, 2890 S.O.M. Center Rd commented she believed Council turned a blind eye on the West Pines project, despite it being the job of Council to protect the taxpayers and look out for best interest of the City. She read a letter of response from Mr. Perrino received via email when someone inquired about the West Pines property. This person informed him that they are a young family looking to buy a home. Mr. Perrino responded by saying the following.

“Our West Pines Subdivision at Willoughby Hills, we sell 20 percent to any age, so all reservations that we currently have are over 55 years old. We have 13 lots, so we can sell to you in the community for \$700,000 including the lot starting price. In addition, we have lots in Aurora where any age can build, and the lots range in price. Finally, we have lots in Sheffield with a clubhouse, pool, bocce, pickle ball, and exercise with no age restriction either. We can also build on a lot if you can find one. Thank you Pat.”

Jen Varro, 2890 S.O.M. Center Rd commented she believed Mr. Perrino is violating the Charter and Council has not done anything about this. She claimed he was being dishonest based on what Council believed to be a marketing strategy of 55+. She asked Council to realize that great young professionals that work locally around here (Progressive, Cleveland Clinic, legal, and other jobs) have greater incomes with it to support the City than retired people that are usually on a fixed income. She emphasized the importance of elected officials having the responsibility to protect the residents. She feels as if the website's claims about the residents coming first is a lie. She stated that she could not be more disappointed with the lack of transparency and care that Council has for residents. She believes that Council has lost focus on taking care of the people of Willoughby Hills. She concluded hoping that Council would review the Charter carefully and respect the right to vote when it comes to protecting the City. She stated she believed their zoning objective was wrong, and that Council was elected to represent the people, not control.

Public Portion #1 closed at 7:06 p.m.

MAYOR'S REPORT (Audio: 6:09)

Mayor Hallum reported: The Route 6 Paving Pre-construction planning is beginning which means that it will soon be underway. You should plan your drives accordingly. Once we know the actual start

date, we will be sure to update you via the city's website, Facebook, and newsletter. The paving will be from West of Route 91 to the East of Bishop Rd.

Mayor Hallum reported: The city received multiple bids for the rental property we have owned for years and accepted the highest bid of just over \$165,000. I support passage of Ordinance 2024-34 approving the bid acceptance. This will enable the city to move forward with the buyer and to release the funds being held from the other bidders. It will be approximately 30 days to complete the sale and all proceeds will go to our general fund.

Mayor Hallum reported: We will be paneling a Charter Review Commission to specifically review referendum zoning, Council Clerk hiring rules, and rules regarding sanctioning groups. If you're interested in volunteering your time for this important process, please reach out to me through my e-mail, Mayor@willoughbyhills-oh.gov.

Mayor Hallum reported: I recently spoke to the Ohio Department of Transportation about a grant that would enable us to put sidewalks in our commercial district at Rt. 91 and Rt. 6. We will be preparing a resolution for Council to consider that would allow me to go out for quotes from engineering firms to work on applying for the grant.

Mayor Hallum reported: We are currently working on plans to update our fire detection system at all City buildings. Many of the current systems are well out of date and need to be replaced. The updating would include the installation of a new system as well as investigating the best and most cost efficient way to monitor the new system. The initial quote is approximately \$150k.

Mayor Hallum reported: The Fire Department has several candidates scheduled to be interviewed by the Civil Service Committee next week to fill the full time position vacated when Firefighter Lucic retired earlier this year. We hope to be swearing in our newest full time firefighter in the near future. Our new fire engine is out getting its final outfitting and should be back in about a week ready for full service. Stay tuned for news about the "Push-in" ceremony.

Mayor Hallum reported: Safety town will be taking place next week. Several youths from the area will be receiving safety related information like: pedestrian rules, poison, animal bite, bike rules, fire, and much more. This program is offered for children that are preparing for kindergarten. Thank you to our Service, Fire, Police, and Recreation departments for all their hard work to prepare for this very important camp.

Mayor Hallum reported: Lastly, I would like to offer condolences to John Lillich on behalf of myself and the City on the passing of his wife, Carol Lillich. Carol and John are longtime residents of the City and have been selfless volunteers for many years. If you've ever attended a Memorial Day event in the City, then you may have seen one of Carol's beautiful handmade wreaths for the event. She will be missed.

Councilwoman Miller asked what was reported to **Mayor Hallum** about Fourth of July noise complaints and expressed her concern.

Mayor Hallum stated that he had spoken to the Chief and they had not received any complaints regarding noise and fireworks.

Council Vice President Taylor Draper asked how old the fire prevention systems in our building was.

Mayor Hallum responded they have had out of date issues since Mayor Wager, so it's time to replace them.

LAW DIRECTOR'S REPORT (Audio: 10:15)

Law Director Lucas had responded to a previous question asked at the prior Working Committee and Rules & Legislation about the issuance of licenses for recreational use of marijuana. He stated that Willoughby Hills was mentioned because under the Recreational Facility Bill that went into effect after November, anyone that is licensed to operate a medical marijuana dispensary automatically gets a recreational marijuana license in that community. He stated Willoughby Hills does have a marijuana license dispensary in the City. He said this was by State Statute and the operator and licensee asked for the dispensary; under the law, they are allowed to get it subject to certain restrictions.

Law Director Lucas added that this has been controversial, especially among the Ohio General Assembly. He stated that after the voters passed this bill, it went into committee with the Ohio General Assembly because they wanted to work out certain regulations and guidelines with the expectations that this would be completed in August. He stated they wanted to have the licensing out June 5, and push the issue out but it went further beyond this because of the lack of any finalization by the members of the Ohio General Assembly. He stated the licensing is going forward. The latest update from the Ohio Municipal League is that there is an expectation that they will continue to work out differences between certain sponsors. He mentioned Jamie Calendar is involved in trying to reach a Resolution. He opened Council to questions.

Councilman Jarmuskiewicz asked if the State would override any discussions Council had with them, and if they had dealt with them in bad faith. He asked whether or not it was true that Council would have the opportunity to discuss have commercial or recreational marijuana in the City. He emphasized that in previous meeting minutes, it was recorded that this issue would go back to Council.

Law Director Lucas confirmed. But he said what the communication entailed was in conflict with what they represented to Council.

Councilman Jarmuskiewicz asked how the preliminary approval that the State had given them would go into effect if they cannot figure out how this works.

Law Director Lucas stated this would not go into effect until everything is finalized.

Councilman Jarmuskiewicz asked if this finalization would be September 7.

Law Director Lucas stated that they had indicated this would go into effect approximately 8 months after the Bill was passed in November of 2023. The Ohio General Assembly advised that they would take approximately 8 months to provide guidance by regulations of those types of facilities. He compared this to how there were limitations in the State's Statute regarding the marijuana dispensaries where facilities could not be within 1,000 feet of a school seen under Ohio Revised Code section 3780. He emphasized that they are still finalizing the licensing and location regulations. He mentioned that these discussions may extend past the 8 month mark. Some communities are doing moratoriums (around 55 moratoriums) to ban license or prohibit them until the Resolution of the Regulations by the Ohio General Assembly is finalized.

Councilman Jarmuskiewicz stated his concern was with traffic increasing ten-fold with the use of recreational marijuana. He also expressed his concern for Council not having a say in this decision.

Law Director Lucas stated if it's not included in the regulations of the State, like what they did with the dispensaries, the City can control certain things in terms of traffic. He stated that the original amount of taxation for this would be 10% of the revenue; however, this has yet to be finalized.

FINANCE DIRECTOR'S REPORT (Audio: 18:18)

Finance Director Scott reported that the June financials have been completed earlier this week and all the statements are up on the website.

CITY ENGINEER'S REPORT (Audio: 18:43)

City Engineer DiFranco reported Resolution 2024-018 pertained to the final approval of the plat, ultimately allowing the development to record the plat and create the individual lots. Ordinance 2024-033 is the dedication of roadways and utilities for public use.

City Engineer DiFranco reported West Pines is a traditional single-family residential subdivision conforming to conservation development requirements. It consists of 13 sub lots being developed on approximately 7 of the 20 acres. Slightly over 13 acres of woods will be preserved in a conservation easement to be monitored by a third party.

City Engineer DiFranco reported the roadway and utilities were designed and are being constructed according to applicable standards and will be dedicated for public use.

City Engineer DiFranco reported a homeowner association will be formed, as required by codes 1133, 1143 and 1157, to own and maintain common lands such as the storm water management basin. HOAs exist at other recent residential subdivisions within the city such as Maple Valley, Rivers Edge, and Pine Valley.

City Engineer DiFranco reported in addition to satisfying city requirements for maintenance of common areas, HOAs can set standard and rules for residents of that specific community related to architecture, fences, landscaping, trash, animals, and other things, and establish fees to cover costs of maintenance and amenities provided such as a community picnic gazebo or swimming pool. This West Pines HOA also includes age requirements, which conform to the Federal Fair Housing Act, and are not a violation of the City zoning code. The City zoning code sets standards for development and use; however age is not referenced in the single-family zoning district regulations.

City Engineer DiFranco reported there is only one Senior Citizen Residential Zoning District in the City. It's located on Miller Rd north of I-90 and is the only district where things like congregate care, assisted living, and nursing homes can be built. These uses can't be built anywhere else in the City. The Senior Citizen Residential District also allows for duplexes, townhomes, and apartment buildings, which are not allowed in the single-family residential zone, if they are planned for senior citizens.

City Engineer DiFranco reported Compared to the Single-Family Residential zoning district, the Senior Citizen Residential District has greater area requirements related to minimum lot size and property line setbacks, however, has smaller floor area requirements. Construction of West Pines began earlier this year and has been proceeding nicely. Utility work is substantially complete, and the base for the new roadway is currently being prepared.

City Engineer DiFranco reported preliminary approval of the plat was granted by Council on February 8, 2024, which allowed the developer to finalize the plat and HOA docs, which we just received on June 27, 2024. The plat was placed on the next possible council agenda for final approval. There is no critical timeframe to meet by passing these on First Reading. I recommend final approval of Ordinance 2024-033 and Resolution 2024-018 after multiple readings. The developer has expressed interest in starting a model home. That process can proceed simultaneously so they'd be ready to go shortly after these pieces of legislation are approved.

Councilwoman Miller asked about the tree screenings and when that will take place. She wanted to know if this would have to wait for final approvals.

City Engineer DiFranco responded saying this will be at the end of the project, otherwise the plants will die during the summer. The developer has provided a bond which will be held until the development is completed upon satisfaction.

BOARDS & COMMISSIONS REPORTS / COMMITTEE REPORTS (Audio: 24:35)

PC-ABR reported by Council Vice President Taylor Draper

Council Vice President Taylor Draper reported on due to the Fourth of July, the Planning and Zoning Commission and Architectural Board of Review did not meet. She did not have a report but was open to questions.

Beautification Committee reported by Council Vice President Taylor Draper

No report.

Recreation Commission reported by Councilman Jarmuszkiewicz

Councilman Jarmuszkiewicz reported pickle ball courts are being used regularly, and there was an approval for net upgrades that got delayed, but is now going to be ordered.

Councilman Jarmuszkiewicz reported there are 8 kids registered for Safety Town next week. He thanked the Library and the Fire Department for helping out with this.

Councilman Jarmuszkiewicz reported Foster's Ice Cream will be donating ice cream to the kids for graduation.

Councilman Jarmuszkiewicz reported the City garage sale will be August 3 this year, and the deadline to be in the brochure for this is July 29.

Councilman Jarmuszkiewicz Music Fest is on August 17. Volunteers can see the Newsletter or City Hall for opportunities. The food trucks and entertainment has been arranged and final details are being worked out currently. He opened Council to questions.

Finance Committee Report by Council President Kline

No report.

WHISPER reported by Councilwoman Miller

No report.

Deer Management Committee reported by Councilwoman Belich

No report.

Business Subcommittee reported by Councilwoman Sivo

No report.

UNFINISHED BUSINESS: (Audio: 26:12)

Council President Kline mentioned a Resolution was passed related to Pebblebrook development's request to get sound barrier walls installed. In this process, a Councilperson asked about the cost associated with this. He stated that ODOT may need some additional money for this project, and concerns have been brought to Council about the City financially getting involved. He stated the City does not have the obligation to participate in this. The City's Resolution was simply an endorsement of Pebblebrook's plan.

LEGISLATION: (Audio: 28:06)

ORDINANCE 2024-032 – FIRST READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO ELIMINATE INACTIVE FUND ACCOUNTS WITH A ZERO BALANCES THEREBY REMOVING THEM FROM THE MONTHLY REPORTING STATEMENTS AND REPEALING CONFLICTING LEGISLATION.

Ordinance 2024-032 remains on First Reading.

ORDINANCE 2024-033-FIRST READING

AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND DEDICATION OF GIOVANNI AVENUE, LOCATED IN THE WEST PINES SUBDIVISION, AS A STREET FOR PUBLIC ROAD PURPOSES, AND DECLARING AN EMERGENCY.

Ordinance 2024-033 remains on First Reading.

ORDINANCE 2024-034-FIRST READING

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT AND EXECUTION OF RELATED AGREEMENT AND DOCUMENTS FOR THE SALE OF REAL PROPERTY AT 2608 SOM CENTER ROAD, WILLOUGHBY HILLS, OHIO, AND FURTHER IDENTIFIED AS PERMANENT PARCEL NO. 31A013B000040, FOR THE SUM OF ONE HUNDRED SIXTY-FIVE THOUSAND ONE HUNDRED FIFTY-THREE DOLLARS (\$165,153.00), AND DECLARING AN EMERGENCY.

Motion made by **Councilwoman Miller**, Seconded by **Councilwoman Belich** to waive the Three Reading Rule on Ordinance 2024-034.

Discussion of Motion

Councilwoman Miller stated she supported passing this Ordinance so that this property could be sold and the new owner can go forward with his plans.

Council President Kline stated that there is multiple bids, and the deposits of the other bidders cannot be returned until this transaction is complete.

**Roll Call: AYES: Knecht, Miller, Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline,
NAYS: None
Vote: 7/0**

Motion passed to wave the Three Reading Rule on Ordinance 2024-034.

Motion made by **Councilwoman Miller**, Seconded by **Councilwoman Belich**

to adopt Ordinance 2024-034.

Discussion of Motion

Mayor Hallum stated that if Council passes this Ordinance, there is still the chance for this deal to fall through if the owner was not satisfied with the property, found something in the inspection, or simply decided to back out. Whatever the owner decided to do would be able to go forward as soon as Council passed this Ordinance, so he urged Council to do this as soon as possible.

Councilman Jarmuszkiewicz asked if this had gone through a realtor or if this was an auction from the State.

Law Director Lucas responded saying this did not go through a realty company, but this was circulated through the City and the News Herald. This was advertised for five consecutive weeks and after this, the bid under the bid specs had a following date on that Monday. Out of the four bids received, two of them were in compliance with the bid specs and two were not because they didn't have deposits. This was the highest bidder and the second highest bidder. There is now a realty company involved to close the transaction that will occur with in the next 30 days depending upon the action of the Council. He stated the purchase agreement has been drafted and he has been in touch with the highest bidder. The second highest bidder wants to know when he could get his money back. But, this money should be retained until the deposit is finalized. Emerald Glenn will be used as the title agency under this purchase agreement. He concluded saying he will get the purchase agreement out.

Councilman Jarmuszkiewicz followed up confirming that this would be a title company and not a realtor. He asked if there would be no fee and no payments.

Law Director Lucas confirmed saying that there would be no realty companies involved, nor were there any realty fees from either party.

Mayor Hallum stated that there would be a better price and better offers if this were put into the multiple listing service. He negotiated with a broker to list it in the MLS for a flat fee of \$500. He confirmed that only costs with this transaction was to have that broker list the property in the MLS so multiple agents and buyers would see the property.

Councilman Jarmuszkiewicz asked if this listing showed where to look for a public ad.

Mayor Hallum confirmed saying this included information on where to place the bid and how to do that.

Law Director Lucas stated there was an interesting Deed Restriction on the property that limited the property to a single-family residential restriction. The City is the agent that enforces this. He stated unless Council were to make a change by legislation to release the property legal description, this would remain single family residential.

Roll Call: AYES: Knecht, Miller, Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline,
NAYS: None

Vote: 7/0

Motion passed to adopt Ordinance 2024-034.

RESOLUTION 2024-015 – SECOND READING

A RESOLUTION AUTHORIZING THE ADOPTION OF AN ALTERNATIVE METHOD OF APPORTIONING THE LOCAL GOVERNMENT FUND FOR LAKE COUNTY, AND DECLARING AN EMERGENCY.

Motion made by **Councilwoman Belich**, Seconded by **Councilwoman Sivo** to waive the Three Reading Rule on Resolution 2024-015.

Discussion of Motion

Council President Kline stated that the alternate method of appropriating the local fund has been approved by several communities of the County, and he felt it would be a matter of solidarity to get behind this method. He said that many communities including Willoughby, Wickliffe, and East Lake are taking considerable hits, and that it is only fair if the rest of the County stands behind and shows support for this.

Roll Call: **AYES: Knecht, Miller, Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline,**
NAYS: None
Vote: 7/0

Motion passed to waive the Three Reading Rule on Resolution 2024-034.

Motion made by **Councilwoman Belich**, Seconded by **Councilwoman Sivo** to adopt Resolution 2024-015.

Roll Call: **AYES: Knecht, Miller, Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline,**
NAYS: None
Vote: 7/0

Motion passed to adopt Resolution 2024-015.

RESOLUTION 2024-018 – FIRST READING

A RESOLUTION ACCEPTING THE FINAL PLAT FOR WEST PINES SUBDIVISION, A SINGLE FAMILY RESIDENTIAL SUBDIVISION LOCATED ON S.O.M CENTER ROAD, WILLOUGHBY HILLS, OHIO, AND DECLARING AN EMERGENCY.

Resolution 2024-018 remains on First Reading.

NEW BUSINESS: (Audio: 40:40)

- No new business.

PUBLIC PORTION #2 (Audio: 40:53)

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

Public Portion #2 opened at
7:41 p.m.

Joe Gagliano, 2027 Orchard Road Extension expressed his satisfaction with the Newsletter, and thanked Council for the effort put into it. He stated that he is dissatisfied with the service from Republic, whom he has a contract with. He stated sometimes his yard waste gets picked up and sometimes it gets picked up with the trash. He believed it was unfair to have to pay for a service that many people do not want nor need. If he needed to dispose of grass, he could do so in the wooded area surrounding his property. This has been a problem for several contracts, and he proposed making this an optional service. Last year the service was poor enough to the point where he was issued a refund from Republic, who had admitted they had not come down his street to collect yard waste. He emphasized his frustration with a dead spot of grass that remained when the yard wastes were not removed. He had seen this be collected with trash, and when he stopped the garbage truck, he was told the garbage man was instructed to collect this yard waste, which is not in the contract with Republic.

Jenna Bing 36951 Beach Hills Drive commented that she had a FOIA in on the cease and desist letters that have been sent to active short-term rentals in the City. She was curious as to if the businesses that have been sent cease and desists have ceased and desisted until they have been approved for a zoning variance. She asked if there were guidelines for how the Zoning Board should be evaluating this kind of variance for uses of business, because they typically deal with variance with too close to property lines. She stated that she hopes someone would come to the meeting when they have this variance come forward to help instruct them on any kinds of rules and guidance regarding this. She stated that Bates Lane got a cease and desist letter two years ago. She questioned what would happen if they don't follow the cease and desist. She expressed that nothing seemed to happen about this in the past with Bates. She expressed her dissatisfaction for this.

Jenna Bing 36951 Beach Hills Drive followed up on what **City Engineer DiFranco** had previously stated that Perrino was willing to sell 20 percent of their lots to people under 55 years old, which would mean 2 of 13 would be available for people under the age of 55. She expressed that this was not how the government should write age restrictions, and if this is what they were doing, she asked if this meets the requirements required by the government to discriminate against aging.

Linda Fulton 2990 Markham Blvd stated that she did not have a problem with the yard waste situation, but she did not like being charged for this service in the winter months, and believed this could be done away with in the winter.

Linda Fulton 2990 Markham Blvd stated that she noticed in the newsletter, the senior center did not receive money and expressed her frustration with referring to this as a "senior center," because there are a select few of events that occur here such as the monthly luncheon. She believed it was disingenuous to call the Senior Room a senior center, comparing this to other senior centers such as Wickliffe, Kirtland, and Willoughby. She questioned if this was the reason the Senior Room had not received money. She wanted to know how much money was in the Senior Center account, as well as how much money is in the Historical Society account. She stated that had not met since the COVID-19 pandemic.

Linda Fulton 2990 Markham Blvd asked about the repaving of Chardon Road. Specifically, she asked why the strip from Bishop Road to the County line is not getting done. She stated it was really getting bad there, and asked if Richmond Heights would include this in their paving.

Linda Fulton 2990 Markham Blvd noticed that there was a patrol officer on White Road Bridge occasionally taking pictures of drivers to see if they are speeding. She wanted to know how many tickets have arrived from this.

Linda Fulton 2990 Markham Blvd stated that people with new housing developments put mounds of dirt out near the street that are not maintained. She expressed her frustration with this, stating that she believed this looked bad with weeds growing and looking unkempt. She asked Council what could be done about this.

Public Portion #2 closed at
7:49 p.m.

Councilwoman Miller commented that she also experiences issues with Republic waste, since she lives on a dead-end street. She stated that she had to call them to remind them to come and pick up the yard waste.

Councilwoman Miller commented that the cost of this service can be paid over the four quarters or double during two quarters, but she expressed her desire to keep the billing consistent year round. She urged **Joe Gagliano** to keep contacting them and getting any refunds as necessary.

Mayor Hallum clarified that they had asked in the past about making this service optional but Republic could not do this because it would not be cost effective for them. He assured the public that this will be addressed again.

Councilwoman Miller emphasized that many people in the City do use Republic's services and desperately need this.

Councilman Jarmuszkiewicz asked when Republic's contract will be renewed.

Council President Kline stated that the contract year starts in April so the negotiations would have to be several months before this.

City Engineer DiFranco stated that Chardon Road and Bishop would not be included in the project because the project was selected by ODOT who is paying 80 %. Because of this, ODOT sets the limits.

Mayor Hallum stated that the City has never received funding for the senior center, whereas the cities that she had mentioned does receive funding for their senior centers. He emphasized that this was the reason why they were fighting hard for this money, and why the other cities are capable of holding other events she had mentioned. He also stated that when this was set up, there was a requirement to have a full time recreational coordinator working in order to be considered. Also, the Board who was in charge of distributing the funds was made up of the cities who had all of these requirements. They later discontinued the requirement to have a full-time recreational coordinator, which made it possible for the City to obtain some of these funds. He had stated that these funds are not released easily, and they would be sending the City an application next year, and the reason they have not done that this year was because the funds were already distributed. He concluded by saying that they have tried to receive funding and hopes next year they will be able to receive more to make the Willoughby Hills Senior Center bigger for the seniors.

Councilwoman Belich stated the dollars that come in are our tax dollars. She emphasized that everyone was paying into that fund, so that they can be distributed to those asking. She believed this was the second time asking. And Council discovered that they were now eligible to apply for funding based on the changes in the rules and they had asked to be heard a second time and was turned down again. She emphasized that this funding is their tax dollars as well as the public's.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY

(Audio: 55:19)

Council Vice President Taylor Draper extended her sincere sympathies to the family of John Lillich. She

stated that she had worked with him for years, and praised his commitment and knowledge to the City. She expressed her deep sorrow for what he is going through with the loss of his wife.

Councilwoman Miller expressed also expressed her sympathies to the Lillich family and thanked Carol for all the work she has put into the City for many years. She also expressed her sympathy to the family of Paul Beal, who had recently passed away.

ADJOURNMENT (Audio: 56:57)

Motion made by **Councilwoman Belich**, seconded by **Councilwoman Miller** to adjourn the meeting.

Roll Call: **AYES:** Knecht, Miller, Sivo, Taylor Draper, Belich, Kline, Jarmuszkiewicz
NAYS: None
Vote: 7/0

The meeting was adjourned at 7:57p.m.

APPROVED: July 25, 2024
Date

Michael Kline
Michael Kline
President of Council

ATTEST: Nicholas Aiello
Nicholas Aiello
Clerk of Council