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Vice President of Council
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Council Clerk Pro Tem
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Council
JULIE A. BELICH
JOE JARMUSZKIEWICZ
DANIEL KNECHT
VICKI MILLER
KATHLEEN SIVO

City of Willoughby Hills

Working Committee of Council and Rules & Legislation

Minutes of February 10, 2025

The Working Committee of Council and Rules & Legislation was called to order on February 10, 2025 at 6:00 p.m. in Council Chambers. **Council President Kline** presided.

Call to Order 6:00 p.m. (0:08)

ROLL CALL (Audio: 0:19)

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

Also Present: Mayor Hallum, Law Director Michael C. Lucas, and Finance Director Bruce Scott

Absent: Councilwoman Julie A. Belich, and City Engineer DiFranco

- **Council President Kline:** After the Working Committee concludes, we will have a five-minute break and then we will have the Housing Council Meeting. The first Finance Committee on the 2025 budget will be meeting tomorrow at 6:00 p.m. Tomorrow, the Service and Police Department will be present.

BEGINNING DISPOSITION: (Audio 1:30)

ORDINANCE 2024-070- THIRD READING

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2025; REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

- **Council President Kline:** This is the Ordinance related to the 2025 budget, which we will be reviewing tomorrow evening. However, I will open it up for any comments or questions related to this Ordinance. For the benefit of Council and the public, there still is time to get questions and comments in pertaining to the budget meeting for tomorrow night. This will be for Police and Service tomorrow. Questions submitted beforehand will be a greater assurance that there will be an answer provided and you won't be put off and have to wait for the department head to get back. That doesn't preclude anyone from attending to ask questions that they have.

ORDINANCE 2025-002- THIRD READING

AN ORDINANCE AUTHORIZING PUBLICATION OF CERTAIN NOTICES ON THE CITY WEBSITE AND THEREBY AMEND CERTAIN PROVISIONS OF THE CODIFIED ORDINANCES REGARDING PUBLIC NOTICES, AND DECLARING AN EMERGENCY.

- **Council President Kline:** This Ordinance was one that was brought about by change in the 2023 Bi-Annual State Budget which allows for certain notifications to appear on the City’s website and social media pages, as opposed to requiring that such notifications be published in a general circulation newspaper. The main one that this includes, which will be a benefit to the City in terms of money savings, is the monthly notice that appears in the News Herald for ordinances and resolutions that are passed during the month. These appear in the classified section and can range between \$200-\$400 a month that it costs the City depending upon the volume of ordinances and resolutions that are passed. We will be able to have the notification via the City’s website or social media pages as opposed to publishing.
- **Councilman Jarmuszkiewicz:** What are the circumstances where they would still have to be published?
- **Council President Kline:** What is not changing, and will not change, are the regularly scheduled meetings that are put on. This includes Council meetings and Committee meetings. Those will still appear weekly, the day of the meeting as a little side bar in the News Herald. The primary one this effects are the month end postings. Some other ones may come through such as special notices or Planning and Zoning and other Commissions and Committees of the City.

ORDINANCE 2025-004-FIRST READING

AN ORDINANCE ESTABLISHING THE NEW SANITARY SEWERAGE RATE FOR THE CITY OF WILLOUGHBY HILLS COMMENCING JANUARY 1, 2025, AND DECLARING AN EMERGENCY.

- **Councilman Jarmuszkiewicz:** Will these new sanitary sewerage rates be effective before the first quarter billing coming out in April?
- **Finance Director Scott:** That is correct. This will be for the first quarter. They did a January 15 reading, which is essentially the fourth quarter. They will read meters again April 15.
- **Councilwoman Miller:** Is this able to go to three readings and not be rushed?
- **Finance Director Scott:** I would prefer that it goes tomorrow if you feel comfortable. I need to coordinate with the County because they are the ones who do the billing for us. It wouldn’t be the end of the world but I would prefer if you are comfortable.
- **Mayor Hallum:** Just for everyone’s knowledge this is not something that this Council or administration is implementing. This is something that is coming from the City of Euclid that handles our sewerage. The City has not raised our rates since 2016 and we have no plans to do that. Just so everyone understands, this is not a raise from the City on your sewer rates at all. It is out of our control.

ORDINANCE 2025-005 AMENDED-SECOND READING

AN ORDINANCE AMENDING TITLE FIVE, “ADMINISTRATION,” CHAPTER 139 CAPTIONED “POLICE DEPARTMENT”; SPECIFICALLY, SECTION 139.02 TITLED “RULES, REGULATIONS, AND COMPENSATION,” TO ESTABLISH A PART-TIME CLASS 5 PATROL OFFICER POSITION AND RATE OF COMPENSATION, AND DECLARING AN EMERGENCY.

- **Law Director Lucas:** With specific reference to the amendment, I indicated when we first put this on the agenda that the Police Chief and I wanted to discuss some of the language involved in that. The end result was an amendment. Specifically, this changed where we had a part-time handheld speed camera and now it is changed to be a class 5 level to keep it consistent with the other four immediately preceding class levels. This single change was made within the body from the original draft that was presented to Council.
- **Mayor Hallum:** I also want to restate, this is not a position we are hiring for. This is basically a special assignment where officers can select to do. Full-time officers have first right, so they can fill up the schedule for these available times. Any available afterward can be taken up by any part-time officer that we have already hired. We are not going out and hiring anybody. These are people that are already part-time officers or that might come on as part-time officers at any point in time.
- **Councilman Jarmuszkiewicz:** I remember the Police Chief mentioned there were several openings that they may fill eventually. Is there a limit or a minimum or maximum?
- **Mayor Hallum:** I believe there is, I don't know what the number is off the top of my head. However, we always have part-time positions open. It's different from full-time. Part time is only as scheduled. It is not a situation where if you are hired as part-time everybody's working and we've hired all these people. Rather, this is to fill vacancies in the schedule.
- **Council Vice President Taylor Draper:** It's important to also mention and let the residents know this is not coming from taxpayer dollars. These are the funds that are accumulated from individuals who are violating the law. These are not taxpayer dollars. I just wanted to make sure that is stated.
- **Council President Kline:** Since this does not involve new hires, does this need to be discussed with the Union at all? Are they aware of it?
- **Mayor Hallum:** They are aware of it and they have no issues and have not voiced any concerns.

ORDINANCE 2025-006-FIRST READING

AN ORDINANCE TO DECLARE A CITY VEHICLE AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE ON THE OPEN MARKET UPON SUCH TERMS AND AT SUCH PRICES AS ARE DEEMED MOST ADVANTAGEOUS TO THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

- **Councilwoman Miller:** Which vehicle is this? It does give a model in the description here but it does not tell me much.
- **Finance Director Scott:** I don't have that exact information but I can get that information forwarded to Council tomorrow morning.

- **Mayor Hallum:** Based on the memo from the Road Superintendent, this is the one that is being replaced with the one that is coming in later this week that we purchased.
- **Council Vice President Taylor Draper:** So we are expecting a new Mack truck and this is replacing the old Mack truck is that correct?
- **Mayor Hallum:** That is correct.

ORDINANCE 2025-007-FIRST READING

AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2025 ENERGIZED COMMUNITY GRANT, AND DECLARING AN EMERGENCY.

- **No comments were made.**

RESOLUTION 2025-002-FIRST READING

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF LAKE COUNTY COMMISSIONERS AND THE CITY TO UTILIZE PROCEEDS FROM THE FY 2025 SENIOR LEVY FUND FOR THE PURPOSE OF SUPPORT OF SENIOR CITIZENS SERVICES OR FACILITIES FOR THE WILLOUGHBY HILLS SENIOR CENTER, AND DECLARING AN EMERGENCY.

- **Council Vice President Taylor Draper:** Wasn't there an amount that was granted or do we not state that on the Resolution?
- **Mayor Hallum:** There is an amount and it should be on here just for historical tracking. Is this something that was put together by the Council Clerk?
- **Council Clerk Nicholas Aiello:** This was something that I put together. I was not given an amount but I can get this Amended for Thursday.

Discussion of motion to go out to bid for asphalt.

- **Mayor Hallum:** I am going to speak to this motion and the next. This is standard that we do at this time every year so that we can get our bidding done as early as possible before the plants actually get open so that we are in line to get what we need as soon as possible. We are just trying to stay ahead of the game.

Discussion of motion to go out to bid for limestone.

- **See above comments.**

Discussion of motion authorizing the City to solicit bids 2025 Street Rehab

- **Mayor Hallum:** This pertains to the roads we are going to be paving and for the rejuvenation. This is standard and we are getting ready so we can get our bids in place.

Discussion of motion authorizing the City to solicit bids 2025 Sewer Rehab

- **Mayor Hallum:** Again, we are trying to get these things out and get on schedule for the companies that do this kind of thing as early as possible. With the increasing cost of our sewer rates, we definitely don't want additional costs in sewer repairs. I am very proud of the fact that the City of Willoughby Hills is always making sure that our sewers are in good shape and we want to make sure that we stay on top of that continue this process.
- **Councilman Jarmuszkiewicz:** Are we still on schedule to do one tenth of the sewers over every tenth year?
- **Mayor Hallum:** Correct, that is the process.

Discussion of motion authorizing the City to solicit bids 2025 Pavement Markings

- **Mayor Hallum:** Again, it's just that time to redo pavement markings on the roads so that people can see where the lines are. This will be to get on the schedule as early as possible so that we can get the best pricing and make sure it gets done.

PUBLIC PORTION: (Audio 18:41)

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

- Public Portion opened at 6:19 p.m.
 - **Don Akins 38195 Dodd's Hill:** Number one question, what is that temporary cell tower costing us? Item number 2, where are we at for eminent domain on cell tower locations?
- Public Portion closed at 6:20 p.m.
- **Mayor Hallum:** With regard to the temporary cell site, there no cost to the City. That has been provided as part of our emergency response due to the ice damming so that if something happens, we can communicate. I have asked to see if we can keep that as long as possible but there is no cost to the City on that.
- **Law Director Lucas:** There was a discussion after the last meeting with regards to eminent domain and the administration is not going to pursue eminent domain.
- **Mayor Hallum:** I want to add that it is not just the administration, but the Council also does not agree with eminent domain with regards to the cell tower. Does anybody disagree with that?
- **Councilman Jarmuszkiewicz:** I would be open to it on a certain area.
- **Mayor Hallum:** We are talking about taking somebody's personal property.
- **Councilman Jarmuszkiewicz:** A personal home or business rental?
- **Mayor Hallum:** That is what he is referring to, taking somebody's personal property to put a cell tower up.
- **Council President Kline:** My thinking is, if you try to exercise eminent domain that is the step before a lawsuit. That lawsuit could theoretically take much longer than concentrating on finding a suitable site. I also wonder how could you pursue both at the same time? If you pursue

eminent domain and you're looking for a parcel of land, it is like the chicken or the egg. Which one do you grab first?

- **Law Director Lucas:** Just one other point. Eminent domain is litigation. You determine an area of personal property or real property that is owned by a resident, you establish a value for it, and then you file an eminent domain proceeding with the Lake County Probate Court in which you deposit whatever you believe that value is into the Lake County Probate Court. Then the owner has the opportunity to respond and also seek more compensation than what was originally determined to be estimated value wise by the City. I have never seen an eminent domain proceeding, that I have been involved with, where the resident accepts. I am saying that as both representing residents and also by other communities where they have accepted the value of the property as determined by the City for the take. They do extend for quite a long period of time. I am representing a resident at another community on one. We are in the second year of the proceeding in the Lake County Probate Court.
- **Councilman Jarmuszkiewicz:** Does the City actively search for open land for sale and areas that would benefit the cell tower?
- **Mayor Hallum:** I look weekly, almost daily actually. I am not going to disclose anything, but I think I found another location and it's being reviewed now.

LEGISLATION: (Audio 24:05)

- **Council Clerk Nicholas Aiello:** On Ordinance 2025-006 the 2013 Model 108SD Back Axle is the truck being declared surplus. I did not include this in the caption because on previous ordinances that we have done to this, the vehicle was not included in the caption, but this can be amended if it needs to be.
- **Mayor Hallum:** That's fairly standard, it's in the detail and is fine how it currently is.

ADJOURNMENT: (Audio 25:17)

- **Motion made by Councilwoman Miller, seconded by Council Vice President Taylor Draper** to adjourn the February 10, 2025 Working Committee of Council and Rules & Legislation.

Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Miller, Sivo, Taylor Draper,

NAYS: None

ABSENT: Belich

Vote: 5/0

The meeting was adjourned the meeting at 6:26 p.m.

APPROVED: FEBRUARY 27, 2025
Date


Michael Kline
President of Council

ATTEST: 
Nicholas Aiello
Clerk of Council