

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

Working Committee of Council and Rules & Legislation

Minutes of May 19, 2025

The Working Committee of Council and Rules & Legislation was called to order on May 19, 2025, at 6:00 p.m. in Council Chambers. **Council President Kline** presided.

Call to Order 6:00 p.m. (0:05)

ROLL CALL (Audio: 0:18)

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

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

Absent: Councilman Dan Knecht, and City Engineer DiFranco

BEGINNING DISPOSTION: (Audio 0:44)

ORDINANCE 2025-033-AMENDED-SECOND READING

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE – TITLE FIVE – ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS WITH AMENDMENTS TO CHAPTER 165 RELATED TO THE WILLOUGHBY HILLS SENIOR CENTER AND THE ROLE OF WILLOUGHBY HILLS SENIORS, INC. AS WILLOUGHBY HILLS SENIOR CENTER FACILITATOR, AND DECLARING AN EMERGENCY.

– No comments were made.

ORDINANCE 2025-034-FIRST READING

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE OPERATION OF ANY SHORT TERM RESIDENTIAL REAL ESTATE RENTALS IN THE CITY OF WILLOUGHBY HILLS FOR AN ADDITIONAL PERIOD OF TIME NOT TO EXCEED ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, AND DECLARING AN EMERGENCY.

- **Councilman Jarmuszkiewicz:** When does the first moratorium expire?
- **Council President Kline:** I believe it is the first week of June.
- **Mayor Hallum:** June 10th according to the first Whereas Clause.

ORDINANCE 2025-035-FIRST READING

AN ORDINANCE PROVIDING FOR THE SUBMISSION OF A PROPOSED AMENDMENT TO ARTICLE III OF THE CHARTER OF WILLOUGHBY HILLS, OHIO TITLED, THE COUNCIL, (SECTION 3.25 TITLED, THE CLERK AND OTHER EMPLOYEES) TO THE ELECTORS OF THE CITY TO EXTEND THE PERIOD BY WHICH A VACANCY IN THE POSITION OF CLERK OF COUNCIL SHALL BE FILLED BY APPOINTMENT OF COUNCIL FROM THIRTY (30) DAYS TO SIXTY (60) DAYS AT THE MAYOR'S DISCRETION, AND DECLARING AN EMERGENCY.

- **Council President Kline:** I would like to ask the Mayor if he would like to summarize this amendment.
- **Mayor Hallum:** What I am asking Council to do is to approve this to go on the ballot. Some of you have gone through this a couple times when I was on Council. What often happens is that it is not easy to find a Council Clerk. It might be easier now that we have it as a full-time position but certainly it was more difficult as a part-time position. I am suggesting we make it easier to find a Clerk. If Council is doing their due diligence and they are trying to find somebody or they are working through the process and struggling to find someone, according to the Charter, the Mayor shall appoint. I am suggesting that we give the Mayor the ability to extend the period for Council if they know they are working on it, while also still have the option to appoint someone if they feel like they have somebody.
- I know this can't be passed until no more than 120 days from the election. If we read this 3 times are we good?
- **Law Director Lucas:** Any Charter amendment has to be submitted by passage of the ordinance no later than 60 days prior to the General Election which is November 4, 2025. Also, no more than 120 days. Those two dates are important. The outside parameter of these dates is July 7. The least amount of time to pass within the parameter is September 5, 2025. It would have to stay at least within those timeframes.
- **Mayor Hallum:** So basically, this needs to be read at four Council meetings.
- **Law Director Lucas:** Or leaving it on the table. And by the way, just as a point of information, even though it says this is a declaration of emergency clause, it was the administration's desire

(specifically the Mayor) to have at least three readings on all these Charter Amendments.

- **Council President Kline:** Just to clarify, so that nobody has the wrong assumption, this is not the same as elected positions that have to file within 90 days? This has its own separate timeframe.
- **Law Director Lucas:** Correct.

ORDINANCE 2025-036-FIRST READING

AN ORDINANCE AMENDING PART 13, BUILDING CODE, TITLE III-LOCAL BUILDING PROVISIONS, CHAPTER 1361 DIVISION OF BUILDING ENGINEERING AND INSPECTION, OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, AND DECLARING AN EMERGENCY.

- **Councilman Jarmuszkiewicz:** I am curious under the compensation and bond, there is a \$20,000 bond that the inspector would have to put up to get the job?
- **Law Director Lucas:** The \$20,000 bond is part of the existing language actually that remained other than the change of the position to a City Inspector. That is in the current ordinance as well. The bond is under that same language to be paid by the City for the City Inspector.
- **Councilman Jarmuszkiewicz:** It says the “The City Inspector and any Assistant City Inspector, prior to entering upon the duties of the office, shall give bond in the sum of twenty thousand dollars (\$20,000.00).” So, it looked like they had to give \$20,000 to get the job.
- **Law Director Lucas:** You have to have a bond, they give the bond, and the City provides for the payment of that bond.
- **Mayor Hallum:** You have to read everything in its entirety. If you look at the very last sentence of that, it says, the surety or sureties on such bond shall be satisfactory and approved by the Mayor and the City shall pay the premium.”
- **Council Vice President Taylor Draper:** What would happen if the current employee hit the lottery? Would this then revert back to the current status?
- **Mayor Hallum:** No, but you as Council could change this back to how this was. If what we are planning to try here works, then great. If it does not, then we can put it back to how it was.
- **Council Vice President Taylor Draper:** Do we need to do an amendment? Does this need to be in this ordinance that it is temporary?
- **Law Director Lucas:** The reason this change was made is actually two-fold. Number 1, under that particular chapter, it entails what is subsequent to that enactment. Part of that work is not with the County, which is why we modified that title to the City Inspector. Unless the County abrogates back to the City, which would be surprising, this is going to be how it is, subject to Council’s deliberations in the future in that. This is the way it should remain because it has curtailed the duties

from what they originally were when that chapter was originally codified. That is number 1.

- Number 2, it is just like any other position. Hypothetically, if the Law Director hit the lottery, the Mayor would appoint someone new. I think the same thing applies in this course. The Mayor would appoint Chief City Inspector and the Assistant City Inspector.
- **Council President Kline:** If we have an Inspector and an Assistant, will the duties be interchangeable or will the inspector cover some specific duties, and the assistant cover other duties?
- **Mayor Hallum:** There are job descriptions for what the City Inspector and the Assistant City Inspector are responsible for. There are job descriptions.
- **Law Director Lucas:** I also think independent of the separate jobs there are occasions when the Chief City Inspector, just like any of the Chief positions, can fill in for each other if one is on vacation. But there are separate duties that will be delineated for both those positions. It will be the same other than what's taken over by the County. It will be the same formatting as they were when the original chapter was passed.
- **Council Vice President Taylor Draper:** Are we able to see the job descriptions just so we can put the list to what we are reading here?
- **Mayor Hallum:** Absolutely, I thought you already had them.
- **Councilwoman Belich:** Could you speak to the compensation package for each of the positions?
- **Mayor Hallum:** Yes, the City Inspector is \$10,000, and I don't recall off the top of my head, but either \$6,000 or \$7,000 for the assistant.
- **Councilwoman Belich:** That has been budgeted for, I assume?
- **Mayor Hallum:** More than that has been budgeted.
- **Law Director Lucas:** This is a new position too, and according to the Finance Director's instruction, we want to put those 2 new positions, which are newly created, within the pay ordinance itself that we periodically amended. So, that will be done after, assuming this passes.

ORDINANCE 2025-037-FIRST READING

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WILLOUGHBY HILLS PROPOSED AMENDMENTS TO ARTICLE V OF THE CHARTER TITLED BOARDS AND COMMISSIONS, (SECTION 5.15, TITLED MANDATORY PUBLIC VOTE ON LAND USE CHANGES), AND ARTICLE VI OF THE CHARTER TITLED LEGISLATION, (SECTION 6.2, TITLED EFFECTIVE DATES OF ORDINANCES), AND DECLARING AN EMERGENCY.

- **Council President Kline:** I would like to ask Mayor Hallum if he would like to summarize this

ordinance.

- **Mayor Hallum:** As I mentioned during the district meetings, since the mid-90's, when the residents passed a Charter Amendment then, to have referendum zoning (meaning any zoning changes in the City had to be put to a vote of the electors)...this would basically reverse that back to how things were prior to that. And the reason we are even thinking about this and why I wanted to put this back to our residents is to make sure they have the chance to do something that has been shown to work better, from my perspective, or whether they want to continue doing what we currently have been doing for 30 years.
- There have been 18 incidents where zoning change was necessary. Of those 18, only 3 went in front of the people as a vote. The other 15 ended up in Lake County as a lawsuit, which is an option that business owners had, and we were sued. Basically, a Lake County judge that does not live in our City is making a decision as to what goes in our City.
- In my opinion, while the intention was good at the time, we see that that is not really happening and we are actually having less say as a result of what is currently in place as opposed to putting it back to a non-referendum where zoning changes would come before our Planning and Zoning Commission, public hearings would take place, and a recommendation would eventually be made by the Planning and Zoning Commission to Council, where Council would then have a vote.
- The Zoning Commission is made up of people who actually live in the City. You would have 7 people on the Zoning Commission who would then make a recommendation to the 7 people on Council who live in the City. Council would then be able to hold hearings on this as well and then make a final decision as to whether they want to make that zoning change or not.
- It actually gives true input from our residents as to what they want because you all are elected to represent the districts you live in in the City. This is also done through public portion. This gives expediency too and when we have something that perhaps the residents want and Council and the Planning and Zoning Commission members think are a good thing for the City, we won't have a business try to come and put something there (which I believe is happening now) and look at our code and see that it won't fit in. There are so many new types of businesses now that occurred since the 70's, when the zoning code was written, that may be great for the City, but we may not even know if they are interested because they may look at the zoning code and think it is too much trouble. This makes it something we can do a bit more expeditiously if we feel like this makes sense while still having true input from our residents.
- **Council Vice President Taylor Draper:** You mentioned there were 18 incidents where this came about and there were three where residents actually voted. Do you remember what those were and how long ago that was? I don't think there has been anything recently. I don't remember.
- **Mayor Hallum:** They are very old. They are probably from the late 90's. I wish I could remember. I did ask that question myself, and I am drawing a blank right now as to what they were, but I will get that information for you.

- **Council Vice President Taylor Draper:** If the whole point of the original ordinance was for the residents to have a say, it doesn't seem like they have had a say in decades.
- **Mayor Hallum:** The vast majority of the time, yes. Does anyone else remember the three Zoning Changes that were put to a vote of the people? I don't recall them but was wondering if anyone who has lived here for a while would remember.
- I think the Community Center might have been one of them.
- **Council Vice President Taylor Draper:** That was before I came to the City.
- **Mayor Hallum:** A change of the vote allowing the Community Center to come in might have been one. I don't remember the others. I will get back to you.
- **Council Vice President Taylor Draper:** It is just interesting to know because I think it gives perspective to the residents to say, "what have I voted for? Nothing?" These three votes were years ago.
- **Mayor Hallum:** I think what would speak even louder to me is, name the ones that didn't.
- **Councilman Jarmuszkiewicz:** During the district meetings, you were talking about another change in case this didn't pass. When will that be presented.
- **Law Director Lucas:** Tomorrow, this will be sent out. I just got it this afternoon. It will be outside the 48 hours.
- **Councilman Jarmuszkiewicz:** That will be added too?
- **Law Director Lucas:** Yes it will. It will be an amendment dealing with small-box and the moratorium and requesting that it not be permitted within the B-2 Zoning Classification. There was a couple of tweaking in the definition of "small-box" that I need to talk to the Mayor about. One dealt with the food produce percentage, and I will have it out tomorrow.
- **Council President Kline:** People may look at this ordinance and think this is a major change and rewrite of the ordinances and Charter change of the City, but actually it is not because if you go back and look at the applicable sections, what is there now, remains, except for the very last step. Right now, the last step is that it goes to the ballot. All that has to be done is pull that off and once Council votes on it, then it is either approved or rejected. Approval or rejection will be at Council level.
- **Law Director Lucas:** The other point is, independent of what is in the Charter, there is an avenue for if you get a certain percentage of the electorate, you can appeal the change in the zoning to the Lake County Common Pleas Court. I cannot remember the exact percentage, but it is a statutory proceeding. It is referendum zoning, but it is not an automatic transfer over to the Common Pleas Court, they have to get a number of voters. The only reason I mentioned this is because they still have the statutory rights that most of the communities have. Most of the communities do have this type of conclusion with the Council passage of a zoning amendment, so it is still available if there is such a percentage of the electorate that has strong opposition or whatever change occurred.

- **Council President Kline:** That is good to know.

RESOLUTION 2025-010-FIRST READING

A RESOLUTION ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2026 FOR THE CITY OF WILLOUGHBY HILLS.

- **Finance Director Scott:** This is the beginning of next year's budget. This is the first step. This shows the County that the City is in need of having property taxes collected. Cutting to the chase, it is roughly 2.5 million dollars in next year's budget revenue. Without that, I wouldn't want to think of it. It is simple, it is three readings and we will hopefully have a hearing at the first meeting in June and hopefully get it approved at the last meeting in June.

PUBLIC PORTION: (Audio 25:00)

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

- Public Portion opened at 6:25 p.m.
 - No one spoke.
- Public Portion closed at 6:25 p.m.

LEGISLATION: (Audio 25:10)

- No comments were made.

NEW BUSINESS:

- **Councilman Jarmuszkiewicz:** Do we still have to approve the minutes from the April 21 meeting?
- **Council President Kline:** They were not approved, so I advised to defer to Law Director Lucas and get his comment on that. I am not sure if you checked the minutes or the last Council meeting. We didn't have a quorum for the Working Committee, and we didn't have a quorum when we tried approving minutes. The question is, what is our choice and what happens now?
- **Law Director Lucas:** Just leave it on the table. You won't have a quorum and there was no business really because there was no quorum.
- **Council President Kline:** They will just sit, and nothing further will be done.

ADJOURNMENT: (Audio 27:20)

- **Motion** made by **Councilwoman Belich**, seconded by **Councilwoman Miller** to adjourn the May 19, 2025 Working Committee of Council and Rules & Legislation.

Roll Call:

AYES: Jarmuszkiewicz, Kline, Miller, Sivo, Taylor Draper, Belich

NAYS: None

Vote: 6/0

The meeting was adjourned the meeting at 6:28 p.m.

APPROVED: June 18, 2025
Date

Michael Kline
Michael Kline
President of Council

ATTEST: Nick Aiello
Nicholas Aiello
Clerk of Council