

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

KAREN MEHOLLIN
Clerk of Council

City of Willoughby Hills

Regular Council Meeting

Minutes of February 10, 2022

COUNCIL:

JULIE A. BELICH

JOE JARMUSZKIEWICZ

DANIEL KNECHT

VICKI MILLER

TANYA TAYLOR DRAPER

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 10, 2022 at 7:00 p.m. in Council Chambers. **Council President Hallum** presided.

Call to Order 7:00 p.m. (Audio: 0:15 – 0:25)

Pledge of Allegiance (Audio: 0:26 – 0:45)

Council President Hallum presented Resolution 2022-001 recognizing Davis & Young, a Legal Professional Association, for 100 years of serving Greater Cleveland and its neighboring communities under the leadership witnessed through Managing Partners Thomas W. Wright and Dennis R. Fogarty.

ROLL CALL

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

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

Absent: Councilwoman Julie Belich.

Motion was made by **Councilwoman Taylor Draper** and seconded by **Councilwoman Miller** to excuse **Councilwoman Belich** from tonight's meeting.

Discussion of Motion:

None.

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

NAYS: None.

Vote: 6/0

Motion Carries to excuse **Councilwoman Belich** from tonight's meeting.

DISPOSITION OF THE JOURNAL (Audio: 8:05 – 8:48)

Motion made by Council Vice President Kline seconded by **Councilman Knecht** to adopt the minutes of the January 27, 2022 Regular Council Meeting.

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

NAYS: None.

Vote: 6/0

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 8:50 – 9:00)

01/28/22 email from Gloria Majeski, re: Request for Legislation for WHPD Body Worn Camera Program.

01/28/22 email from Gloria Majeski, re: Request for Resolution for NOPEC 2022 Community Event Sponsorship Grant.

01/29/22 email from Mayor Gardner, re: Field Trip to City Hall and Library.

01/30/22 email from Jenna Bing, re: Budget Questions.

01/31/22 email from Gloria Majeski, re: Rock n Roll day in WH – 8/13/22 – Public Purpose

01/31/22 email from Gloria Majeski, re: Legislation for non-Union raises.

01/31/22 email from Gloria Majeski, re: Records Commission Meeting for RC2's.

02/01/22 email from Jenna Bing, re: Heavy equipment on Chardon Road.

02/01/22 email from Gloria Majeski, re: Service contract for Body Worn Camera Legislation.

02/01/22 email from Building Dept., re: Heavy equipment on Chardon Road.

02/01/22 email from Matthew Naegele, re: Service contract for Body Worn Camera Legislation.

02/01/22 email from Julie Belich, re: Heavy equipment on Chardon Road.

02/02/22 email from Frank Brichacek, re: RITA Delinquent Taxpayers Subpoenas.

02/02/22 email from Gloria Majeski, re: Public Bid memo for body cams.

02/02/22 email from Frank Brichacek, re: Income Tax Incentive Grant Terms.

02/04/22 email from "G.G", re: Deer population.

02/07/22 email from Gloria Majeski, re: Mayor's Proclamation for Police Officer Papa.

02/07/22 email from Tanya Taylor Draper, re: Thursday's Agenda.

PUBLIC PORTION #1 (Audio: 9:03 – 16:08)

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

Public Portion #1 opened at 7:09 p.m.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094 thanked Council and Administration for holding in-depth discussions regarding the Budget as well as broadcasting them on Facebook Live. She also stated that she still has concerns about the way the Law Directors are set up the way they are. She asked for clarity on something she thought **Mayor Gardner** had said, **that Assistant Law Director Lobe** was fired when he served as the previous Law Director. At the September 14, 2017 meeting, Council voted on a motion to start the process. During the process, Council would vote to state that they no longer wanted him, then a hearing would happen, then a second vote. Her understanding is that unless former Mayor Weger fired him, **Assistant Law Director Lobe** quit before a hearing was done. She asked if this was who we should have as a Law Director?

Michael Tyler, 2770 Worrell Road, Willoughby Hills, OH 44094 stated his concerns about the many bumps between Route 174 and Worrell Road. He is wondering if they will ever be repaired as this has been an ongoing issue. He has tried to speed up the process of repair and has contacted ODOT but hasn't seen anything happen. He is aware that there is supposed to be resurfacing of the area, but is concerned it won't be enough as the subgrade also needs to be completed again. Mr. Taylor also asked for an update on the Yard Waste service. He was wondering if it has been worthwhile.

Public Portion #1 closed at 7:12 p.m.

Questions/comments following Public Portion #1:

Mayor Gardner apologized to **Assistant Law Director Lobe** if he misstated that he was fired and admitted that was his (Mayor's) mistake. **Mayor Gardner** added that he has no question that he does a great job for the City as a Law Director. Regarding Republic's Yard Waste program, **Mayor Gardner** stated that over the course of the program, about 60% of the residents took advantage of it.

City Engineer DiFranco addressed Mr. Tyler's road concerns stating that ODOT accepted bids on the Chardon Road project. Ronyak Paving, Inc. was the lowest and best bid at around \$1.5 million which was right at the estimate. Money was included for base repairs and to address the bumps.

Council Vice President Kline commented that he did some research earlier in the day because of the concerns raised about legal expense in the past. In 2017 and going into 2018, Council then proposed bringing on a new Law Director who would receive a retainer of \$10,000 a month, which would be \$120,000 per year. In addition would be charges for work outside of that. That is a good deal more than what we currently spend.

Councilwoman Miller stated that she had a conversation with a Republic driver last summer who was on her road. She asked him about how many stops he makes and he told her that a good 50% of the City is utilizing the program.

MAYOR'S REPORT (Audio: 16:10 – 22:03)

Mayor Gardner reported that Willoughby Hills continues to be an essential vaccination area (Booster POD) for the west end of the County on Mondays at the Community Center. These will continue every Monday except for President's Day. COVID-19 news continues to change rapidly so please check the Lake County General Health District's website (www.lcghd.org) and the CDC for the latest information.

Mayor Gardner thanked the Service Department for their hard work during last week's storm. It was difficult to keep up at some points. The Service Department worked 12 hours on and 12 hours off to get the job done. The fifth truck was put out during most of the day on Thursday as well. Most everything was cleaned up by early afternoon Friday. It can be complicated plowing snow in Willoughby Hills, but they did an amazing job.

A City Volunteer List continues to be built. There are events coming up in March so contact **Councilman Jarmuszkiewicz** or **Mayor Gardner** for volunteer opportunities.

Mayor Gardner expressed his appreciation to Council, Department Directors, and **Finance Director Brichacek** for their hard work during the budget meetings over the last couple of weeks. He would like to pass the budget tonight so things can begin moving forward with some of the initiatives in there – strategic planning, acquiring service and fire department vehicles, and putting the body cam program into place.

Reminder to residents – please stay off the river, for your safety and for the safety of the Fire Department members who would rescue. The Fire Department will be doing some ice rescue training next week in the event there is a need for rescue.

We are in the process of hiring a part-time Zoning Inspector. There has been a candidate who was interviewed and has accepted a conditional offer. Additional details will be given as the process continues. Currently, a background check is being performed.

The first Trivia Night in Willoughby Hills will be held February 15th from 7:00-9:00pm in the Community Center. Anyone who is interested in trivia and might be interested in being on the Mind Challenge team later this year should come on up and participate.

Sympathies to the family of Service Department worker, Tim Rosoboril on the passing of his father-in-law. Also to Service Department worker, Marty Gazdak and his wife Linda on the passing of Linda's father. Additionally, sympathies to Bob and Linda Sacerich on the passing of Bob's brother, Nick. Please keep all of them and their families in your thoughts and prayers.

Mayor Gardner finished by reminding everyone that the best way to find out what's going on in the City is to register your email with the newsletter at newsletter@willoughbyhills-oh.gov.

Questions/comments following Mayor's Report:

Council President Hallum added that Mike Santone's wife Beverly also recently passed away as well so please keep her family in your thoughts and prayers.

Councilman Jarmuszkiewicz asked **Mayor Gardner** if hiring a Zoning Inspector would alleviate some of the duties of **City Engineer DiFranco**. **Mayor Gardner** responded that the Zoning Inspector would take some of the duties off the plates of both **City Engineer DiFranco** and **Road Superintendent Grubiss**.

Councilwoman Taylor Draper wanted to add a follow up for **Mayor Gardner** regarding an issue brought up in one of the District Meetings about the reckless driving and not stopping at the intersection of Bishop and White Roads. She is happy to report that the newly placed signs have made a difference. People have been much better with slowing down at stopping at that intersection. She also states that if anyone should see any continuing problems, please let Council know and call the Police to make them aware of the situation.

Mayor Gardner added that the Service Department has been out all over the City doing a sign inventory. They made note of any signs that might've been damaged, faded, or just need to be replaced. Anything we had in stock was replaced and everything else will be ordered and be replaced.

LAW DIRECTOR'S REPORT (Audio: 22:05 – 22:26)

Law Director Lucas had nothing to report for the City, but wanted to congratulate and praise the law firm of Davis & Young on their 100 year anniversary.

Questions/comments following Law Director's Report:

None.

FINANCE DIRECTOR'S REPORT (Audio: 22:28 – 38:14)

Finance Director Brichacek began by requesting passage of Ordinance 2021-065, the 2022 Appropriation Ordinance, as well as an amendment of the attachment that reflects all changes. He went on to thank the staff and Council for holding budget hearing to review the budget. This is putting the City in a good spot.

In addition, **Finance Director Brichacek** stated that we will be going forward with the bond issue that is included in the budget. The plan is to show \$1.6 million bond to finance the acquisition of a new fire truck and a salt storage facility. That would be \$1 million for the fire truck and \$600,000 for the construction of the salt storage facility in the back of City Hall. The team from Squires-Patton-Boggs will serve as the bond council for the issue and Stiffel, Nicolaus and Company will serve as the underwriters.

Finance Director Brichacek went on to say that one reason we're going directly to a bond rather than doing short-term debt and waiting for final costs is that interest rates are going to continue to rise. We'd like to lock in today's interest rates. In addition, we'd like to minimize the cost of issuing the bonds. You don't borrow the money for free, incur legal expenses, you incur underwriter expenses. The only disadvantage is that it does fix the amount of money that we're borrowing. Should less money be spent, we don't have the ability to reduce the

size of the bond. However, the residual money that's leftover will be used to make annual debt service payments.

Finance Director Brichacek continued is saying that it takes a considerable amount of work and time with our bond counsel and with our underwriters to prepare a presentation to go to the rating agencies, make the presentation, then report the results back from the rating agencies. It could take two to three months by doing a private issue. We would also have to prepare an official statement for the bond issue, which is a legal document that involves of a considerable amount of legal work and cost.

The plan is to do at least 15-year bond but the issue came up that State Law currently precludes financing firetrucks for more than 10 years. There is a way of structuring the bond issue to comply with that rule. The plan for the future financing of the firetruck's annual debt service is to use the fire department's property plan and equipment fund. The primary funding sources of that fund are the non-resident EMS fees. The secondary source of revenue is the fire service contract with Waite Hill. The salt storage facility will be financed by the road levy fund.

The next step would be having two pieces of legislation presented at the February 24, 2022 meeting. This legislation would be to authorize the debt issuance. The second piece of legislation would say that the City intends to repay itself from the proceeds of the bond issue for previous incurred expenses prior to the issuance of the bond.

Finance Director Brichacek continued on to say that the Charter (6.3) precludes the City or Council from passing an authorization ordinance for what's considered new debt. This is a first time issue so it's considered new debt on an emergency basis. Authorizing legislation wouldn't be effective until 30 days after it has passed.

Questions/comments following Finance Director's Report:

Councilman Jarmuszkiewicz asked if the bond goes into effect immediately, in payments, or is it pro-rated should the fire truck take 12 to 24 months to receive, as stated by **Fire Chief Gandee**. **Finance Director Brichacek** stated that the money has to be borrowed first because in order to enter into a contract and issue a purchase order, he has to certify that the money is either available or in the process of being available. Payment would depend on the terms of the contract. Usually a percentage of the payment is due at the start followed by a payment at completion of the equipment. The same would hold true for the salt storage facility.

Council Vice President Kline asked, for the benefit of the public, what the net adjustments to the budgeted surplus were. **Finance Director Brichacek** responded that when originally presented, it was a deficit budget of about \$261,000. During the course of the evaluation process, the General Fund got as high as a surplus of \$112,000. The final budget is a surplus of about \$102,000. That change came from incorporating mostly small changes that came out of the budget hearings.

CITY ENGINEER'S REPORT (Audio: 38:15 – 38:27)

City Engineer DiFranco stated that he had no report but was open to questions.

Questions/comments following City Engineer's Report:

None.

COMMITTEE REPORTS (Audio: 38:28 – 45:42)

Recreation Commission Report by Councilman Jarmuszkiewicz:

Councilman Jarmuszkiewicz reported that the Pancake Breakfast is coming up on March 6th and they are still looking for volunteers. He appreciates the groups and individuals who have already reached out to volunteer

but they can always use more. There is a link through SignUp Genius in the enewsletter that enables you to pick and choose the times and job you'd like. Also, baseball and softball signups for the City are ongoing. They will be ending sooner than they normally do because of leagues requiring rosters to be turned in sooner. Signups can be done on the website or on the sports league webpage. **Councilwoman Miller** added that there is a Craft Show coming up in March as well at the Community Center.

Finance Committee Report by Council Vice President Kline:

Council Vice President Kline stated that over the last week and a half, three meetings were held to review and discuss the budget. He expressed his appreciation to the Department Directors for meeting with Council. They were very informative and aided greatly in reviewing the budget. He added that the meetings can be viewed on the City's Facebook page.

PC-ABR – reported by Councilwoman Taylor Draper:

Councilwoman Taylor Draper stated that the Architectural Board of Review and Planning and Zoning Commission met February 3, 2022. During that meeting a shed with attachment was approved at 2897 Rockefeller Road. There was no business for the Planning Commission.

Questions/comments following Committee Reports:

Councilwoman Taylor Draper wanted to let the residents know that the Department Directors take the budget and spending your tax dollars very seriously. They came prepared with the needs of their departments that can help make the City better and safer.

Councilwoman Miller added that she also went through the process of looking through the budget and was awed at the amount of time and effort and transparency that the Department Directors put into their presentations. They kept their budgets tight but also looked at the needs of the future and made wise choices as to what would make our lives better in the future.

Council President Hallum expressed his appreciation to **Finance Director Brichacek** and his team, Department Directors, and Council for the hard work put into the Budget Meetings. He also thanked **Mayor Gardner** for putting the Capital Improvement list together as it's been something that's been needed for a long time.

UNFINISHED BUSINESS (Audio: 45:44 – 45:50)

No Unfinished Business reported.

LEGISLATION (Audio: 45:52 – 1:08:19)

ORDINANCE 2021-065 – THIRD READING

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2022; REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

Motion was made by Council Vice President Kline, seconded by **Councilman Knecht** to Amend Ordinance 2021-065 with an updated Exhibit A.

Discussion of the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion Carries to Amend Ordinance 2021-065 with an updated Exhibit A.

Motion was made by **Council Vice President Kline**, seconded by **Councilman Knecht** to waive the two-day notification for Ordinance 2021-065 as Amended.

Discussion of the Motion:

Councilman Jarmuszkiewicz asked if Council could explain the meaning of this motion. **Council President Hallum** explained that anytime a new Ordinance is received to be considered, there is a forty-eight hour rule meaning Council is to have at least forty-eight hours before considering the Ordinance. Council was aware of the revisions as a memo was received today to expect substantive changes be made to the Exhibit.

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

NAYS: None

Vote: 6/0

Motion Carries to waive the two-day notification for Ordinance 2021-065 as Amended.

Motion was made by **Council Vice President Kline**, seconded by **Councilwoman Taylor Draper** to waive the three reading rule on Ordinance 2021-065 as Amended.

Discussion on the Motion:

None.

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

NAYS: None

Vote: 6/0

Motion Carries to waive the three reading rule on Ordinance 2021-065 as Amended.

Motion was made by **Council Vice President Kline**, seconded **Councilwoman Miller** to adopt Ordinance 2021-065 as Amended.

Discussion on the Motion:

Council Vice President Kline expressed his appreciation to everyone for their time and effort in reviewing the budget both individually and collectively.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2021-065 as Amended.

ORDINANCE 2022-002 – THIRD READING

AN ORDINANCE REPLACING EXISTING CHAPTER 1369 EROSION AND SEDIMENT CONTROL OF THE BUILDING CODE WITH NEW CHAPTER 1369 EROSION AND SEDIMENT CONTROL TO MEET NEW AND UPDATED REQUIREMENTS OF THE OHIO EPA ASSOCIATED WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM REQUIREMENTS AND REPEALING ANY CONFLICTING LEGISLATION.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Ordinance 2022-002.

Discussion of Motion:

Councilwoman Taylor Draper stated that this Ordinance is an effort from the EPA to protect our natural streams and waterways and to make our environment better.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2022-002.

ORDINANCE 2022-003 – THIRD READING

AN ORDINANCE REPLACING EXISTING CHAPTER 1367 COMPREHENSIVE STORMWATER MANAGEMENT OF THE BUILDING CODE WITH NEW CHAPTER 1367 COMPREHENSIVE STORMWATER MANAGEMENT TO MEET NEW AND UPDATED REQUIREMENTS OF THE OHIO EPA ASSOCIATED WITH NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM REQUIREMENTS AND REPEALING ANY CONFLICTING LEGISLATION.

Motion was made by **Councilman Knecht**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-003.

Discussion of Motion:

Councilwoman Miller stated that this Ordinance is similar to Ordinance 2022-002 in that it is an EPA update in an effort to improve the environment.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2022-003.

ORDINANCE 2022-004 – THIRD READING

AN ORDINANCE AUTHORIZING THE TEMPORARY ENFORCEMENT ABEYANCE OF THE CITY OF WILLOUGHBY HILLS CODIFIED ORDINANCE CHAPTER 1103.02 – DEFINITIONS AND CHAPTER 1137.02 (d) - COMMERCIAL ZONING DISTRICT DURING THE CURRENT RESURGENCE OF COVID-19 PANDEMIC IN THE OMICRON VARIANT FOR A PERIOD OF TIME NOT TO EXCEED TWO (2) YEARS.

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Taylor Draper** to adopt Ordinance 2022-004.

Discussion of Motion:

None.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2022-004.

ORDINANCE 2022-005 – THIRD READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, OHIO AND RICHARD L. BOWEN + ASSOCIATES, INC. FOR CITY ENGINEERING SERVICES AND REPEALING CONFLICTING LEGISLATION.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-005.

Discussion of Motion:

Councilman Jarmuszkiewicz stated that this Ordinance is a retention of existing services to the City. **Councilwoman Taylor Draper** expressed her appreciation to **City Engineer DiFranco** for the work he has done. **Mayor Gardner** also expressed his appreciation to **City Engineer DiFranco** and stated that he has been assured by **City Engineer DiFranco** and **Law Director Lucas** that the contract is the same as it has been just with the rate increases in the same way they've been in the past.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2022-005.

ORDINANCE 2022-008 – FIRST READING

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Taylor Draper** to waive the three reading rule on Ordinance 2022-008.

Discussion on Motion:

Councilman Jarmuszkiewicz stated that accepting this Grant earlier will give more time to plan use of the money in the City.

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

NAYS: None

Vote: 6/0

Motion Carries to waive the three reading rule on Ordinance 2022-008.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Ordinance 2022-008.

Discussion on Motion:

None.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2022-008.

ORDINANCE 2022-009 – FIRST READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH COBAN TECHNOLOGIES, INC. TO SECURE THE PURCHASE AND SUPPORT OF TWENTY-TWO (22) BODY WORN CAMERAS AND NECESSARY EQUIPMENT FOR THE WILLOUGHBY HILLS POLICE DEPARTMENT IN THE AMOUNT OF \$65,869.22 AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to waive the three reading rule on Ordinance 2022-009.

Discussion on Motion:

Councilman Jarmuszkiewicz stated that there was an excellent explanation of this program during the Police Finance Committee Meeting on Tuesday. He went on to say that he is looking forward to having this tool in the Police Department to help assist with police pullovers and arrest controversy. He expressed his appreciation to the Police Chief for doing the research and looking into the program. Councilwoman Taylor Draper added that Chief Naegele also said this program would be a learning tool for officers to go back and revisit if they handled a situation properly. It's helpful for the officers to help learn and grow in their positions. Council President Hallum added that it's a very comprehensive program where we'll get new cameras every two years as well as software updates. These will come out of the Safety Forces Fund.

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

Motion Carries to waive the three reading rule on Ordinance 2022-009.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Ordinance 2022-009.

Discussion on Motion:

Mayor Gardner thanked Council, from the Safety Director and the Police Chief.

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

Motion Carries to adopt Ordinance 2022-009.

RESOLUTION 2022-003 – FIRST READING

A RESOLUTION SUPPORTING THE CITY'S PARTICIPATION IN THE NOPEC 2022 COMMUNITY EVENT SPONSORSHIP PROGRAM AND AWARD ACCEPTANCE AND DECLARING AN EMERGENCY.

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Taylor Draper** to waive the three reading rule on Resolution 2022-003.

Discussion on Motion:

Councilman Jarmuszkiewicz stated that the Grant is primarily used on recreational events and by getting the application in early we're enabling the possibility of doubling the Grant money.

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

Motion Carries to waive the three reading rule on Resolution 2022-003.

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller** to adopt Resolution 2022-003.

Discussion on Motion:

None.

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

Motion Carries to adopt Resolution 2022-003.

RESOLUTION 2022-004 – FIRST READING

A RESOLUTION ACKNOWLEDGING THE POLICE WORK OF POLICE OFFICER ANTHONY PAPA AS 2021 OFFICER OF THE YEAR FOR THE WILLOUGHBY HILLS POLICE DEPARTMENT.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to waive the three reading rule on Resolution 2022-004.

Discussion on Motion:

Congratulations to Officer Papa was expressed by all on dais.

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

Motion Carries to waive the three reading rule on Resolution 2022-003.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Resolution 2022-004.

Discussion on Motion:

Council President Hallum stated that this is an honor to be recognized by your peers and administration within the Police Department. **Mayor Gardner** added that this is a program **Police Chief Naegele** started last year recognizing the Officer of the Year. There are pictures taken by resident Duncan Scott hanging on the wall in the Police Department. In addition, Office Papa will be at the next Council Meeting to receive the Mayoral Proclamation.

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

Motion Carries to adopt Resolution 2022-004.

NEW BUSINESS (Audio: 1:08:18 – 1:10:42)

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Taylor Draper**, to declare Rock n Roll Day in Willoughby Hills a public purpose on August 13, 2022.

Discussion on the Motion:

Council Vice President Kline stated that this would be a day, not a concert. **Council President Hallum** stated that there could be an opportunity to recognize Michael Stanley that day as well.

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

Motion carries to declare Rock n Roll Day in Willoughby Hills a public purpose on August 13, 2022.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht**, to appoint Bettye Hines and Paul Pahorseky to the Income Tax Board of Review.

Discussion on the Motion:

Council President Hallum stated that these residents have been on the Board for the previous two years and they both agreed to return so they'll be available in case something were to occur.

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

Motion carries to appoint Bettye Hines and Paul Pahorseky to the Income Tax Board of Review.

PUBLIC PORTION #2 (Audio: 1:10:45 – 1:19:16)

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

Public Portion #2 opened at 8:10 p.m.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094 stated that at the last Council of the Whole meeting there was a discussion about changing the Charter so that City Council would have power to approve changes in the existing zoning map or changes in the use of property instead of how it's currently done. She stated that this would mean trusting the Council to be able to do this. She went on to say that currently there is misuse of property on Bates Lane with two homes being used as AirBnBs and **Council President Hallum** said that residents don't care about this. Ms. Bing states, "It's breaking the law. It's illegal. A business is being run in a residential area and that is illegal." If nothing will be done about it, then rules should be changed. If they will be run like a hotel then hotel taxes should be charged. The other issue of not trusting the current Council stems from the cell tower at the Grange. Citizens were in an uproar about this, but the Mayor said we could do it. It wasn't until the Council Retreat when Ms. Bing stated she heard **Mayor Gardner** say this was never going to be put up because it would be hitting the streets. That the residents weren't being listened to when the administration knew a cell tower wasn't a possibility doesn't help with long-term trust in Council.

Public Portion #2 closed at 8:14 p.m.

Comments following Public Portion:

Council President Hallum wanted to clarify that he was misstated by Ms. Bing. He didn't say that no one cares about the AirBnBs only that most people care more about it when it becomes a nuisance. Also the process by which if there was no referendum voting would take place has not been stated yet so saying that Council makes the decisions is inaccurate at this point because it hasn't been vetted or designed yet. It would most likely be a multi-tier level to get it to a point where it would even come to a vote.

Council President Hallum continued to say that regarding the cell tower, Council actually passed an Ordinance approving the cell tower. It wasn't until there were some residents who came forward who were unhappy about it that certain Council members took that negative part of it and made it a thing instead of just letting it follow the process. It most likely wouldn't have been approved because of the issues that the engineer had with regard to that particular cell tower.

Council Vice President Kline added that Council passed an Ordinance for the cell tower subject to Planning and Zoning approval. It wasn't the Mayor backing this. It fell to Planning and Zoning and they were the ones who took the beating from the residents over it.

Councilman Jarmuszkiewicz stated that he does agree that AirBnBs have no place in our City. The legal fight to get them out may be bigger than what we can take on which is why other cities probably backed down. We should look into restricting or regulating them at the next Business Subcommittee meeting. **Council President Hallum** agreed and stated that **Council Vice President Kline** does have that discussion planned for the next Business meeting.

Councilwoman Taylor Draper stated that, for all of those watching, she respects anyone's right to come up and say what they want to say. She stated that Council wants to hear from the residents. When someone comes to each meeting and speaks openly, just know they are not speaking for everyone. **Councilwoman Taylor Draper** stated that she's heard from residents and they appreciate Council's abilities. They respect us and aren't expecting us to be perfect.

Councilwoman Miller responded in regards to AirBnBs that she is a user of them when she travels to other locations. She's interested to find out what other cities are doing about this.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 1:19:18 – 1:22:12)

Councilwoman Taylor Draper reported that she had a conversation with the Zoom Car Wash owner, Scott Soble, to see how things were going. Scott and his brother David have been in business for two months or so and Scott was very complimentary of the Council and very grateful for how they've been treated by the Mayor and Administration and the residents. They've been very busy and doing very well. He added that he knows a lot of business owners and plans to put in a good word for the City of Willoughby Hills. They are very happy to be in the City. **Council President Hallum** agreed that their business seems to be doing very well. They are very courteous and respectful and just a class act.

ADJOURNMENT (Audio: 1:22:15 – 1:22:40)

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

Discussion on the Motion:

None

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

Motion Carries to adjourn the Regular Council meeting of February 10, 2022.

The meeting was adjourned at 8:22 p.m.

APPROVED: February 24, 2022
Date

ATTEST: Kh.
Karen Mehollin
Clerk of Council


Christopher Hallum
President of Council