

President of Council  
CHRISTOPHER HALLUM

Vice President of Council  
MICHAEL KLINE

Clerk of Council

# City of Willoughby Hills

COUNCIL:

JULIE A. BELICH

JOE JARMUSZKIEWICZ

DANIEL KNECHT

VICKI MILLER

TANYA TAYLOR DRAPER

## Regular Council Meeting

### Minutes of February 9, 2023

*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.*

**\*TECHNICAL DIFFICULTIES – NO AUDIO FOR MEETING.\***

The Regular Council Meeting was called to order on Thursday, February 9, 2023 at 7:00 p.m. in Council Chambers. Council President Hallum presided.

**Call to Order 7:00 p.m.**

**Cell Phone Reminder to Turn off Devices**

**Pledge of Allegiance**

**Motion made by Councilman Jarmuszkiewicz, seconded by Councilwoman Miller to appoint Karen Mehollin as Council Clerk Pro Tem.**

**Discussion on the Motion:**

None.

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

**NAYS: None**

**Vote: 6/0**

**Motion carries to appoint Karen Mehollin as Council Clerk Pro Tem.**

### **ROLL CALL**

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

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

**Absent:** Councilwoman Julie A. Belich.

**Motion made by Councilwoman Taylor Draper, seconded by Councilman Knecht to excuse Councilwoman Belich from tonight's meeting.**

**Discussion on the Motion:**

None.

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

**NAYS: None**

**Vote: 6/0**

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

***PRESENTATION OF MAYORAL PROCLAMATION AND RESOLUTION TO SERGEANT RON PARMERTOR, OFFICER OF THE YEAR.***

**DISPOSITION OF THE JOURNAL**

**Motion made by Council Vice President Kline** seconded by **Councilwoman Miller** to adopt the minutes of the January 26, 2023 Regular Council Meeting.

**Discussion on the Motion:**

None.

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

**NAYS: None**

**ABSTAIN: Knecht.**

**Vote: 5/0/1**

**Motion carries** to adopt the meeting minutes of the January 26, 2023 Regular Council Meeting.

**COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS**

01/10/23 email from Mike Kline, RE: Service Committee Minutes.

01/11/23 email from WH Finance Dept., RE: CGF Nosie Abatement Council Meeting, Thursday 01.12.23.

01/11/23 email from Chris Hallum, RE: Motion to Seek Bids for Road Salt, Limestone, and Asphalt.

01/13/23 email from Tanya Taylor Draper, RE: Next Working Committee of Council 1/23.

01/14/23 email from Jim Kinnaird, RE: City Electronic Newsletter – November 18, 2022.

01/16/23 email from Richard DiCicco, Jr., RE: Fireworks.

01/16/23 email from Julie Belich, RE: City Electronic Newsletter – November 18, 2022.

01/18/23 email from klineisfine, RE: Deer Management.

01/18/23 email from Julie Belich, RE: Deer Management Email.

01/19/23 email from Jen Boger, RE: Willoughby Hills – Filing Requirement Corrections.

01/20/23 email from Michael Lucas, RE: Ordinance no. 2023-003.

01/20/23 email from Michael Lucas, RE: Revised Resolution 2023-003.

01/20/23 email from Michael Lucas, RE: whisper foia request.

01/20/23 email from Tanya Taylor Draper, RE: Legislation for next week's meetings and Monday agenda (01.23.23).

01/23/23 email from Michael Tobin, RE: Civil Service Commission Meeting Notification to Media.

01/23/23 email from localincentives@development.ohio.gov, RE: 2022 Local Incentive Annual Report.

01/24/23 email from Ohio@openthebooks.com, RE: New Ohio Public Records Act – City of Willoughby Hills submitted on 1/24/2023.

01/24/23 email from Vicki Miller, RE: whisper foia request.

01/24/23 email from LinkedIn, RE: New application – Clerk of Council.

**PUBLIC PORTION #1**

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

Public Portion #1 opened at 7:09pm.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, 44094 expressed concerns regarding the mitigation Ordinance (2023-005) and asked to look into a better and/or smaller way to write the Ordinance as it should be more limited.

Public Portion #1 closed at 7:12pm.

**Questions/comments following Public Portion #1:**

None.

**MAYOR'S REPORT**

**Mayor Gardner** reported the following:

- The second shipment of wheel locks are in. If you own or lease a Kia or Hyundai stop by the police station with proof of ownership or lease and you will receive one.
- The snow plow truck is in – currently being upfitted and should be ready for service within the month.
- The budget is ready. There were a couple of minor updates for Court Revenue.
- Master Plan has been approved and will be moving to Council for review and approval.
- Pancake Breakfast will be March 5<sup>th</sup>. There is a sign up genius link for volunteer sign-up [here](#) or contact the Community Center.

**Questions/comments following Mayor's Report:**

None.

**LAW DIRECTOR'S REPORT**

**Law Director Lucas** reported he spoke with State Representative Sarah Fowler Arthur's representative regarding House Bill 563, Short Term Rental. Law Director Lucas asked if it was still be pursued and he did not receive a definite answer; not sure if it will be reintroduced.

**Questions/comments following Law Director's Report**

None.

**FINANCE DIRECTOR'S REPORT**

**Finance Director Brichacek** reported that the 2023 Budget is out and should be online either tomorrow Monday. The year end is also posted on the website.

**Questions/comments following Finance Director's Report:**

None.

**CITY ENGINEER'S REPORT**

**City Engineer DiFranco** reported:

- Regarding Ordinance 2023-006 Engineering of Chardon Road with ODOT: This can stay on First Reading and prefers that it go through Three Reading. Still waiting on ODOT's Preliminary Agreement.
- Interviews for an EPA Audit have been going on over the past few days and will be wrapping up Friday.
- Storm and Sewer Projects are currently being worked on.

**Questions/comments following City Engineer's Report:**

**Councilman Jarmuszkiewicz** asked what the EPA Audit consists of. **City Engineer DiFranco** stated it focuses on keeping the service yard clean, salt storage, code enforcement; public education and information is via a Memo of Understanding.

**Councilwoman Taylor Draper** asked if there was an update on the parking lot lights at City Hall. **City Engineer DiFranco** responded that CEI replace the corner pole near the fire station earlier this week.

**Road Superintendent Grubiss** will be purchasing and installing the three new lights. **Mayor Gardner** stated that it's hard to get manpower for the installation with it being winter and the service workers on split shifts. **Council President Hallum** asked if the location of the lights will be opposite of City Hall. **City Engineer DiFranco** stated that there will be two at the South End of the lot and one at the West End of the lot.

## **BOARDS & COMMISSIONS REPORTS / COMMITTEE REPORTS**

### **PC-ABR reported by Councilwoman Taylor Draper**

**Councilwoman Taylor Draper** reported:

- Planning Commission Architectural Board of Review met on February 2<sup>nd</sup> with two projects but neither applicants were present. They will be rescheduled.
- The Master Plan has been approved. It took two years of a very comprehensive process and Councilwoman Taylor Draper is proud of all of those she worked with and thanked each PC-ABR member as well as David Radachy. The next step will be to bring the Master Plan to Council then hold a Public Hearing.

### **Questions/comments following the PC-ABR Report:**

None.

### **Beautification Committee reported by Councilwoman Taylor Draper**

No report.

### **WHISPER reported by Councilwoman Miller**

No report.

### **Questions/comments following WHISPER report:**

None.

### **Recreation Commission reported by Councilman Jarmuszkiewicz**

**Councilman Jarmuszkiewicz** reported:

- Tickets are available to the March 5<sup>th</sup> Pancake Breakfast; presale is \$1.00 off; volunteers are always needed to help out via Sign Up Genius.
- Baseball and softball registration is still open.
- Pickleball – there will be a subcommittee meeting more than likely after the Pancake Breakfast to discuss future plans.

### **Questions/comments following the Recreation Commission Report:**

None.

### **Deer Management Committee reported by Councilwoman Belich**

No report.

**Questions/comments following the Deer Management Committee Report:**

None.

**Finance Committee Report by Council Vice President Kline**

**Council Vice President Kline** reported:

- Finance Committee meetings will be held with Department Heads to discuss the 2023 Budget. Meetings will be held beginning around the end of February and go through mid-March. All are encouraged to ask questions.

**Questions/comments following the Finance Committee Report:**

None.

**Business Subcommittee – reported by Council Vice President Kline**

No report.

**UNFINISHED BUSINESS**

**Councilman Jarmuszkiewicz** asked if there was any update on the website. Communications Supervisor Mehollin reported that it is in the works. She is currently in the process of merging and deleting obsolete links and files before the site developer migrates to the new layout. She is hoping to get with the developers next week and have it live within the next few months.

**LEGISLATION**

**ORDINANCE 2022-034 AMENDED – THIRD READING**

**AN ORDINANCE AMENDING PART SEVEN - BUSINESS REGULATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO WITH THE ESTABLISHMENT OF CHAPTER 759 CAPTIONED “MEDICAL MARIJUANA LICENSURE”.**

**Council President Hallum** stated that this would remain on Third Reading; meeting is being scheduled.

**ORDINANCE 2023-001 – THIRD READING**

**AN ORDINANCE AMENDING CHAPTER 139 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO, TITLED “POLICE DEPARTMENT”; SPECIFICALLY, SECTION 139.01 (a), CAPTIONED “COMPOSITION”, AND DECLARING AN EMERGENCY.**

**Motion** was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Taylor Draper**, to adopt Ordinance 2023-001.

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated that adoption of this Ordinance will allow hiring of two new officers not necessarily now but it will give the option to hire when needed. This is a good step for resident safety.

**Councilwoman Taylor Draper** stated that the likelihood of hiring part time officers is not the trend; full time is more likely and needed.

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

**Vote: 6/0**

**Motion carries to adopt Ordinance 2023-001.**

**ORDINANCE 2023-005 – SECOND READING**

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES PROVIDED BY AND FOR THE WILLOUGHBY HILLS FIRE DEPARTMENT AND DECLARING AN EMERGENCY.**

**Council President Hallum** stated that this would remain on Second Reading.

**ORDINANCE 2023-006 – FIRST READING**

**AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PROJECT NO. 112659 TITLED LAK US 006 00.44 PROVIDING FOR RESURFACING OF CHARDON ROAD (U.S. 6) FROM APPROXIMATELY BISHOP ROAD TO S.O.M. CENTER ROAD (SR-91) IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**Council President Hallum** stated that this would remain on First Reading.

**ORDINANCE 2023-007 – FIRST READING**

**AN ORDINANCE TO DECLARE THREE (3) CITY VEHICLES AND THREE (3) LIGHT BARS AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS 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.**

**Motion** was made by **Council Vice President Kline**, seconded by **Councilwoman Taylor Draper**, to waive the forty-eight hour requirement on Ordinance 2023-007.

**Discussion on the Motion:**

**Councilwoman Miller** stated that this should be waived in order to get these vehicles out on the market.

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

**NAYS:** None

**Vote:** 6/0

**Motion carries** to waive the forty-eight hour requirement on Ordinance 2023-007.

**Motion** was made by **Council Vice President Kline**, seconded by **Councilman Knecht**, to waive the three reading rule on Ordinance 2023-007.

**Discussion on the Motion:**

**Mayor Gardner** stated that these vehicles have been retired since last year.

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

**NAYS:** None

**Vote:** 6/0

**Motion carries** to waive the three reading rule on Ordinance 2023-007.

Motion was made by Council Vice President Kline, seconded by Councilwoman Miller, to adopt Ordinance 2023-007.

**Discussion on the Motion:**

No discussion.

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

**NAYS:** None

**Vote:** 6/0

Motion carries to adopt Ordinance 2023-007.

**NEW BUSINESS**

No New Business to discuss.

**PUBLIC PORTION #2**

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

Public Portion #2 opened at 7:33pm.

Jenna Bing, 36951 Beech Hills, Willoughby Hills, 44094 stated that she is still waiting on information from a WHISPER Public Records request she made consisting of volunteer records and background checks; states that transparency isn't being followed. Ms. Bing went on to say that she is "appalled" that the Budget is so late – not good practice.

Public Portion #2 closed at 7:35pm.

**Questions/comments following Public Portion #2**

**Council President Hallum** responded that Public Record take time. Regarding the Budget, it's not unusual and has been approved in March. It will be on three reading until the end of March.

**Council Vice President Kline** stated that meetings will begin in February and go into March so – within the timeframe.

**Finance Director Brichacek** stated that the City has to adopt the Budget by March 31<sup>st</sup> which is the Ohio Law. The City has never gone over that deadline. He added that WHISPER statements are posted every month on the website.

**Council President Hallum** asked **Finance Director Brichacek** when the 2023 Budget will be online.

**Finance Director Brichacek** responded "tomorrow."

**Councilwoman Miller** commented regarding the WHISPER request that we are within the timeframe; 2023 will require background checks to be done again on volunteers. Regarding the Budget, timing is within the Charter Rules.

**Finance Director Brichacek** added that the City is operating on Temporary Appropriations and there have been no significant chances made.

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

**Council Vice President Kline** commented on how nice the Beautification Committee has done keeping City Hall decorated.

**Councilwoman Taylor Draper** wished everyone a Happy Valentine's Day.

Mayor Gardner announced that the State of the Cities Breakfast will be February 14<sup>th</sup> and is sure to be a good time. If you'd like to attend, register online with the Willoughby Western Lake County Chamber of Commerce.

**ADJOURNMENT**

Motion was made by Councilwoman Taylor Draper, seconded by Councilwoman Miller, to adjourn the meeting.

**Discussion on the Motion:**

None.

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

**NAYS:** None

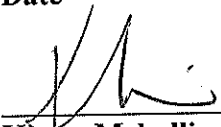
**Vote:** 6/0

Motion carries to adjourn the Regular Council meeting of February 9, 2023.

The meeting was adjourned at 7:44pm.

APPROVED: February 23, 2023  
Date

  
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Christopher Hallum  
President of Council

ATTEST:   
\_\_\_\_\_  
Karen Mehollin  
Clerk of Council Pro Tem