
Regular Council Meeting Minutes of February 22, 2024

The Regular Council Meeting was called to order on Thursday, February 22, 2024 at 7:00 p.m. in Council Chambers. **Council President Kline** presided.

Call to Order 7:00 p.m. (0:11)

Cell Phone Reminder to Turn off Devices

Pledge of Allegiance (Audio: 0:33)

ROLL CALL (Audio: 0:55)

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

Also Present: Law Director Michael C. Lucas, City Engineer Pete DiFranco, and Finance Director Bruce Scott

Absent: Councilwoman Belich

Motion made by Councilwoman Miller, seconded by Council Vice President Taylor Draper to excuse Councilwoman Belich from tonight's meeting.

Discussion on the Motion:

Council President Kline stated Councilwoman Belich followed correct protocol.

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

Motion passes to excuse Council Councilwoman Belich from tonight's meeting.

DISPOSITION OF THE JOURNAL (Audio: 2:11)

Motion made by Council Vice President Taylor Draper seconded by Councilwoman Miller to approve the minutes of the February 8, 2024 Regular Council Meeting.

Discussion on the Motion:

None.

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

Motion passes to approve the minutes of the February 8, 2024 Regular Council Meeting.

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 3:03)

02/20/2024 Email from Vicki Miller Re: Bldg-Service Concerns - Ord. 2023-039 - Temp Sign
02/18/2024 Email from Mike Kline Re: Working Committee of Council Meeting | February 19, 2024
02/17/2024 Email from Gloria Majeski Re: Budget Question
02/17/2024 Email from Michael C. Lucas RE: Monday Legislation
02/17/2024 Email from Pietro DiFranco RE: PID 112659 LAK US 006 00.44; Final Legislation & Invoice
02/16/2024 Email from Cleveland IronLeague Re: Housing Council Meeting | February 19, 2024
02/16/2024 Email from pc-abr FW: WH PCABR Meeting 3/7/2024 - THURSDAY - 7:00 pm
02/16/2024 Email from Michael C. Lucas Re: Ordinance re Full-Time Recreation Co-Ordinator
02/16/2024 Email from Michael C. Lucas RE: Monday Legislation-1st revision
02/15/2024 Email from Mike Kline Re: America 250-Ohio Community Application
02/15/2024 Email from Nonprofit Center Re: 2024 Northeast Ohio Nonprofit Summit | March 15, 2024
02/15/2024 Email from Taylor Tomu Re: America 250-Ohio Community Application
02/14/2024 Email from Mike Kline Re: Council Finance Committee Meeting
02/14/2024 Email from Karen Mehollin Re: NOPEC Grant Acceptance
02/13/2024 Email from DiMattia, Louis A. Re: Status Update - Draft Proposal - Cell Tower Lease
Extension// BU 876037 // 35405 1/2 Chardon Rd Willoughby, OH – City Hall
02/13/2024 Email from Karen Mehollin Re: Public Information Requests
02/13/2024 Email from bingpack RE: Council Resolutions
02/12/2024 Email from DiMattia, Louis A. Re: Dispatch Tour
02/12/2024 Email from Jenna Bing Re: questions about the 2024 budget
02/12/2024 Email from Don and Jenna Bing Council Resolutions
02/12/2024 Email from Gomillion, Stephanie FW: Dispatch Observation
02/12/2024 Email from Naegele, Matthew Re: Status Update - Draft Proposal - Cell Tower Lease Extension
// BU 876037 // 35405 1/2 Chardon Rd Willoughby, OH – City Hall
02/12/2024 Email from Vicki Miller Re: Dispatch Tour
02/12/2024 Email from lobrien105@aol.com Re: Smith Family Cemetery on Chardon Road
02/09/2024 Email from Stephanie Kellner Re: Public Notice | Upcoming Meeting
02/09/2024 Email from Mayor Hallum FW: Public Information Requests
02/08/2024 Email from Laurie.Scarmuzzi@dot.ohio.gov RE: PID 112659 LAK US 006 00.44; Willoughby
Hills; Final Legislation & Invoice -Revision 2
02/08/2024 Email from Naegele, Matthew Re: Req Ord
02/08/2024 Email from Pietro DiFranco RE: PID 112659 LAK US 006 00.44; Final Legislation & Invoice
02/08/2024 Email from Pietro DiFranco RE: ORD 2024-004
02/08/2024 Email from Kevin Trepal RE: City Logo Image
02/07/2024 Email from Nick Manfroni Re: Housing Council Meeting | February 19, 2024
02/07/2024 Email from Michael C. Lucas Re: Ordinance No. 2019-55
02/07/2024 Email from John Decker [Webinar Series] Communications & Seamless Digital Gov Services
02/07/2024 Email from LINDA O BRIEN Re: Smith Family Cemetery on Chardon Road near Local Tavern
02/07/2024 Email from NOACA Re: Leap into Transit this February and Fall in Love with it!
02/07/2024 Email from Gloria Majeski Re: Revised Checklist for Grant Applications
02/07/2024 Email from Tanya Taylor Draper Re: Regular Council Meeting Agenda | Resident Notification
02/06/2024 Email from Naegele, Matthew Re: Surplus
02/06/2024 Email from Joe Lester Re: Housing Council Meeting | February 19, 2024
02/06/2024 Email from pc-abr Re: PCABR Minutes 10/5/23 draft for review
02/06/2024 Email from DiMattia, Louis A. Re: Dispatch Tour

PUBLIC PORTION #1 (Audio: 3:22)

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

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

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, 44094 asked for information about Re: Smith Family Cemetery on Chardon Road near Local Tavern correspondence.

Public Portion #1 closed at 7:04 p.m.

Council President Kline stated he was unsure.

City Engineer DiFranco responded saying his knowledge is limited, and stated Assistant Law Director Lobe is the lead. Mr. DiFranco's understanding is that some residents had researched the cemetery and there may be some Civil War veterans buried there. A group is interested in rehabbing the cemetery.

MAYOR'S REPORT (Audio: 5:53)

Mayor Hallum was absent. No report.

LAW DIRECTOR'S REPORT (Audio: 6:07)

Law Director Lucas commented on two pieces of legislation on the agenda:

- The modification on Ordinance 2024-008: Chief Naegele stated the Lake County Crime Lab would like to inventory and index weapons identified within the Ordinance – having no monetary value and due to be destroyed. **(Audio: 5:57)**
- Regarding Ordinance 2023-039: Follow up information has been received and further discussions have been made; there is some consternation from several groups about how this is to proceed forward. In light of multiple changes and concerns since Monday's meeting, the Law Director recommends this Ordinance continue on a third reading. He feels more of a consensus needs to be reached. **(Audio:10:07)**

Council Vice President Taylor Draper asked if it would be a good idea to have the concerned members of the administration to attend the next Working Committee meeting for an all-inclusive discussion. She is concerned about the length of time it has taken to come to an agreement on resident notification signage. **(Audio: 11:33)**

Law Director Lucas agreed.

Council President Kline stated he would inform the Mayor and ask all involved to attend the Working Committee Meeting.

FINANCE DIRECTOR'S REPORT (Audio: 12:27)

No report.

CITY ENGINEER'S REPORT (Audio: 12:44)

City Engineer DiFranco reported:

- The Police carport is nearly complete. The only remaining item is lighting which should be installed on Monday or Tuesday.
- Road Superintendent Grubiss has asked that we look at resurfacing the Police carport driveway.
- They are working the Sewer & Street Rehab projects for this year.
- A couple of weeks ago they received the bridge inspection report for the Pleasant Valley Bridge. It is still rated in fair condition, but this is probably the time when Council should start planning or deciding to rehab and maintain or replace. He then expanded on bridge data (**Audio: 14:00**).

Councilwoman Miller asked if City Engineer DiFranco had any information from the Lake County Water Department about issues on the Southeast side of the City?

City Engineer DiFranco stated he has not been contacted.

Councilman Jarmuszkiewicz asked about the carport driveway repairs, and if they could be taken care of by the Service Department?

City Engineer DiFranco stated it may be a hybrid situation with Service and an outside contractor. He further explained the current status (**Audio: 15:05**)

BOARDS & COMMISSIONS REPORTS / COMMITTEE REPORTS (Audio 15:17)

PC-ABR reported by Council Vice President Taylor Draper

Council Vice President Taylor Draper reported:

- Planning Commission Architectural Board of Review met on February 15. During the Architectural Board portion of the meeting a new building sign was approved at 28272 Chardon Road. The Madison Ultra Bar will be coming into that space.
- During the Planning portion, a split lot was approved at 35401 Hanna Road.

Beautification Committee reported by Council Vice President Taylor Draper

No report.

Recreation Commission reported by Councilman Jarmuszkiewicz

Councilman Jarmuszkiewicz reported:

- The Pancake Breakfast is Sunday, March 3. We are lucky to have a good number of volunteers who would like to help.
- Pickleball will be starting soon, and the Councilman would like to call a subcommittee meeting in the near future to discuss needs.
- Baseball and Softball registrations are ongoing.
- The Recreation Commission is looking forward to working with a full-time Recreation Coordinator. In the past, some volunteers have felt overwhelmed by the responsibilities they have been assigned, so it will be nice to have someone coordinating with the City again.

Finance Committee Report by Council President Kline

Council President Kline stated the Finance Committee held two budget Committee meetings to cover all departments. He felt they were both very productive meetings and thanked the department heads who came and spent the time and went into detail to explain the process. He also thanked members of Council and the public for their attention and input.

WHISPER reported by

No report.

Deer Management Committee reported by Councilwoman Belich

No report.

Business Subcommittee – reported by Councilwoman Sivo

No report.

UNFINISHED BUSINESS: (Audio: 18:40)

There was no Unfinished Business.

LEGISLATION: (Audio 18:47)

ORDINANCE 2023-039 AMENDED – THIRD READING

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, PART 11-PLANNING AND ZONING CODE, TITLE THREE-CODE ADMINISTRATION, CHAPTER 1111 DEVELOPMENT PLAN REVIEW PROCEDURES, SECTION 1111.02 DEVELOPMENT PLAN REVIEW, BY THE ADDITION OF PARAGRAPH (D) REQUIRING TEMPORARY SIGN NOTIFICATION OF DEVELOPMENT UPON THE COMMENCEMENT OF ANY DEVELOPMENT PLAN REVIEW PROCESS UNDER CHAPTER 1111.

Council President Kline stated that this would remain on Third Reading.

ORDINANCE 2024-005 – SECOND READING

AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS NECESSARY TO MAINTAIN CITY SERVICES FOR THE FISCAL PERIOD BEGINNING JANUARY 1ST THROUGH DECEMBER 31ST OF 2024; REPEALING ALL LEGISLATION INCONSISTENT HERewith.

Council President Kline stated that this would remain on Second Reading.

ORDINANCE 2024-006 – FIRST READING

AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2024 ENERGIZED COMMUNITY GRANT, AND DECLARING AN EMERGENCY.

Motion made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to waive the Three Readings on Ordinance 2024-006.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated the grant would be beneficial to the City in energy saving endeavors.

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

NAYS: None

Vote: 6/0

Motion carries to waive the Three Readings on Ordinance 2024-006.

Motion made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Ordinance 2024-006.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated accepting the annual grant will allow the City to better plan.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Ordinance 2024-006.

ORDINANCE 2024-007 AMENDED – FIRST READING

AN ORDINANCE CONFIRMING THE APPOINTMENT OF AND FIXING THE COMPENSATION FOR THE POSITION OF FULL-TIME RECREATION COORDINATOR, REPEALING CONFLICTING LEGISLATION, AND DECLARING AN EMERGENCY.

Motion made by **Council Vice President Taylor Draper**, seconded by **Councilwoman Miller** to waive the Three Readings on Ordinance 2024-007 Amended.

Discussion on the Motion:

Council Vice President Taylor Draper stated she felt it would be beneficial to expedite the employment of the Recreation Coordinator due to the time sensitive issues within the Community Center and Recreation Department. She expanded on Ms. O'Donnell's qualifications and commitment.

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

NAYS: None

Vote: 6/0

Motion carries to waive the Three Readings on Ordinance 2024-007 Amended.

Motion made by **Councilwoman Miller**, seconded by **Council Vice President Taylor Draper** to adopt Ordinance 2024-007 Amended.

Discussion on the Motion:

Council Vice President Taylor Draper playfully teased that Administration had stolen another Council Clerk. She wished Ms. O'Donnell best of luck.

Council President Kline stated it was a bittersweet moment and felt Laura has done an outstanding job during the time she has served as Council Clerk. He further explained (**Audio 25:27**)

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

Motion carries to adopt Ordinance 2024-007 Amended.

ORDINANCE 2024-008 AMENDED – FIRST READING

AN ORDINANCE TO DECLARE FIREARMS AND WEAPONS AS SURPLUS PROPERTY PURSUANT TO ARTICLE VI – LEGISLATION, SECTION 6.01 – GENERAL ORDINANCES, SUBSECTION (E) OF THE CHARTER OF THE CITY OF WILLOUGHBY HILLS, AND DECLARING AN EMERGENCY.

Motion made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Sivo** to waive the Three Readings on Ordinance 2024-008 Amended.

Discussion on the Motion:

Councilman Jarmuszkiewicz said as discussed before these firearms or weapons are surplus, have been confiscated or are damaged and will be traded, destroyed or turned over to the Crime Lab.

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

Motion carries to waive the Three Readings on Ordinance 2024-008 Amended.

Motion made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Sivo** to adopt Ordinance 2024-008 Amended.

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

Motion carries to adopt Ordinance 2024-008 Amended.

RESOLUTION 2024-003 – FIRST READING

A RESOLUTION OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO, SUPPORTING THE OHIO COMMISSION FOR THE UNITED STATES SEMIQUINCENTENNIAL (AMERICA 250-OH).

Motion made by **Council Vice President Taylor Draper**, seconded by **Councilwoman Miller** to waive the Three Readings on Resolution 2024-003.

Discussion on the Motion:

Council President Kline stated the Resolution will confirm our participation in the celebration of the Nation's 250th Anniversary and assist the possible acquisition of a grant for a historical exhibition.

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

Motion carries to waive the Three Readings on Resolution 2024-003.

Motion made by **Council Vice President Taylor Draper**, seconded by **Councilwoman Miller** to adopt Resolution 2024-003.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated accepting the annual grant will allow the City to better plan.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Resolution 2024-003.

NEW BUSINESS: (Audio: 31:37)

Motion made by **Councilwoman Miller**, seconded by **Councilwoman Sivo** to declare Eclipse Viewing Party in Willoughby Hills a public purpose on April 8, 2024.

Council President Kline stated the City has applied for a grant through the Lake County Visitors Bureau to assist in it's efforts.

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

NAYS: None

Vote: 6/0

Motion carries to declare Eclipse Viewing Party in Willoughby Hills a public purpose on April 8, 2024.

PUBLIC PORTION #2 (Audio: 33:17)

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

Public Portion #2 opened at 7:33 p.m.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, 44094 thanked all involved for holding the budget meetings and stated they were well run. She then questioned past legal matters, legal bills and asked for clarification on indemnification and insurance. **(Audio 33:44)**

Dave Reichelt, 300 Pebblebrooke Drive, Willoughby Hills, 44094 commended the City Council on adopting Ordinance 2024-007 and a Full Time Recreation Coordinator. Mr. Reichelt felt it was a long time coming, and he appreciated the passage of this legislation. He expressed his confidence in the selection of Laura O'Donnell for the position. He also commended the Council for keeping two public portions in all Council meetings. He feels the Lake County Commissioners' decision to reduce their public portion to one is disappointing and unfortunate.

Linda Fulton, 2990 Marcum Boulevard, Willoughby Hills, 44092 rehashed an incident which occurred at her residence when a man claiming to be associated with Spectrum came to her door later in the evening. Ms. Fulton was uncomfortable with this solicitation, and asked for clarification with regard to how late groups may solicit residents. She then congratulated Laura O'Donnell.

Public Portion #2 closed at 7:40 p.m.

Law Director Lucas addressed Ms. Fulton's comments stating he is unaware of the specific Ordinance number, but generally most cities have a registration of vendors that are approved to go door to door. He will check on what is specific to Willoughby Hills and report on it at the next meeting. Mr. Lucas then addressed Ms. Bing's lawsuit inquiry, stating the insurance company denied coverage in part because the residents employed over-the-top and shrill language without any basis which ultimately was determined to be the case. He further explained (**Audio: 42:11**).

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 45:11)

Councilwoman Miller reminded residents the Pancake Breakfast is next weekend, and tickets are currently available at a reduced rate.

ADJOURNMENT (43:30)

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

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

The meeting was adjourned at 7:46 p.m.

APPROVED: 3-14-21
Date



Michael Kline
President of Council

ATTEST: Laura O'Donnell
Laura O'Donnell
Clerk of Council (Pro Tem)