

President of Council
CHRISTOPHER HALLUM

Vice President of Council
MICHAEL KLINE

Clerk of Council
KAREN MEHOLLIN

City of Willoughby Hills

COUNCIL:

JULIE A. BELICH

JOE JARMUSZKIEWICZ

DANIEL KNECHT

VICKI MILLER

TANYA TAYLOR DRAPER

Regular Council Meeting

Minutes of March 24, 2022

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, March 24, 2022 at 7:00 p.m. in Council Chambers. Council President Hallum presided.

Call to Order 7:00 p.m. (Audio: 0:02 – 0:08)

Pledge of Allegiance (Audio: 0:09 – 0:25)

ROLL CALL

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

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

Absent: Mayor Andy Gardner.

DISPOSITION OF THE JOURNAL (Audio: 1:15 – 1:57)

Motion made by Council Vice President Kline seconded by Councilwoman Miller to adopt the minutes of the March 10, 2022 Regular Council Meeting.

Discussion on the Motion:

None.

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

NAYS: None

Vote: 7/0

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 2:10 – 2:32)

3/11/22 email from Sandra Fink, re: Wickliffe Fire Pumper Truck – Signed Legislation.

3/12/22 email from Mayor Gardner, re: City Hall Parking Lot Rehab.

3/12/22 email from Mayor Gardner, re: Aesthetic Enhancements – Chardon Rd (US-6) Bridge over I-271 – Willoughby Hills.

3/14/22 email from Gloria Majeski, re: 2022 Codification for the City of Willoughby Hills.

3/14/22 email from PC-ABR, re: WH PCABR Meeting 3/17/22 Thursday – 7:00pm.

3/15/22 email from Gloria Majeski, re: Request for Legislation & Motion for Surplus PD Items.

3/15/22 email from Asst. Finance Director, re: Zoning Inspector.

3/15/22 email from Gloria Majeski, re: Website Redesign.
3/16/22 email from Patrick Hannigan, re: Evolve Upgrade.
3/17/22 email from Gloria Majeski, re: ODOT 2022-2023 Salt Contract Participation (018-23).
3/17/22 email from Gloria Majeski, re: Request to Council – 5 ton cab and chasses & up fit/new plow truck.
3/17/22 email from Gloria Majeski, re: C/S Ordinance – my draft.
3/18/22 email from Mayor Gardner, re: Request to Council – 5 ton cab and chasses & up fit/new plow truck.
3/18/22 email from Council Clerk, re: Legislation for 3/21 and 3/24 Council Meetings.
3/21/22 email from Finance Dept., re: Zoom Renewal Notification.
3/21/22 email from Gloria Majeski, re: FW: Nov 2005 municipal election.
3/21/22 email from Steven Nash, re: Draft Resolution 2022-009 – Civil Service Testing.
3/22/22 email from Gloria Majeski, re: Amendment to Ordinance 2022-017 for 5 Ton Truck.
3/22/22 email from Gloria Majeski, re: Zoom Renewal Notification.
3/22/22 email from Gloria Majeski, re: Ordinance 2022-017 – five ton truck.
3/22/22 email from Mike Kline, re: Ordinance 2022-017.
3/23/22 email from Marie (WH Drane), re: 2022 Codification for the City of Willoughby Hills.

PUBLIC PORTION #1 (Audio: 2:34 – 3:00)

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

Public Portion #1 opened at 7:02 pm.

No one spoke.

Public Portion #1 closed at 7:03 pm.

MAYOR’S REPORT (Audio: 3:05 – 6:00)

Mayor Gardner was not present for tonight’s meeting. On his behalf, **Council President Hallum** played the S.C.R.A.M. video that was unable to be played at the March 10, 2022 meeting due to technical difficulties.

Questions/comments following Mayor’s Report:

Council President Hallum encouraged residents to fill out the registration for the S.C.R.A.M. program on the City’s website. He reminded residents that this is completely voluntary and could be very helpful in assisting the Police Officers with crime (vandalism, car theft, break-ins, etc.).

LAW DIRECTOR’S REPORT (Audio: 6:05 – 10:44)

Law Director Lucas reported that there’s been a significant increase in activity being sent down to the Ohio General Assembly from municipalities (including the Ohio Municipal League) regarding improper state regulation of local concerns – specifically regulation of Air BnBs.

Law Director Lucas went on to report that the Fireworks Exclusion regarding the new House Bill that passed to maintain the regulation provided by Willoughby Hills only, which includes prohibitions that are more restrictive than what the House Bill has recently passed.

Regarding Ordinance 2022-021 on the agenda, **Law Director Lucas** stated that **Councilwoman Belich** had previously mentioned drones to help regulate. **Law Director Lucas** said that he had looked into the issue and drones would not be possible to provide any regulation help. Visible by a drone ultimately would not be possible. He stated that he is willing to include, at the request of **Council President Hallum**, language for the next reading on the issue where there are references to the state statute to make it user friendly and easier to define, specifically with reference to Ohio Revised Code 451363. This will be added verbatim and the reference to it removed. **Law Director Lucas** stated that he is still working on concealment and effectiveness. He also plans to expand on the visibility component.

Questions/comments following Law Director's Report:

Council President Hallum asked **Law Director Lucas** for more information on the recent "Conceal to Carry" legislation and if it would affect bringing firearms into businesses; if it would still be enforced. **Law Director Lucas** stated that he could look into that.

FINANCE DIRECTOR'S REPORT (Audio: 10:45 – 12:20)

Finance Director Brichacek stated that he misspoke at Monday's Working Committee of Council meeting when he said that bids on bonds begin next Wednesday. They actually begin tomorrow, Friday, March 25th.

Questions/comments following Finance Director's Report:

None.

CITY ENGINEER'S REPORT (Audio: 12:22 – 17:12)

City Engineer DiFranco reported that bids for the annual Street and Sewer Rehab projects have been received. There was a lot of interest and it was very competitive, but prices came in a little higher than expected:

Project	Estimated Cost	Lowest Bid	Percentage Increase
Sewer Rehab Project	\$180,000	\$189,000	5%
Street Project	\$193,000	\$237,000	22%

City Engineer DiFranco stated that the Street Project was worse because of the current economic conditions related to oil and gas prices. He added that bids just opened today so they're still being reviewed and he hopes to have a recommendation by the next meeting.

City Engineer DiFranco went on to report that he from ODOT regarding the Chardon Road Resurfacing Project. A pre-construction meeting has been scheduled for April 21st with the contractor possibly starting in May.

City Engineer DiFranco stated that there is a medical marijuana dispensary planning to move into the former Friendly's Restaurant (vacant building next to police substation) in the Shoppes of Willoughby Hills. These facilities are licensed by the State Pharmacy Board and is permitted by our zoning code as a retail use, similar to a liquor store or a CVS Pharmacy.

To finish, **City Engineer DiFranco** announced that the new part-time Zoning Inspector, Patrick Hopkins, started last week and he's getting familiar with our City.

Questions/comments following City Engineer's Report:

Councilwoman Taylor Draper asked what the name of the dispensary was and if they have other locations in the area. **City Engineer DiFranco** stated that he believed the name of the business is INSE and that they do have other locations. They submitted an application to the State Pharmacy Board and were given a license as there are only a certain amount given out, similar to liquor licenses.

Councilwoman Belich asked if it doesn't have be medically zoned because it is medical marijuana. **City Engineer DiFranco** responded that it does not because it's similar to that of a CVS Pharmacy where they sell prescriptions.

Councilman Jarmuszkiewicz asked in regards to the Chardon Road project, are there any plans as to which end they're starting first, or will it be the whole thing at once? **City Engineer DiFranco** stated that they'll probably start at one area and go from there but he should know more after the April 21st construction meeting.

Councilwoman Taylor Draper asked if the medical marijuana dispensary will be selling in the form of creams and lotions or the actual bud. **Council Vice President Kline** stated that it is his understanding that they cannot sell products that you can smoke.

COMMITTEE REPORTS (Audio: 17:15 – 40:40)

PC-ABR – reported by Councilwoman Taylor Draper (17:15 – 37:46):

Councilwoman Taylor Draper reported that the Planning and Zoning Commission Architectural Board of Review convened on March 17th. Business for the ABR portion included approval for a read addition to a home at 34561 White Road. There was also an application for a shed at 38460 Chimney Ridge Trail but that was postponed because the applicant wasn't there. That will be reviewed at another time.

The Planning Commission portion of the meeting involved two projects. First, pre-approval was granted for similar usage for a proposed business at the Shoppes of Willoughby Hills called Dash Mart. The actual location is 27565 Chardon Road (old Berg's Baby Furniture location next to the beauty supply store). They are proposing to sell and deliver food and household products. Customers can order online and they can either come in and pick it up or they can have it delivered to their home. Because the City's zoning codes have nothing of this sort, it is classified as similar usage (when a business is being used that is similar to what is already permitted). There will be a Public Hearing for the residents on April 7th and will be looking to grant final approval at that time.

The second project of that meeting was actually the second work session for the proposed conservation development located on SOM Center Road (going south, it's right before Marcum and Parkview, a small wooded area to the right).

An anonymous letter was sent to all the residents of that street, resulting in a full meeting that night. It was a very inaccurate and misrepresented letter that contained many untruths. The residents were upset and felt very disrespected that the City didn't inform them of this. They're very worried about flooding as there are already flooding issues over there. They also felt that the City disobeyed the one-acre requirement for new builds.

The Commission answered some of the residents' questions that night – not completely to their satisfaction – but they understood the situation better. **Councilwoman Taylor Draper** stated that many of the residents she spoke with ignored the letter but were upset that the City didn't tell them about the development.

Councilwoman Taylor Draper the City is under no legal obligation to let residents know that a new development is coming to their area as long as it's within City codes and doesn't require any variances, but asked if the City could inform residents as a courtesy. Can it be considered?

Councilwoman Taylor Draper asked **City Engineer DiFranco** to repeat what he said to the residents at the meeting that night regarding flood issues. **City Engineer DiFranco** stated that the City's zoning code requires new developments to improve the situation so that the runoff is less than what it is today.

Regarding the one-acre requirement, many residents didn't know about the City's Codified Ordinance Chapter 1143 under conservation development regulations. **Councilwoman Taylor Draper** explained that with conservation area, the maximum dwelling units per acre is 0.85, not an acre. The maximum net density on any one acre is four units. That said, the City is well within our rights and we're not doing anything illegal or behind anyone's back. This is something that the citizens voted on. Contrary to what the anonymous letter stated, the City is following regulations.

Councilwoman Taylor Draper asked **Law Director Lucas** if a person is within their rights to purchase something legally and regulations and codes are followed, can the City be sued if that person is denied the purchase because the City doesn't want them to purchase it? **Law Director Lucas** stated that, as a general proposition, yes and in terms of the scenario, the City would be sued as there's nothing legally prohibitive about the scenario. **Law Director Lucas** stated that, in accordance with the City's Codified Ordinances and statutes, we can only make sure they follow the guide. **Council President Hallum** asked if he would be accurate in saying that we're kind of stuck with what we have because the City is a referendum zoning city where it would take the vote of the people to change that code. **Law Director Lucas** responded that in terms of abuse, yes. **Council President Hallum** went on to say that even if the whole City said they didn't like this then we'd have to get this on the ballot and inform people then get it voted on as opposed to if we were set up differently where Council could change zoning. **Law Director Lucas** stated that any use change or modification under the code has to be put up for referendum zoning on the ballot as opposed to a text amendments which is how this was put on to begin with. **City Engineer DiFranco** added that that specific chapter under the conservation code is specific about what it's intended to do. He believes that the Planning Commission has a choice and they can not approve this. The purpose of the code is to preserve natural amenities, environmentally sensitive areas, and provide amenities for the development (walking paths, gazebos, etc.). It also says that the code is not intended to allow a typical miniature subdivision. **City Engineer DiFranco** feels that the Planning Commission has to decide which of those is being accomplished.

Councilman Jarmuszkiewicz asked if the development built a walking path, or park, or such, would the public not be able to use it? **City Engineer DiFranco** stated that it's still up for discussion but typically the area preserved would be put into an easement but would be privately owned unless the City were to negotiate something else. **Council President Hallum** stated that there would probably be an HOA responsible for the maintaining. **Law Director Lucas** added that generally these subdivisions become transferred to a Homeowners Association which would be important for maintaining a trail if one is put in.

Councilwoman Taylor Draper commented that one reason this was attractive to the builder was the smaller lots and the attraction to those not wanting the maintenance and upkeep of a larger lot.

Councilwoman Taylor Draper finished the March 17th meeting by reminding residents not to listen to anonymous letters. She encouraged residents to reach out to Council or the Mayor's Office for information.

As far as notifying residents in advance, **Council President Hallum** and **Councilwoman Taylor Draper** agreed that there should be notification sent out once a significant project gets to the point that it's before Planning and Zoning. **Councilwoman Taylor Draper** stated that a working session is held to share ideas and discuss issues and problems. Nothing is formal and nothing is agreed on. Nothing is finalized. This was only the second working session.

Councilman Jarmuszkiewicz asked if there was a way to find out why this (Chapter 1143) was initially changed and who changed it. **Council President Hallum** stated that he has the Council Clerk looking into past records and previous ballot language. **Council President Hallum** went on to liken this situation to the past cell tower situation – when things were blown out of proportion over something that ended up being nothing.

Councilwoman Belich asked if there are any other areas in the City that are similar to this. **City Engineer DiFranco** stated that there could be as there is some vacant land on Bishop Road and on White Road as well.

Recreation Commission Report by Councilman Jarmuszkiewicz 37:47 – 40:40):

Councilman Jarmuszkiewicz reported that there is still going to be a subcommittee meeting for pickleball on Tuesday, April 5th. He will confirm this and get a notice sent out.

Baseball and softball teams are pretty much set and practices will be coming up shortly.

There will be a garage sale coming up in April for the recreation commission. This will happen toward the end up April.

Council President Hallum added that there is an Easter Egg Scavenger Hunt happening now in the City. There are clues as to where the eggs are in different businesses and different places throughout the City (list is in e-newsletter as well as on City website). When you turn your answer sheet in to the Recreation Department in the Community Center you get a chocolate bunny. All of those with the correct answers will be put into a drawing for a basket.

In addition, **Council President Hallum** stated that he heard that Willoughby is partnering with Willoughby Hills because they're having some struggles with getting players for their instructional and Pony leagues and will merge with Willoughby Hills. They will utilize the City's fields and vice versa as a true partnership of the cities.

Finance Committee Report by Council Vice President Kline:

No report.

Questions/comments following Committee Reports:

Comments and questions interspersed throughout committee reports.

UNFINISHED BUSINESS (Audio: 40:45 – 40:54)

No Unfinished Business to report.

LEGISLATION (Audio: 40:55 – 51:55)

ORDINANCE 2022-017 – FIRST READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH AUSTINBURG TRUCK CENTER, AUSTINBURG, OHIO FOR THE PURCHASE OF A 2022 MACK GRANITE 42-BR CAB AND CHASSIS IN THE AMOUNT NOT TO EXCEED \$102,421.00 AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Knecht**, seconded by **Councilman Jarmuszkiewicz** to waive the three reading rule on Ordinance 2022-017.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated that it is his understanding that the truck is a demo model that is able to be delivered in September whereas most of the time trucks are a year or so out. He stated that we are fortunate to be able to acquire this vehicle for the discounted price given. **Council President Hallum** commented that the savings is just under \$4,000 and continued on to thank **Road Superintendent Grubiss** for convincing the dealership to sell it to us. **Councilwoman Taylor Draper** added that it's important to mention it will be providing a dual purpose as a snow plow truck and a dump truck.

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

NAYS: None

Vote: 7/0

Motion Carries to waive the three reading rule on Ordinance 2022-017.

Motion was made by **Councilman Knecht**, seconded by **Councilman Jarmuszkiewicz** to adopt Ordinance 2022-017.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion Carries to adopt Ordinance 2022-017.

ORDINANCE 2022-021 – SECOND READING

AN ORDINANCE TO AMEND CHAPTER 303 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, TITLED “ENFORCEMENT, IMPOUNDING AND PENALTY;” SPECIFICALLY, SECTION 303.10 CAPTIONED “LEAVING JUNK VEHICLES ON PRIVATE PROPERTY WITH PERMISSION OF OWNER.”

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

ORDINANCE 2022-022 – 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.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Miller** to waive the three reading rule on Ordinance 2022-022.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated it’s important to know that with the high price of used vehicles right now, we should take advantage of this so we can get as much money as we can for it.

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

NAYS: None

Vote: 7/0

Motion Carries to waive the three reading rule on Ordinance 2022-022.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-022.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion Carries to adopt Ordinance 2022-022.

ORDINANCE 2022-023 – FIRST READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF WILLOUGHBY HILLS TO SIGN ANY AND ALL DOCUMENTS FOR PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION’S (ODOT) ROAD SALT CONTRACTS AWARDED IN 2022 IN ACCORDANCE WITH OHIO REVISED CODE 5513.01(B) AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Taylor Draper** to waive the three reading rule on Ordinance 2022-023.

Discussion on the Motion:

Councilwoman Taylor Draper stated that the City will need this so we need to get in with the group bargaining. **Council President Hallum** stated that this Ordinance is not unusual and it's done every year.

Roll Call: **AYES:** Miller, Taylor Draper, Belich, Hallum, Jarmuszkiewicz, Kline, and Knecht.
NAYS: None
Vote: 7/0

Motion Carries to waive the three reading rule on Ordinance 2022-023.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Belich** to adopt Ordinance 2022-023.

Discussion on the Motion:

No discussion.

Roll Call: **AYES:** Miller, Taylor Draper, Belich, Hallum, Jarmuszkiewicz, Kline, and Knecht.
NAYS: None
Vote: 7/0

Motion Carries to adopt Ordinance 2022-023.

RESOLUTION 2022-008 – FIRST READING

A RESOLUTION DECLARING THE MONTH OF APRIL AS CHILD ABUSE PREVENTION MONTH IN THE CITY OF WILLOUGHBY HILLS.

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

Discussion on the Motion:

No Discussion.

Roll Call: **AYES:** Miller, Taylor Draper, Belich, Hallum, Jarmuszkiewicz, Kline, and Knecht.
NAYS: None
Vote: 7/0

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

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller** to adopt Resolution 2022-008.

Discussion on the Motion:

Councilwoman Miller stated that this is a great resolution encouraging our residents to make that extra effort and take additional steps in recognizing signs to prevent child abuse.

Roll Call: **AYES:** Miller, Taylor Draper, Belich, Hallum, Jarmuszkiewicz, Kline, and Knecht.
NAYS: None
Vote: 7/0

Motion Carries to adopt Resolution 2022-008.

RESOLUTION 2022-009 – FIRST READING

A RESOLUTION AMENDING SECTION 5.2(C) OF THE RULES OF THE CIVIL SERVICE COMMISSION AS NOTED IN SECTION 5.52 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, TO PROVIDE FOR FIRE DEPARTMENT REGIONALIZED TESTING AND POLICE DEPARTMENT NATIONAL TESTING AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Taylor Draper** to waive the three reading rule on Resolution 2022-009.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated in hearing the Police and Fire Chiefs talk about how difficult it has been to get applicants to take the tests, becoming a regionalized test will give us a bigger pool of potential candidates to draw from and share the cost of the extra testing involved.

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

NAYS: None

Vote: 7/0

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

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Belich** to adopt Resolution 2022-009.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion Carries to adopt Resolution 2022-009.

NEW BUSINESS (Audio: 51:57 – 53:57)

Motion to declare the Police Department computers and printers as surplus so they can be properly discarded.

Motion was made by **Councilman Knecht**, seconded by **Councilwoman Miller** to declare the Police Department computers, printers, and equipment listed below as surplus so they can be properly discarded.

- a. HP Probook Laptop Computer – serial #5CD8294PFR (bad keyboard)
- b. HP Probook Laptop Computer – serial #5CD8470MW8 (broken LCD)
- c. HP Probook Laptop Computer – serial #5CD7261Y69 (bad ethernet)
- d. Kustom Pro Laser III – serial #PL23699 (bad speed sensing circuit)
- e. Kustom Pro Laser III – serial #PL17288 (bad speed sensing circuit)
- f. 12 sets of Stinger Spikes (obsolete)
- g. 7 Whelen Light Bars (out of service/obsolete)
 - i. Serial Nos.: 7432, 18603, 6751, 7439, 9810, 153169, 178064

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion Carries to declare the Police Department computers, printers, and equipment listed as surplus so they can be properly discarded.

PUBLIC PORTION #2 (Audio: 54:09 – 1:05:58)

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

Public Portion #2 opened at 7:54 pm.

Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, Ohio 44094 stated that if it wasn't for the anonymous letter, even with some things being wrong, residents would've never known about the development on Route 91. She stated that Mr. Calabrese has been trying to sell this property for years. There is a lot of wetlands back there you can't build on. She understands that the builder wants to make money, but it's not right to go against the zoning code. She asked why fewer houses couldn't be built on one acre lots instead. She feels that the one-acre zoning should be upheld. She stated that she appreciates Councilwoman Taylor Draper saying that maybe the City should notify residents in advance that this could be a development. Ms. Fulton went on to ask why everything passed lately has been on an emergency clause. She feels that residents don't get to know about something if it's passed immediately.

Frank Cihula, 35060 Dixon Road, Willoughby Hills, Ohio 44094 stated that, in regards to the conservation subdivision, it was Chapter 1143 of the Code that was adopted on May 24th, 2006, Ordinance 2006-35. He stated that if the City wants to put any notifications to the public on this, they will need to be put in the conservation district ordinance. Otherwise, they'll apply to everything that comes up before the Planning Commission, which would mean mailing out numerous notices every two weeks.

Public Portion #2 closed at 7:58 pm.

Questions/comments following Public Portion #2:

Councilwoman Taylor Draper stated that she appreciated what Mr. Cihula said, but thinks the issue involves residential areas more so than business areas because things get touchy when you start interfering with peoples' homes as it affects their peace and tranquility. **Council President Hallum** stated that the notifications would have to be worded carefully and we'd have to be careful that notices aren't being sent out on every little thing.

Council President Hallum also stated that the zoning codes are being followed that it's really the job of the Commission to interpret what the intent of the Conservancy project is. Nothing is known yet because the project is just in the conversation stages. Nothing formal was brought to the City to actually consider.

In response to Ms. Fulton, regarding emergency clauses, **Council President Hallum** stated that he wasn't sure Ms. Fulton knew what it actually meant. Declaring an emergency just means that it goes into effect immediately. If not declaring an emergency then it has to wait 30 days to go into effect. If you're (Ms. Fulton) is asking why Council is waiving the three reading rule then it can be explained in such that Council is trying to get the best savings for the City. If something can be read more than once, it will be. If it's in the best interest of the money that the City is going to spend or that we're going to take in, then it's best to pass it immediately so that the City can take advantage of whatever extra money we might be able to obtain. **Council Vice President Kline** added that the Committee of the Whole Meetings on Monday nights every Ordinance is discussed in terms of the three reading rule, whether it should be waived or not, then again on Thursday nights. Everything is transparent. For example, at tonight's meeting someone gave an explanation of why it was to the benefit of the City to waive the three reading rule.

Council President Hallum added that the development has been discussed at previous meetings at least once or twice. He stated that the Council is very transparent about things and any of the meetings we've had since this Council took over can be found on Facebook, which you do not need to be a member to do. **Councilwoman**

Taylor Draper added that all PC-ABR meetings can also be found on the City’s website (via audio or meeting minutes). Councilwoman Miller added that Council meeting agendas and meeting minutes can also be found on the City’s website.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 1:06:00 – 1:07:08)

Councilwoman Miller thanked the Recreation Commission and volunteers for all of the work they did putting together the Craft Show. It was a great turnout. She went on to recognize Laura O’Donnell for all she did. There were a lot of happy customers and vendors.

Council Vice President Kline mentioned that there will be the first planning meeting for Rock and Roll Day on Tuesday, March 29th. A lot of events are being planned, ideas are being solicited from the Community. There will be a large need for volunteers that day because it is an all day event. We encourage residents to attend Tuesday’s meeting so we can make this event something special.

ADJOURNMENT (Audio: 1:07:20 – 1:07:44)

Motion was made by Councilwoman Miller, seconded by Councilwoman Belich, to adjourn.

Discussion on the Motion:

None.

Roll Call: **AYES:** Miller, Taylor Draper, Belich, Hallum, Jarmuszkiewicz, Kline, and Knecht.
NAYS: None
Vote: 7/0

Motion Carries to adjourn the Regular Council meeting of March 24, 2022.

The meeting was adjourned at 8:07 pm.

APPROVED: April 14, 2022
Date



Christopher Hallum
President of Council

ATTEST: 

Karen Mehollin
Clerk of Council