

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 May 12, 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, May 12, 2022 at 7:00 p.m. in Council Chambers. Council President Hallum presided.

**Call to Order 7:00 p.m. (Audio: 0:02 – 0:14)**

**Cell Phone Reminder to Turn off Devices**

**Pledge of Allegiance (Audio: 0:17 – 0:31)**

***PRESENTATION OF MAYORAL PROCLAMATIONS AND COUNCIL RESOLUTIONS TO ROBERT WEGER, CHRISTOPHER BIRO, FRANK GERMANO, MICHAEL GERMANO, AND JENNIFER GREER FOR THEIR YEARS OF SERVICE AS ELECTED OFFICIALS.***

#### **ROLL CALL (Audio: 18:47 – 19:04)**

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

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

#### **DISPOSITION OF THE JOURNAL (Audio: 19:07 – 19:49)**

Motion made by Council Vice President Kline seconded by Councilwoman Miller to adopt the minutes of the April 28, 2022 Regular Council Meeting.

#### **Discussion on the Motion:**

None.

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

**NAYS:** None

**Vote:** 7/0

Motion carries to adopt the meeting minutes of the April 28, 2022 Regular Council Meeting.

#### **COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 19:51 – 20:06)**

04/28/22 email from Jenna Bing, re: Records Request.

04/29/22 email from Gloria Majeski, re: WHTV access on same nights at Council/Board meetings.

04/29/22 email from Tanya Taylor Draper, re: 5/9 – Committee of the Whole.

04/29/22 email from Patty Fulop, re: February & March Unemployment rates.  
05/02/22 email from Gloria Majeski, re: CDBG – Chardon Sidewalks – Bishop to Richmond Hts.  
05/02/22 email from Council Clerk, re: Future Resolutions.  
05/02/22 email from Patty Fulop, re: January and February Lake County Economic Dashboard.  
05/03/22 email from Joe Jarmuszkiewicz, re: Future Resolutions.  
05/03/22 email from Gloria Majeski, re: Suggestion for FD 75<sup>th</sup> Anniversary.  
05/03/22 email from Gloria Majeski, re: Grubiss Ordinance.  
05/05/22 email from Michael Lucas, re: Legislation for 5/9 and 5/12 meetings.  
05/06/22 email from Michael Lucas, re: Marijuana Licensing Ordinance.  
05/06/22 email from Gloria Majeski, re: Draft Ordinance for Grubiss Salary.  
05/06/22 email from Gloria Majeski, re: Backup Information for Ordinance for CDBG Grant Participation.  
05/06/22 email from Gloria Majeski, re: Mayor’s Memo and Ordinance for Mark Grubiss Salary Position.  
05/06/22 email from Council Clerk, re: Legislation, Agenda, Discussion Items for 5/9 and 5/12 meetings.  
05/06/22 email from Gloria Majeski, re: CDBG – Chardon Sidewalks – Bishop to Richmond Hts.  
05/06/22 email from Gloria Majeski, re: Final Draft of Ordinance 2022-033 – Grubiss Salary.  
05/08/22 email from Robert Gandee, re: Media Release – Willoughby Hills Fire – 2022 May 8 – Arson Fire – White Road – Final.  
05/09/22 email from Sandra Fink, re: Road Superintendent/Service Dept Director Salary.  
05/09/22 email from Robert Gandee, re: Media Release – Willoughby Hills Fire – 2022 May 8 – Arson Fire – White Road – Final.  
05/10/22 email from Michael Lucas, re: Out of Office.

**PUBLIC PORTION #1 (Audio: 20:08 – 20:26)**

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

Public Portion #1 opened at 7:20pm.

No one spoke.

Public Portion #1 closed at 7:20pm.

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

None.

**MAYOR’S REPORT (Audio: (20:30 – 26:21)**

**Mayor Gardner** reported the following:

“Congratulations to all who were honored tonight.”

Biggest topic of the week is the start of the construction on Chardon Road. He stated he is grateful for the cooperation of the residents and asks that all abide by the one-way traffic requirement. If there are any issues, please reach out to the Mayor’s Office or the City Engineer and they will try to assist or contact the ODOT officials coordinating the work.

As part of the Police Department’s ongoing Crime Reduction Initiative, the Police Department will provide a security survey to any resident or business. Contact Officer Continenza at the Police Department to request this service. As a reminder, the Department al regularly keeps a lookout for potential security issues and will send a letter or contact the homeowner if they see an issue.

The Fire Department has scheduled the preconstruction meeting with the manufacturer of the new fire engine. The Chief will keep us updated as the engine is built.

A reminder to residents about the new Block Party Program. Contact the Mayor's Office if you would like to participate this summer. We have two registered already.

The weather is warming up and softball and baseball has started. Stop by Roemisch Field to support our Willoughby Hills teams. Schedules are available on the Youth Sports League website.

VFW Post 4358 will be resuming the annual Memorial Day ceremony at 11:00 AM at the Memorial across the street. As we have for the last few years, anyone wanting to have a flag and marker places at the Memorial for the month can send an application in to the Mayor's Office. Donations from this program benefit the VFW.

Over 100 tumblers were distributed to families to give to their moms for Mother's Day. As was reported in last week's newsletter, we have the best moms in Willoughby Hills and it was our pleasure to help honor them. Thanks to Gloria for all of her help implementing the program. There are some extra tumblers here at City Hall if anyone wants them. Otherwise, if you hear of any new moms in the City, please let the Mayor's Office know and we will send one along to the new mom.

Trivia Night is next Tuesday at 7:00 PM in the O'Ryan Room of the Community Center featuring the Mayor's Challenge. We will have a team with some of the Mayors from the area competing.

If you are interested in representing Willoughby Hills in the regional Mind Challenge Trivia Competition, team formation is 9:30 AM in the O'Ryan Room Tuesday morning.

Electronics Recycling is this Saturday, 9:00 AM – 12:00 PM at City Hall. Most items will be accepted and recycled for free. CRT monitors can be recycled for \$10, printers for \$5, and televisions for \$20. Thanks again to Gloria for bringing this program to the City. Check the City's webpage or Facebook page for details.

If anyone is interested in helping with the Rock n Roll Day Event, the next meeting is Tuesday, May 24<sup>th</sup> at 6:30 PM in the Community Center.

The best way to keep up with City Events is to subscribe to the City's weekly electronic newsletter. Please register your email at [newsletter@willoughbyhills-oh.gov](mailto:newsletter@willoughbyhills-oh.gov)

Finally, sympathy to the Malecek Family on the passing of Art Malecek and to the Nichtine, Guban, and Baird Families on the passing of Jack Baird.

**Questions/comments following Mayor's Report (Audio: 25:20 – 26:21)**

**Councilman Jarmuszkiewicz** asked if there was a schedule of when the Chardon Road direction would switch over. **Mayor Gardner** responded that the direction will remain westbound only during the duration of construction between SOM Center and River Road. Traffic will be eastbound during Phase II when construction is between River Road and Worrell Road.

**LAW DIRECTOR'S REPORT (Audio: 26:24 – 26:41)**

**Law Director Lucas** stated he had nothing to report but was open to questions.

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

**Councilman Jarmuszkiewicz** asked if there had been any responses to the letters sent out regarding AirBnBs. **Law Director Lucas** stated, "No, not a single one."

### **FINANCE DIRECTOR'S REPORT (Audio: 26:43 – 26:53)**

Finance Director Brichacek stated he had nothing to report but was open to questions.

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

No questions/comments.

### **CITY ENGINEER'S REPORT (Audio: 26:56 – 29:58)**

City Engineer DiFranco reported that they've begun looking at the next phase of the Chardon Road Rehab project, which is west of SOM Center Road. They've been working on a grant application with Ohio Public Works for that.

There was a preconstruction meeting today for the 2022 Sewer Project. He is hoping the contractor will give him a schedule soon. There will be a preconstruction meeting for the 2022 Street Project tomorrow.

He prepared an estimate for a grant through CDBG for the sidewalks along Chardon Road near the Shoppes. The estimate is high but it includes all possible costs.

Also being worked on: City Hall Parking Lot, the Salt Storage Facility, and the Rogers Road gabions. City Engineer DiFranco will be meeting with Road Superintendent Mark Grubiss Monday morning to review them.

Historical Bridge Enhancement costs were presented to Council at the last meeting. Historical in that those were costs for what other cities have done. Costs can vary greatly depending on what is done. Maintenance costs are also difficult to estimate (vandalism, weather, etc.). He suggested figuring out what Council would like done then figure out how much is willing to be spent.

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

Councilwoman Taylor Draper asked when the court date would be for recently cited Aldi, BP, and CVS. City Engineer DiFranco responded early to mid-June. It is open to the public.

### **COMMITTEE REPORTS (Audio: 30:02 – 34:09)**

#### **PC-ABR – reported by Councilwoman Taylor Draper (Audio: 30:09 – 31:01)**

Councilwoman Taylor Draper reported that the Planning and Zoning Commission Architectural Board of Review met on May 5<sup>th</sup>. There was one item for the Architectural Board of Review. It was the approval of a new single family home at 36221 Eddy Road. There was no business for the Planning Commission.

Councilwoman Taylor Draper reminded everyone that on May 24<sup>th</sup> at 7:00 PM in Council Chambers there will be a Master Plan meeting. All are welcome to attend. If you have any suggestions or questions beforehand, please reach out.

#### **Recreation Commission Report by Councilman Jarmuszkiewicz (Audio: 31:04 – 32:15)**

Councilman Jarmuszkiewicz reported that the Recreation Commission did not meet this month. They will be having Safety Town and applications will be available June 1<sup>st</sup>. All of the carpets have been cleaned at the Community Center and windows washed – looks really nice! The pickleball courts, after years of planning, will be opening next Wednesday. They are planning to get a shadowbox to hold rules and schedules. They are hoping to have lessons, upcoming events, tournaments, and league play eventually as interest is gauged.

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

No report.

**Questions/comments following Committee Reports (Audio: 32:20 – 34:09)**

**Councilwoman Taylor Draper** asked if **Councilman Jarmuszkiewicz** would be able to explain what Safety Town is for those who aren't aware. **Councilman Jarmuszkiewicz** responded that he wasn't positive but believes it to be a 5-day long program geared toward young children to teach safety in different areas (fire, traffic, school bus safety, etc.). It's typically for kindergarteners going into 1<sup>st</sup> grade.

**Council President Hallum** added that the Youth Sports League has a scholarship available. The details and application can be found on the group's Facebook page.

**UNFINISHED BUSINESS (Audio: 34:10 – 34:17)**

No Unfinished Business to report.

**LEGISLATION (Audio: 34:18 – 42:15)**

**ORDINANCE 2022-026 – THIRD READING**

**AN ORDINANCE AMENDING CHAPTER 157 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO, TITLED "GENERAL EMPLOYMENT PROVISIONS"; SPECIFICALLY, SECTION 157.03 (b), CAPTIONED "OVERTIME PAY", AND SECTION 157.18 CAPTIONED "UNIFORM ALLOWANCE FOR SAFETY FORCES" AND DECLARING AN EMERGENCY.**

**Motion** was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Belich** to adopt Ordinance 2022-026.

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** provisions in this Ordinance pertain to the new Captain's position specifying no overtime and a uniform allowance.

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

**NAYS:** None

**Vote:** 7/0

**Motion Carries** to adopt Ordinance 2022-026.

**ORDINANCE 2022-027 – THIRD READING**

**AN ORDINANCE AMENDING CHAPTER 1373 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO, TITLED "REGISTRATION OF CONTRACTORS"; SPECIFICALLY, SECTION 1373.01(b) and SECTION 1373.01(e), CAPTIONED "REGISTRATION REQUIRED" AND SECTION 1373.07, CAPTIONED "EXPIRATION AND RENEWALS."**

**Motion** was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-027.

**Discussion on the Motion:**

**Councilwoman Miller** stated that this Ordinance would add snow plow drivers as registered contractor in Willoughby Hills.

**Council Vice President Kline** commented that he hopes this Ordinance will identify contractor errors when plowing snow.

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

**NAYS:** None

**Vote:** 7/0

Motion Carries to adopt Ordinance 2022-027.

**ORDINANCE 2022-028 – THIRD READING**

**AN ORDINANCE OPTING-OUT OF H.B. 172 AND REAFFIRMING THE BAN ON DISCHARGING, IGNITING OR EXPLODING FIREWORKS IN THE CITY OF WILLOUGHBY HILLS, OHIO, AS SET FORTH IN CHAPTER 1511 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO, AND DECLARING AN EMERGENCY.**

Motion was made by Councilman Jarmuszkiewicz, seconded by Councilman Knecht to adopt Ordinance 2022-028.

**Discussion on the Motion:**

Councilman Jarmuszkiewicz stated that if this weren't adopted, by openly allowing fireworks in the City it would open flood gates of issues (injuries, dangers, noise disturbances, etc.).

Council Vice President Kline stated that all Department Heads are in support of the ban of consumer grade fireworks. Consumer grade fireworks is an oxymoron. There are no safe fireworks. Any can cause damage or serious injury. It's simply not worth the risk.

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

**NAYS:** None

**Vote:** 7/0

Motion Carries to adopt Ordinance 2022-028.

**ORDINANCE 2022-033 – FIRST READING**

**AN ORDINANCE FIXING THE COMPENSATION FOR THE POSITION OF FULL-TIME ROAD SUPERINTENDENT; REPEALING CONFLICTING LEGISLATION, AND DECLARING AN EMERGENCY.**

Council President stated that this would remain on First Reading.

**RESOLUTION 2022-017 – FIRST READING**

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO PARTICIPATE IN LAKE COUNTY'S 2022 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO SEEK FUNDING FOR THE INSTALLATION OF SIDEWALKS ALONG THE WEST END OF CHARDON ROAD IN 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 Resolution 2022-017.

**Discussion on the Motion:**

Councilman Jarmuszkiewicz stated there is a deadline on the application. There is no commitment. This is just to see how much money we might be able to receive.

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

**NAYS:** None

**Vote:** 7/0

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

Motion was made by Councilman Jarmuszkiewicz, seconded by Councilwoman Miller to adopt Resolution 2022-017.

**Discussion on the Motion:**

No discussion.

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

NAYS: None

Vote: 7/0

**Motion Carries** to adopt Resolution 2022-017.

**NEW BUSINESS (Audio: 42:18 – 42:22)**

No New Business reported.

**PUBLIC PORTION #2 (Audio: 42:24 – 45:15)**

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

Public Portion #2 opened at 7:42pm.

**Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094,** asked what the next step is when there is no response to the AirBnB letter. She then asked for an explanation of what CornFest is. She believed it to be non-profit, but there is a sponsorship sign hanging at Roemisch Fields. Her next concern was the topic of political signs being on public property and why they aren't permitted. She wondered if there could be an Ordinance done to allow for political signs to be displayed the day of election during a certain timeframe in order to support elections.

Public Portion #2 closed at 7:45pm.

**Questions/comments following Public Portion #2 (Audio: 45:15 – 49:34):**

**Councilman Jarmuszkiewicz** commented that one or two signs would be okay. Too many becomes tacky. **Council President Hallum** all residents own the property so allowing signs to be posted in our property makes it look like the City is supporting that particular candidate instead of remaining neutral.

**Law Director Lucas** believes that the policy states "unattended political signs" are not allowed. If you are physically there with the sign as a campaign worker then it appears that you are advocating for that candidate/levy/issue. The problem is when a sign is left unattended it appears that the facility is endorsing the candidate/levy/issue.

**Mayor Gardner** stated that he encourages Council to discuss this but it can be a slippery slope. It's a matter of one candidate showing up with a billboard versus the candidate with a 12" x 12" sign on a wire versus someone who can't afford signs at all. If you're standing with a sign, that's free speech. If you drop a sign off, it conveys a different message and becomes an issue.

**Councilman Jarmuszkiewicz** stated that he was under the impression that you weren't able to put a sign in the ground even if you are standing next to it. Instead it has to be held.

**Mayor Gardner** responded to the CornFest concern stating that it is a 501c3. They support various interests and events in the City. They sponsor a team at the baseball fields and are a Private non-profit.

**FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 49:37 – 51:48)**

**Council Vice President Kline** stated that the charges for the Electronic Recycling Day are not set by the City but by the private company coming in. The City is just the facilitator. He reminded anyone looking to recycle to clear their private information from the electronic before turning it in. There is hard drive shredding if needed at an additional charge. **Mayor Gardner** added that the fees are consistent with the County program. **Councilwoman Taylor Draper** asked how the payment can be made that day. **Mayor Gardner** stated that cash is preferred, but credit cards can be used as well.

**ADJOURNMENT (Audio: 51:51 – 52:15)**

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

**Discussion on the Motion:**

None.

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

Motion Carries to adjourn the Regular Council meeting of May 12, 2022.

The meeting was adjourned at 7:52pm.

**APPROVED:** May 26, 2022  
Date

  
\_\_\_\_\_  
**Christopher Hallum**  
*President of Council*

**ATTEST:**   
\_\_\_\_\_  
**Karen Mehollin**  
*Clerk of Council*