

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 June 23, 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 after the 7:00 p.m. Public Hearing on the 2023 Tax Budget on Thursday, June 23, 2022 at 7:09 p.m. in Council Chambers. Council Vice President Kline presided.

Call to Order 7:09 p.m. (Audio: 0:01 – 0:15)

Cell Phone Reminder to Turn off Devices

Pledge of Allegiance (Audio: 0:16 – 0:30)

ROLL CALL (Audio: 0:37 – 3:10)

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

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

Absent: Council President Christopher Hallum.

Motion to excuse Council President Hallum from tonight's Council Meeting was made by Councilwoman Taylor Draper, seconded by Councilwoman Miller.

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

Motion carries to excuse Council President Hallum from tonight's Council Meeting.

Motion to appoint Councilwoman Taylor Draper as Council Vice President Pro-Tem for tonight's Council Meeting was made by Councilwoman Belich, seconded by Councilman Jarmuszkiewicz.

Roll Call: **AYES:** Knecht, Miller, Belich, Jarmuszkiewicz, and Kline.
NAYS: None
ABSTAIN: Taylor Draper.
Vote: 5/0/1

Motion carries to appoint Councilwoman Taylor Draper as Council Vice President Pro-Tem for tonight's Council Meeting.

DISPOSITION OF THE JOURNAL (Audio: 3:13 – 3:54)

Motion made by Councilman Jarmuszkiewicz seconded by Councilwoman Miller to adopt the minutes of the June 9, 2022 Regular Council Meeting.

Discussion on the Motion:

None.

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

NAYS: None

Vote: 6/0

Motion carries to adopt the meeting minutes of the June 9, 2022 Regular Council Meeting.

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 3:56 – 4:11)

06/08/22 email from Michael Lucas, re: Revised Ordinance No. 2022-037.

06/08/22 email from Vicki Miller, re: Agenda for Thursday meeting and minutes from May 26th meeting.

06/09/22 mail from Dept. of Commerce Liquor Control, re: DoorDash Essentials, LLC. Permit.

06/09/22 email from Gloria Majeski, re: Resolution 2022-019.

06/10/22 email from Pietro DiFranco, re: Amendment to Resolution 2022-016 – Maypine Park.

06/10/22 email from Pietro DiFranco, re: Amendment to Resolution 2022-016 – Maypine Park.

06/13/22 email from Tanya Taylor Draper, re: Signage at Maypine location.

06/16/22 email from Matthew Naegele, re: Issuance of New Liquor Permit – DoorDash Essentials, LLC.

06/13/22 email from Vicki Miller, re: Issuance of New Liquor Permit – DoorDash Essentials, LLC.

06/14/22 email from Gloria Majeski, re: Deer Population Information – email 1 of 3.

06/14/22 email from Gloria Majeski, re: Deer Population Information – email 2 of 3.

06/14/22 email from Gloria Majeski, re: Deer Population Information – email 3 of 3.

06/15/22 email from Pietro DiFranco, re: Signage at Maypine location.

06/15/22 email from Gloria Majeski, re: Business Survey for the City of Willoughby Hills.

06/16/22 email from Robert Gandee, re: Request for Council Approval.

06/16/22 email from Mayor Gardner, re: Maypine Phase 1 Approval.

06/16/22 email from Gloria Majeski, re: RE: Request for Council Approval.

06/17/22 email from Michael Lucas, re: RE: Legislation for Next Week’s Meetings – FOR REVIEW.

06/20/22 email from Gloria Majeski, re: Chagrin North contact.

06/20/22 email from Gloria Majeski, re: FW: Location Agreement.

06/21/22 email from Michael Lucas, re: Revisions to Location Agreement.

06/22/22 email from Gloria Majeski, re: Deer Management Info from Eastlake.

06/22/22 email from Gloria Majeski, re: Vacation.

PUBLIC PORTION #1 (Audio: 4:12 – 7:20)

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

Public Portion #1 opened at 7:13pm.

Daniel P. Troy, 31600 Lakeshore Blvd., Willowick, Ohio 44095 spoke on the topic of re-districting for Ohio House and Senate representation and stated that Willoughby Hills will now be in his district. He is hoping to be elected in November by the residents of Willoughby Hills as their Democratic Representative in the November election.

Public Portion #1 closed at 7:16pm.

Questions/comments following Public Portion #1:

None.

MAYOR’S REPORT (Audio: 7:24 – 13:55)

Mayor Gardner began his report by welcoming State Representative Troy to tonight’s meeting and for being a great supporter of Willoughby Hills events. **Mayor Gardner** also thanked the residents for their continued

patience with the Chardon Road resurfacing project. Should anyone have any concerns or issues with the project, he asked that the Mayor's Office be reached and contact information for ODOT can be given as they are administering the project.

Mayor Gardner reported that the Police Department body cameras have been deployed. Officers have been doing field training and the body cameras have already provided valuable video evidence in court cases and also providing video for additional training activities. The cameras have been tested and installed and officers are getting used to wearing them every day. Police Chief Naegele is still hopeful that a grant will be received to recover more than half of the \$60,000 investment.

Mayor Gardner reported that the City has partnered with the County for materials to paint the fire hydrants that around the City that are most in need. The County has provided the brushes and paint while the City has provided a seasonal City employee. The average of hydrants being painted is about 13-14/day. This will be going on over the next couple of months.

In Service Department news, Road Superintendent Grubiss' truck has arrived. This was one of three trucks that were ordered. It will be in service shortly as equipment and decals need to be put on.

Rock n Roll Day committee will be holding its' next meeting on Tuesday, June 28th. Lots of great programs are planned (music, food, trivia contest, etc.) as well as several guest speakers and book signings. There is a need for many volunteers for the day (40-50). Anyone interested in signing up to help can do so online where there is a list of jobs and their description.

Lastly, **Mayor Gardner** stated that the Pickleball courts are getting some good use.

Questions/comments following Mayor's Report:

Councilman Jarmuszkiewicz asked if there would be any advantage to having an "adopt a hydrant" type of program where residents could take care of some of the hydrants. **Mayor Gardner** responded that this is an important part of the Safety Network and, while many residents have good intentions, we need to ensure that about 2/3 of the hydrants are completed in the next 10 weeks.

Councilwoman Belich asked about the training and education for the officers that comes with the body cameras. **Mayor Gardner** responded that all of the officers have been trained in operating the cameras and connecting them in the cars. That's been the first part of training. The second part of training is evaluating the video footage received..

LAW DIRECTOR'S REPORT (Audio: 14:00 – 15:18)

Law Director Lucas reported Air BnB matters still remain in the Ohio General Assembly. **Law Director Lucas** also reported that he has not received any responses to the Air BnB notices sent out to residents running Air BnBs.

Questions/comments following Law Director's Report:

None.

FINANCE DIRECTOR'S REPORT (Audio: 15:20 – 15:34)

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

Questions/comments following Finance Director's Report:

None.

CITY ENGINEER'S REPORT (Audio: 15:35-20:12)

City Engineer DiFranco respectfully asked that Council waives the Three Reading rule and adopt Ordinance 2022-036, which renews the Zoning and Administration Services contract with Bowen & Associates as it will expire at the end of the month.

Bids have been received for the City Hall Parking Lot Resurfacing project. The project has been split into two parts with two contracts. Contract A will be for the asphalt resurfacing in front of City Hall. Three bids were received with the lowest bid being Ohio Paving and Construction at approximately \$94,000, which was 9.9% higher than the Engineer's Estimate. Contract B will be for the entrance drive from Chardon Road to the end of the Fire Department Building. Two bids were received with the lowest bid being T.C. Construction at approximately \$143,000, which was 5% higher than the Engineer's Estimate of \$136,000. Legislation to award these contracts will be at the next meeting on July 14, 2022.

City Engineer DiFranco reported that they've been working on finalizing a contract for the salt dome with Greystone Construction, a Sourcewell approved contractor. Unfortunately, Greystone is out of state and has informed **City Engineer DiFranco** that, due to labor shortages, they can't do any of the sitework that was originally planned. Road Superintendent Grubiss and the Service Department will do that portion of earth work among other things which will save the City a lot of money. Design changes have been made to facilitate this. Another contractor will probably be hired to do the asphalt work. Legislation for this will be on the July 14, 2022 meeting agenda.

Lastly, **City Engineer DiFranco** reported that they are still working on the Rogers Road slope repair to find the most cost effective and quickest solution.

Questions/comments following City Engineer's Report:

Councilman Jarmuszkiewicz asked how bad the Rogers Road slope is, especially with the increase in traffic. **City Engineer DiFranco** responded that the gabions at the bottom of the slope have been sliding for a couple of years. The guardrail at the top of the road doesn't appear to be leaning so he doesn't believe it to be critical. **Councilwoman Taylor Draper** asked if the increased estimate for the parking lot project was due to higher supply costs. **City Engineer DiFranco** stated that the contractor didn't say but that is his guess.

COMMITTEE REPORTS (Audio: 20:15 – 25:20)

PC-ABR – reported by Councilwoman Taylor Draper (Audio: 20:18 – 23:12)

Councilwoman Taylor Draper reported that there was a meeting held on June 16, 2022. During the ABR portion, there was a conditional approval for a pole barn at 36900 Chardon Road.

The Planning Commission gave preliminary approval for MayPine Park Development at 32700 White Road to split construction into two phases: Phase I will be four (4) units on White Road and Phase II will be construction of the remaining eight (8) units.

The Master Plan meeting was held on June 22, 2022 where another draft was brought forth by David Radachy, Director at Lake County Planning and Community Development. The next meeting will be held on July 20, 2022, hopefully with a more finalized plan to present to residents.

Beautification Committee – reported by Councilwoman Taylor Draper:

No report.

Recreation Commission Report by Councilman Jarmuszkiewicz (Audio: 23:14 – 24:41)

Councilman Jarmuszkiewicz reported that the baseball and softball seasons are winding down. There are a couple of weeks remaining then tournaments will take place. Safety Town will be in July this year.

Applications have been coming in and **Councilman Jarmuszkiewicz** isn't sure if they're accepting more. Rock and Roll Day will be held on August 13th. Many volunteers are needed for the 12-hour day as well as for the event, set up, and tear down. Pickleball courts are doing well and he's hoping it continues in popularity. He's hopeful that once the season is over, they can sit down and evaluate the need for leagues, tournaments, and possibly even an expansion into a couple more courts.

Finance Committee Report by Council Vice President Kline:

No report.

Business Subcommittee – reported by Council Vice President Kline (Audio: 24:49 – 25:20)

Council Vice President Kline reported that the Business Surveys were emailed out last week and feedback continues. Once a fair amount of responses are sent back, a Business Subcommittee meeting will be planned to go over them and move on to plan the best activity to provide for the businesses in the City.

Questions/comments following Committee Reports:

None.

UNFINISHED BUSINESS (Audio: 25:21 – 25:30)

No Unfinished Business was reported.

LEGISLATION (Audio: 25:32 – 35:02)

ORDINANCE 2022-034 – 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” AND DECLARING AN EMERGENCY.

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

ORDINANCE 2022-035 – SECOND READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A NEW AGREEMENT WITH EVOLVE IP, LLC TO UPGRADE AND CONTINUE THE CITY'S IT SUPPORT SERVICES AND DECLARING AN EMERGENCY.

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

ORDINANCE 2022-036 – SECOND READING

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE PROPOSAL AS SUBMITTED BY RICHARD L. BOWEN & ASSOCIATES, INC. PROVIDING ZONING ADMINISTRATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS, FOR THE PERIOD JULY 1, 2022 THROUGH DECEMBER 31, 2022 AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to waive the three reading rule on Ordinance 2022-036.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated that waiving the Three Reading rule on this Ordinance will allow for the Bowen contract to take effect on July 1, 2022.

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

Motion carries to waive the three reading rule on Ordinance 2022-036.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Ordinance 2022-036.

Discussion on the Motion:
No discussion.

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

Motion carries to adopt Ordinance 2022-036.

ORDINANCE 2022-037 – SECOND READING

AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A THEN AND NOW CERTIFICATE BY THE FINANCE DIRECTOR TO MAKE PAYMENT ON AN INVOICE FROM BAKER, DUBLIKAR, BECK, WILEY & MATTHEWS FOR LEGAL SERVICES.

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

RESOLUTION 2022-016 AMENDED – FIRST READING

A RESOLUTION AUTHORIZING PRELIMINARY APPROVAL FOR THE PHASING DEVELOPMENT OF MAYPINE PARK, A SINGLE FAMILY RESIDENTIAL SUBDIVISION LOCATED AT 32700 WHITE ROAD, WILLOUGHBY HILLS, OHIO.

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller** to waive the three reading rule on Resolution 2022-016 Amended.

Discussion on the Motion:
No discussion.

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

Motion carries to waive the three reading rule on Resolution 2022-016 Amended.

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Belich** to adopt Resolution 2022-016 Amended.

Discussion on the Motion:

Councilwoman Taylor Draper expressed her thanks and appreciation to the developer (in the audience) for being patient and open to resident concerns. It seems to have helped ease their worries a bit through discussions.

Councilwoman Belich stated that she is happy that the developer has an opportunity to separate the phases as he goes through environmental issues that have been brought up by Lake County Soil and Water. This will help him continue with the development of these homes.

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Resolution 2022-016 Amended.

RESOLUTION 2022-020 – SECOND READING

A RESOLUTION ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2023 FOR THE CITY OF WILLOUGHBY HILLS.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to waive the three reading rule on Resolution 2022-020.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated adopting this Resolution would eliminate the need for **Finance Director Brichacek** to rush when finalizing and submitting documents.

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

NAYS: None

Vote: 6/0

Motion carries to waive the three reading rule on Resolution 2022-020.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht** to adopt Resolution 2022-020.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Resolution 2022-020.

NEW BUSINESS (Audio: 35:05 – 38:02)

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Taylor Draper**, to allow the Clerk to return a new liquor license application for DoorDash Essentials, LLC to the Ohio Division of Liquor Control indicating a request or rejection of a hearing.

Discussion on the Motion:

Law Director Lucas stated that the Fire and Police Departments had no objection to this and no hearing for the application is needed.

Councilwoman Miller commented that she has done a lot of research on DoorDash Essentials and they have a lot of protection in place as far as ordering, delivering, and receiving of alcohol.

Councilwoman Belich followed up **Councilwoman Miller's** point stating that there is additional information online about DoorDash policies and how they handle the ordering and receiving of alcohol. There is protocol in place.

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

NAYS: None

Vote: 6/0

Motion carries to allow the Clerk to return a new liquor license application for DoorDash Essentials, LLC to the Ohio Division of Liquor Control indicating a request or rejection of a hearing.

PUBLIC PORTION #2 (Audio: 38:05 – 38:24)

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

Public Portion #2 opened at 7:47pm.

No one spoke.

Public Portion #2 closed at 7:47pm.

Questions/comments following Public Portion #2:

None.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 38:27 – 41:42)

Councilwoman Miller mentioned the seniors gathering for their luncheon this past Tuesday. She thanked Fire Chief Gandee for coming in to talk. He was well received and a good time was had. As a reminder, every 3rd Tuesday at 11:00 the seniors have a luncheon with activities or a guest speaker. She went on to thank Holly's Hearing Aids for coming out and doing hearing tests on the seniors. In addition, **Councilwoman Miller** thanked the Service Department for clearing out some tall brush on Hayes Drive this past week as well.

Councilwoman Belich stated that she witnessed some of the fire hydrants being refurbished and painted and they look great. She thanked the Service Department for taking on the project.

Mayor Gardner reminded residents that with the Fourth of July holiday coming up, Willoughby Hills has opted out of the new fireworks provisions. Anything that shoots or fires off is not allowed. Reminders will be posted on social media over the next couple of weeks and Police will be out on the Fourth of July enforcing the Ordinance.

ADJOURNMENT (Audio: 41:45 – 42:14)

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

Discussion on the Motion:

None.

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

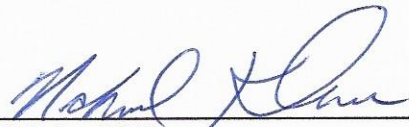
NAYS: None

Vote: 6/0

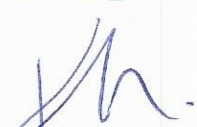
Motion carries to adjourn the Regular Council meeting of June 23, 2022.

The meeting was adjourned at 7:51pm.

APPROVED: July 14, 2022
Date



Michael Kline
Vice President of Council
Chairman Pro-Tem

ATTEST: 

Karen Mehollin
Clerk of Council