

President of Council  
CHRISTOPHER HALLUM

Vice President of Council  
MICHAEL KLINE

Clerk of Council  
KAREN MEHOLLIN

# City of Willoughby Hills

## Regular Council Meeting

### Minutes of September 8, 2022

**COUNCIL:**

JULIE A. BELICH

JOE JARMUSZKIEWICZ

DANIEL KNECHT

VICKI MILLER

TANYA TAYLOR DRAPER

*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, September 8, 2022 at 7:00 p.m. in Council Chambers. **Council President Hallum** presided.

**Call to Order 7:00 p.m. (Audio: 0:00 – 0:15)**

**Cell Phone Reminder to Turn off Devices**

**Pledge of Allegiance (Audio: 0:17 – 0:30)**

***CEREMONIAL SWEARING-IN AND BADGE PINNING OF NEW FIREFIGHTERS MICHAEL SIEMAN, NATHAN ROWAN, AND ROBERT OURS.***

***CEREMONIAL SWEARING-IN OF NEW POLICE OFFICERS ALYSHA FODOR AND CHRISTOPHER AMATO.***

#### **ROLL CALL (Audio: 11:17 – 11:40)**

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

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

**Absent:** Finance Director Frank J. Brichacek, Jr.

#### **DISPOSITION OF THE JOURNAL (Audio: 11:41 – 13:00)**

**Motion made by Council Vice President Kline** seconded by **Councilwoman Taylor Draper** to adopt the minutes of the July 14, 2022 Regular Council Meeting.

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

None.

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

**NAYS:** None

**Vote:** 7/0

**Motion carries** to adopt the meeting minutes of the July 14, 2022 Regular Council Meeting.

**Motion made by Council Vice President Kline seconded by Councilwoman Miller to adopt the minutes of the August 8, 2022 Special Council Meeting.**

**Discussion on the Motion:**

None.

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

**NAYS: None**

**Vote: 7/0**

**Motion carries to adopt the meeting minutes of the August 8, 2022 Special Council Meeting.**

**COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 13:02 – 13:20)**

- 07/13/22 email from Gloria Majeski, re: Thank you – Councilwoman Taylor Draper.
- 07/14/22 email from Tanya Taylor Draper, re: Thank you – Councilwoman Taylor Draper.
- 07/14/22 email from Gloria Majeski, re: Liquor License.
- 07/14/22 email from Pietro DiFranco, re: 27613 Chardon – New Theatrical LLC (Liquor Permit – New).
- 07/15/22 email from Gloria Majeski, re: NAC Meeting Report.
- 07/15/22 email from Troy Judy, re: Voicemail.
- 07/18/22 email from Troy Judy, re: Voicemail.
- 07/18/22 email from Gloria Majeski, re: Insurance Policy Info.
- 07/19/22 email from Troy Judy, re: Scheduling.
- 07/19/22 email from David Radachy, re: WH Master Plan Meeting – 7/20/22 – Wednesday – 7:00PM.
- 07/20/22 email from Gloria Majeski, re: Rock n Roll Day Meeting – Tuesday, July 26 at 6:30 PM WHCC Senior Room.
- 07/24/22 email from Gloria Majeski, re: Grange caretakers Report – January to June 2022.
- 07/25/22 email from Pietro DiFranco, re: Willoughby Hills City Engineer Report 220725.
- 07/25/22 email from Michael Lucas, re: Revised Agenda for tonight’s meeting.
- 07/25/22 email from Gloria Majeski, re: Revised Agenda for tonight’s meeting.
- 07/25/22 email from Chris Hallum, re: Cancel Regular Council Meeting.
- 07/26/22 email from Gloria Majeski, re: Meeting Notification.
- 07/26/22 email from Stephanie Kellner, re: Adopted Legislation for July – Willoughby Hills.
- 07/26/22 email from Patty Fulop, re: Lake Economic Dashboard and unemployment stats.
- 07/26/22 email from WH Finance Dept., re: Working Committee of Council and Rules & Legislation Meeting – Sept. 5<sup>th</sup> meeting.
- 07/26/22 email from WH Finance Dept., re: Board & Commission Meetings.
- 07/27/22 email from Gloria Majeski, re: Legislation Request for Surplus Firearms.
- 07/27/22 email from Tanya Taylor Draper, re: Major SOM Center Project.
- 07/27/22 email from Matthew Naegele, re: Additional.
- 07/27/22 email from Gloria Majeski, re: Second Legislation Request for Firearms Disposal (valued at \$5,050).
- 07/27/22 email from Tanya Taylor Draper, re: Major SOM Center Project.
- 07/28/22 email from Frank Brichacek, re: Public Records Request – CARES Act and ARP Funds.
- 07/28/22 email from Jenna Bing, re: 2 Requests.
- 07/28/22 email from Jenna Bing, re: RE: 2 requests.
- 07/28/22 email from Frank Brichacek, re: Retirement Decision.
- 07/29/22 email from Gloria Majeski, re: FW: CMS Server (cms2.revize.com) Maintenance.
- 07/29/22 email from Gloria Majeski, re: CARES funding.
- 07/29/22 email from Frank Brichacek, re: Opioid Settlement Information.
- 08/02/22 email from Frank Brichacek, re: 2022 Budget – Rev. No. 04 – Opioid Settlement.
- 08/02/22 email from Frank Brichacek, re: Opioid Settlement Special Revenue Fund Creation.
- 08/02/22 email from Troy Judy, re: ZOOM Meeting.
- 08/03/22 email from Frank Brichacek, re: Opioid Settlement Appropriation Schedule & Cover Memo.

08/05/22 email from Pietro DiFranco, re: Corrected – PCABR Final Approval – Maypine Park Phase 1 – 32700 White.

08/05/22 email from Gloria Majeski, re: Block Party list – revised.

08/05/22 email from Michael Lucas, re: Legislation for Monday Aug. 8<sup>th</sup> Special Meeting.

08/05/22 email from Michael Lucas, re: Legislation for Monday Aug. 8<sup>th</sup> Special Meeting.

08/05/22 email from Michael Lucas, re: Ordinances for review.

08/05/22 email from Matthew Naegele, re: Liquor License Renewals.

08/05/22 email from Robert Gandee, re: Draft Memo.

08/08/22 email from Dale Fellows, re: City-E-newsletter.

08/08/22 email from Frank Brichacek, re: Draft Memo.

08/08/22 email from John Bertosa, re: Meeting Notification.

08/08/22 email from Lisa Sanchez, re: Alcohol Addiction Resources on City of Willoughby Hills.

08/09/22 email from Dale Fellows, re: Public Records Request.

08/09/22 email from Gabriel McVey, re: Meeting Notification Question.

08/09/22 email from Ohio Div.of Liquor Control, re: Permit No. 6367890.

08/09/22 email from Mayor Gardner, re: FW: PID 113805 LAK-044-06.05/VAR Slope; Willoughby Hills; Preliminary Consent.

08/09/22 email from Pietro DiFranco, re: FW: PID 113805 LAK-044-06.05/VAR Slope; Willoughby Hills; Preliminary Consent.

08/09/22 email from Gloria Majeski, re: Master Plan.

08/10/22 email from Sandra Fink, re: City of Wickliffe request.

08/15/22 email from Gloria Majeski, re: Request for PD Legislation.

08/15/22 email from Joe Wittman, re: Question.

08/15/22 email from Katherine Lloyd, re: SOM Center Project Notification.

08/16/22 email from Gloria Majeski, re: Rosewood Trail – resident list.

08/18/22 email from Pietro DiFranco, re: Asphalt Bid – Salt Barn – Ohio Paving.

08/19/22 email from Gloria Majeski, re: Request for Legislation for OH Paving for Salt Dome Pavement.

08/19/22 email from Mark Grubiss, re: RE: Request for Legislation for OH Paving for Salt Dome Pavement.

08/22/22 email from Gloria Majeski, re: Block Party Addition – Saturday, 10/1/22 – Canterbury Court.

8/22/22 email from Rec Commission, re: WH Pickleball Meeting – Tuesday, 8/30/22 – 6:00pm.

8/23/22 email from Pietro DiFranco, re: Plat for Signature – Maypine-Phase 1.

8/24/22 email from Russ Berzin, re: re: Plat for Signature – Maypine-Phase 1.

8/24/22 email from Michael C. Lucas, re: re: Plat for Signature – Maypine-Phase 1.

8/24/22 email from Joe Jarmuszkiwicz, re: September 8<sup>th</sup> Regular Council Meeting.

8/24/22 email from Frank Brichacek, re: Then & Now PO Approval Request for 9/8/22 Council Meeting.

8/24/22 email from Tanya Taylor Draper, re: September 8<sup>th</sup> Regular Council Meeting.

8/24/22 email from Gloria Majeski, re: re: Plat for Signature – Maypine-Phase 1.

8/24/22 email from Vicki Miller, re: September 8<sup>th</sup> Regular Council Meeting.

8/24/22 email from Mike Kline, re: September 8<sup>th</sup> Regular Council Meeting.

8/24/22 email from Pietro DiFranco, re: Zoning Complaints & Inspection Requests.

8/24/22 email from Mayor Gardner, re: Police and Fire Oaths.

8/25/22 email from Debbie Semik, re: Names for Oaths of Office at 9/8 Meeting.

8/25/22 email from Patty Fulop, re: June Economic Dashboard and June & July Unemployment data.

8/25/22 email from Gloria Majeski, re: PD Hires.

8/25/22 email from Robert Gandee, re: Police and Fire Oaths.

8/26/22 email from Gloria Majeski, re: Flags.

8/26/22 email from Frank Brichacek, re: Tax Rate Resolution Word Document.

8/26/22 email from Mark Grubiss, re: Old swing set.

8/27/22 email from Katherine Lloyd, re: SOM Center Project Notification.

8/29/22 email from Mayor Gardner, re: Award Notification (Application Number EMW-2021-FG-00423).

8/29/22 email from Tanya Taylor Draper, re: Public Notification information for meeting discussion tonight.

8/29/22 email from Michael Lucas, re: Resolution 2022-023 Exhibit Revision.  
8/29/22 email from Michael Lucas, re: Revised Ord 2022-048.  
8/29/22 email from Frank Brichacek, re: 2022-23 Prop Tax Rate Certification Memo Draft.  
8/29/22 email from Frank Brichacek, re: 2021-022 Property Tax Rate Certification and Advance Request Memos.  
8/29/22 email from Frank Brichacek, re: 2022-23 Prop Tax Rate Res Form Draft.  
8/29/22 email from PC-ABR, re: SOM Center Project (attach. 8/21/22 DiVincenzo letter).  
8/29/22 email from PC-ABR, re: SOM Center Project.  
8/29/22 email from Frank Brichacek, re: September 8<sup>th</sup> Council Agenda Item – Fire Department FEMA AFG Acceptance & Appopriation.  
8/30/22 email from Gloria Majeski, re: Mayor’s Memo Requesting Ordinance for FEMA AFG Grant Acceptance.  
8/30/22 email from Gloria Majeski, re: Job Description – Executive Administrative Assistant.  
8/30/22 email from Vicki Miller, re: NOPEC.  
8/31/22 email from Gloria Majeski, re: FW: Pickleball meeting – recap for newsletter.  
8/31/22 email from Chris Hallum, re: NOPEC Membership.  
9/1/22 email from Vicki Miller, re: NOPEC.  
9/2/22 email from Robert Gandee, re: MEMO – 2022 Sept 1 – FEMA AFG 2022 Micro Grant – Fire Equipment.  
9/2/22 email from Frank Brichacek, re: Property Tax Rate Resolution Correction.  
9/2/22 email from Frank Brichacek, re: Property Tax Rate Memos - Final.  
9/2/22 email from Frank Brichacek, re: County Resolution Form – 2022 Property Tax Rates.  
9/2/22 email from Frank Brichacek, re: 2022-2023 Property Tax Rate Resolution & Resolution Requesting Tax Revenue Advances Request.  
9/2/22 email from Robert Gandee, re: MEMO – 2022 Sept 1 – FEMA AFG 2022 Micro Grant – Fire Equipment – FINAL.  
9/2/22 email from Frank Brichacek, re: Appropriation Revision Request No. 5 – 2021 Assistance to FF Grant & Fire Truck Acquisition Budget Correction.  
9/2/22 email from Frank Brichacek, re: Ordinance 2022-050 Appropriation Ordinance Attachment.  
9/3/22 email from Michael Lucas, re: RE: Agenda and Legislation for Working Comm. Meeting 09.06.22.  
9/3/22 email from Vicki Miller, re: RE: Agenda and Legislation for Working Comm. Meeting 09.06.22.  
9/6/22 email from Matthew Naegele, re: Weapons Surplus Amendments.  
9/6/22 email from Michael Lucas, re: Ordinance 2022-\_\_\_\_ (Traffipax, LLC).  
9/6/22 email from Frank Brichacek, re: Revised Ordinance 2022-050 Approp for FEMA AFG 2022 Grant.  
9/6/22 email from Michael Lucas, re: Exhibit Attachments.  
9/6/22 email from Michael Lucas, re: Ordinance 2022-\_\_\_\_ (Traffipax, LLC).  
9/6/22 email from Pietro DiFranco, re: FW Municipal Bridge Inspection Program Renewal 2023.  
9/6/22 email from Michael Lucas, re: RE: Revised Agenda and Legislation for this weeks’ meetings.  
9/6/22 email from Mayor Gardner, re: FW Municipal Bridge Inspection Program Renewal 2023.  
9/7/22 email from WH Recreation Dept., re: District Meetings – Fall 2022.

**PUBLIC PORTION #1 (Audio: 13:25 – 14:35)**

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

Public Portion #1 opened at 7:13pm.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094 spoke on the traffic cameras and wondered if there would be signs put up around the community to give drivers notice that a new system was in place.

Public Portion #1 closed at 7:14pm.

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

None.

**MAYOR'S REPORT (Audio: 14:40 – 17:53)**

**Mayor Gardner** reported the following:

- E-waste collection will be Saturday from 9am-12pm in front of City Hall. Details are on the City's website.
- Touch-a-Truck 2022 will take place on Saturday, September 17<sup>th</sup> from 10am-2pm. Stop by to meet staff from the Willoughby Hills Fire, Police, and Service Departments. You'll get to see vehicles use by each department as well as vehicles from East Tech Technical Rescue Team, Lake County Sheriff's Office, Lake Metroparks, and helicopters from UH Medical and Metro LifeFlight landing and taking off (weather and emergencies permitting).
- There will be a "Goodbye to Gloria" reception to honor now-retired Executive Assistant to the Mayor, Gloria Majeski and all she's done. This will be on September 24<sup>th</sup> at the Community Center between 1:00-4:00pm. Stop by to wish her well!
- CEI removed the light poles in the front parking lot this morning to allow the front parking lot to be expanded and paved in the next few weeks. Lights will be put up around the perimeter of the lot once it's complete. The East driveway will also be replaced in the coming months.
- The Salt Storage structure is taking shape in the Service Yard. Base for the floor of the structure has been prepared and, in the next few weeks, the contractor will be here to install the foundation for the overhead structure. This new facility will not only replace the existing salt storage facility but it will double our salt storage capacity.
- The proposed conservation development "West Pines" will be reviewed by the Planning Commission on September 15<sup>th</sup> at 7:00pm in Council Chambers. If you'd like to provide input regarding the proposed development, please plan to attend and share your thoughts with the Planning Commission that evening.

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

None.

**LAW DIRECTOR'S REPORT (Audio: 17:57 – 23:33)**

**Law Director Lucas** reported the following:

- AirBnB update: Last action taken by the Ohio General Assembly was May 2022 where it was subcommittee review and they've been in recess over the summer. They are back in session and the he anticipates assignment to another committee shortly so he will continue to update.
- Ordinance 2022-034 Medical Marijuana License update: Many changes made to the Ordinance were based on reviewing the particular Ohio Revised Code Section 3796, which was addressed by the legal counsel. Definitions were largely changed. The Safety Director remains the person to make the final determination as to whether the license should be granted. The decision of the Safety Director will then be filed with the Board of Zoning Appeals.
- Regarding the Ordinance for the Officer Operated Hand Held Traffic Law Enforcement Device: This has been presented several times to Council and the Police Department is a big advocate of it. Regulations are pretty standard with other communities that have adopted it. This is really for the safety of the department itself largely because speeding is out of control.

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

**Councilwoman Belich** commented that the safety of our officers is very important. **Councilwoman Belich** also commented on the subject from Tuesday's meeting about traffic stands being put in school zones. She stated that she'd encourage a traffic study to be performed in both school zones (Route 91 and Route 6) in order to make that happen.

**FINANCE DIRECTOR'S REPORT (Audio: 23:34 – 23:37)**

**Finance Director Brichacek** was not in attendance; no report given.

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

None.

**CITY ENGINEER'S REPORT (Audio: 23:38 – 26:35)**

**City Engineer DiFranco** reported the following:

The Chardon Road project is essentially complete and is wrapping up its' final punch list items.

Legend Lane resurfacing is also complete.

The Sewer Rehab project is ongoing.

The Salt Dome is in progress. Greystone Construction will tentatively be coming in on Monday to install the drilled foundations. This is being coordinated with the City Hall Parking Lot and driveway rehab.

The Rogers Road Slope Repair: In the process of doing a geotechnical investigation but have been delayed a bit, but is ongoing.

Another notable project on the next Planning Commission meeting is a proposed Sheetz at the former Bakers Square location (corner of Chardon and Bishop Roads).

Supported legislation: Would like to see Council waive and adopt Ordinance 2022-047 Slope Repair on River Road Agreement with ODOT. This would be on the West side of River just South of Chardon Road. This would cause the road to close down for a couple of weeks in the Summer of 2023. In addition, he'd like to see Council waive and adopt Ordinance 2022-048 for the asphalt contractor on the Salt Dome as it's very time-sensitive.

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

**Council President Hallum** asked what work was being done on Route 91 both yesterday and today? **City Engineer DiFranco** stated that he was unfamiliar with what was being done. **Mayor Gardner** responded that our crews have been out patching roads last week so maybe that's why they were out.

**COMMITTEE REPORTS (Audio: 26:38 – 37:50)**

**PC-ABR – reported by Councilwoman Taylor Draper (Audio: 26:43 – 32:42)**

**Councilwoman Taylor Draper** reported that the committee met July 21, 2022 as well as August 4, 2022.

There was a lot of discussion and **Councilwoman Taylor Draper** strongly encouraged residents listen to the audio from the meetings, which can be found on the City's website.

The Master Plan Hearing was August 25, 2022. The public was strongly encouraged to come out and voice their opinions on the Master Plan (found on the website). Many were involved in this comprehensive examination of what they think our City needs. There will be a meeting on October 6, 2022 to discuss and integrate ideas presented before moving forward to Council for their review.

Regarding a question asked at Tuesday's meeting about the WHISPER books being up-to-date: They are and can be found on the City's website.

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

**Councilman Jarmuszkiewicz** asked if the City is still accepting applications for WHISPER, both for future projects and for volunteers. **Councilwoman Taylor Draper** asked that **Councilwoman Miller** comment.

**Councilwoman Miller** stated that applications are still being accepted by Mayor Gardner and there's always a need for volunteers. **Councilwoman Belich** stated that there have been a lot of new people moving into the

community. It's nice for those new residents to know that we have the WHISPER program available should they like to get involved with the program.

**Recreation Commission Report by Councilman Jarmuszkiewicz (Audio: 32:43 – 36:32)**

**Councilman Jarmuszkiewicz** reported that the Recreation Commission met last night. The schedule of events for next year is coming together. They are hoping to have events firmed up by October. Flag football started practicing with the games coming up soon (either September 17<sup>th</sup> or 26<sup>th</sup>) with 6 teams, 3 in each division. The Recreation Commission is looking to add one or two more members. Applications can be found in the Mayor's Office. Pickleball courts are doing well. There was a subcommittee meeting to discuss ways to gain interest in the sport, ways to support the cost of the courts (sponsorship banners, tournaments, leagues, demonstrations). Currently, liability clauses are being worked on to protect the City from any mishaps occurring.

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

**Councilwoman Taylor Draper** asked to clarify the need for additional Recreation Commission members. "Are they down two positions or adding two positions?" **Councilman Jarmuszkiewicz** responded that there are currently six members but have had as many as nine in the past. All but one are termed through the end of next year, one at the end of this year. They'd like to have seven or eight people.

**Beautification Committee – reported by Councilwoman Taylor Draper:**

No report.

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

No report.

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

No report.

**Questions/comments following Committee Reports:**

**Council President Hallum** asked **Mayor Gardner** if there have been any Airport or Chagrin River Watershed Partner reports. **Mayor Gardner** responded that the last Airport meeting was in June and he hasn't had a report from the Chagrin River Watershed Partners.

**UNFINISHED BUSINESS (Audio: 37:07 – 37:50)**

**Councilwoman Taylor Draper** wanted to let residents know that Council is looking into delivery hours, which were brought up at Tuesday night's meeting.

**LEGISLATION (Audio: 37:52 – 54:10)**

**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.

**ORDINANCE 2022-046 – FIRST READING**

**AN ORDINANCE TO DECLARE FIREARMS 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 was made by Councilman Jarmuszkiewicz, seconded by Councilwoman Belich to waive the Three Reading Rule on Ordinance 2022-046.

**Discussion on the Motion:**

Councilman Jarmuszkiewicz stated that the Police Chief verified that many of the weapons were outdated and of no use.

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

Motion carries to waive the Three Reading Rule on Ordinance 2022-046.

Motion was made by Councilman Jarmuszkiewicz, seconded by Councilwoman Miller to adopt Ordinance 2022-046.

**Discussion on the Motion:**

No discussion.

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

Motion carries to adopt Ordinance 2022-046.

**ORDINANCE 2022-047 – FIRST READING**

**AN ORDINANCE GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PROCEED WITH PROPOSED WORK TO REPAIR THE SLOPE FAILURE ON STATE ROUTE-174 RIVER ROAD IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

Motion was made by Councilwoman Miller, seconded by Councilwoman Belich to waive the Three Reading Rule on Ordinance 2022-047.

**Discussion on the Motion:**

Councilwoman Miller stated that she would like to get this project scheduled as soon as possible as it is a well-traveled road. Councilwoman Belich stated that they would like to get this scheduled in November so it can begin in May 2023. City Engineer DiFranco added that there is no cost to the City. Councilwoman Taylor Draper stated that the State is calling the shots with this project.

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

Motion carries to waive the Three Reading Rule on Ordinance 2022-047.

Motion was made by Councilman Jarmuszkiewicz, seconded by Councilwoman Miller to adopt Ordinance 2022-047.

**Discussion on the Motion:**

No discussion.

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

**Motion carries** to adopt Ordinance 2022-047.

**ORDINANCE 2022-048 – FIRST READING**

**AN ORDINANCE ACCEPTING THE BID OF OHIO PAVING & CONSTRUCTION CO., INC., THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM, TO INSTALL ASPHALT PAVEMENT FOR THE SALT STORAGE DOME IN WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**Motion** was made by **Councilwoman Belich**, seconded by **Councilman Knecht** to waive the Three Reading Rule on Ordinance 2022-048.

**Discussion on the Motion:**

**Councilwoman Belich** stated that it would be good to have project going before salt season.

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

**Motion carries** to waive the Three Reading Rule on Ordinance 2022-048.

**Motion** was made by **Councilman Knecht**, seconded by **Councilwoman Taylor Draper** to adopt Ordinance 2022-048.

**Discussion on the Motion:**

No discussion.

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

**Motion carries** to adopt Ordinance 2022-048.

**ORDINANCE 2022-049 – FIRST READING**

**AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN ANY AND ALL DOCUMENTS PERTAINING TO ACCEPTANCE OF FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AND DECLARING AN EMERGENCY.**

**Motion** was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Belich** to waive the Three Reading Rule on Ordinance 2022-049.

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated that this is allowing the City to use the Fire Department grants with a 5% co-pay from the City. **Mayor Gardner** added that Fire Chief Gandee informed him that the prices on these items are moving quick. The grant is fixed and the City will have to absorb the cost of anything over the grant in addition to the 5% share. **Councilwoman Belich** wanted to verify that these items being purchased are for the new fire truck so the Fire Department has all of the add-ons to make it complete. **Mayor Gardner** stated that the purchase will transition from the first out engine and the back up engine.

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

**Motion carries** to waive the Three Reading Rule on Ordinance 2022-049.

**Motion** was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-049.

**Discussion on the Motion:**

**Mayor Gardner** stated that this will take the amounts over the last four to five years of Assistance to Firefighters Grants to over a quarter of a million dollars. Firefighters Venc and Martin should be recognized for all of the hard work they did applying for this grant. They did an excellent job.

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

**Motion carries** to adopt Ordinance 2022-049.

**ORDINANCE 2022-050 – FIRST READING**

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 2021-065 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2022 OPERATING BUDGET REVISIONS, SPECIFICALLY, TO INCREASE CURRENT APPROPRIATIONS FOR THE 2021 FEMA ASSISTANCE TO FIREFIGHTERS GRANT AMENDMENT AND 2022 FIRE TRUCK ACQUISITION PROJECT APPROPRIATION CORRECTION AND REPEALING CONFLICTING LEGISLATION.**

**Motion** was made by **Councilwoman Miller**, seconded by **Councilwoman Belich** to waive the Three Reading Rule on Ordinance 2022-050.

**Discussion on the Motion:**

**Councilwoman Miller** stated that it's her understanding that this is just to move funds around to where they are supposed to be.

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

**Motion carries** to waive the Three Reading Rule on Ordinance 2022-050.

**Motion** was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-050.

**Discussion on the Motion:**

No discussion.

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

**Motion carries** to adopt Ordinance 2022-050.

**ORDINANCE 2022-051 – FIRST READING**

**AN ORDINANCE AMENDING PART 3-TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS BY THE ESTABLISHMENT OF CHAPTER 315 CAPTIONED “OFFICER-OPERATED HANDHELD TRAFFIC LAW ENFORCEMENT DEVICE.”**

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

**ORDINACE 2022-052 – FIRST READING**

**AN ORDINANCE TO AMEND CHAPTER 505 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, TITLED “ANIMALS AND FOWL;” AND SPECIFICALLY ESTABLISH SECTION 505.09 CAPTIONED “ANIMAL DEFECATION AS A NUISANCE.”**

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

**ORDINANCE 2022-053 – FIRST READING**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TRAFFIPAX, LLC, A MEMBER OF THE JENOPTIK GROUP, A DULY ORGANIZED AND EXISTING DELAWARE LIMITED LIABILITY COMPANY, WITH A BUSINESS ADDRESS AT 16490 INNOVATION TRAIL, JUPITER, FLORIDA 33478, TO PROVIDE BUSINESS AND TECHNOLOGY SERVICES TO FACILITATE THE DETECTION, ISSUANCE, AND/OR PROCESSING OF VIOLATIONS OF THE CITY OF WILLOUGHBY HILLS TRAFFIC LAWS OR CODE ENFORCEMENT PROGRAMS.**

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

**RESOLUTION 2022-021 – FIRST READING**

**A RESOLUTION AUTHORIZING THE CITY OF WILLOUGHBY HILLS TO ACCEPT THE AMOUNTS AND RATES FOR THE YEAR 2022 FOR COLLECTION IN 2023 AS DETERMINED BY THE BUDGET COMMISSION OF LAKE COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND THE CERTIFICATION THEREOF TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

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

**RESOLUTION 2022-022 – FIRST READING**

**A RESOLUTION REQUESTING THE LAKE COUNTY AUDITOR TO MAKE ADVANCE PAYMENTS OF TAXES IN 2023.**

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

**RESOLUTION 2022-023 – FIRST READING**

**A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE AND TO AUTHORIZE THE FINANCE DIRECTOR TO DRAW A WARRANT FOR THE ORDERS OR CONTRACTS ASSOCIATED WITH SUCH CERTIFICATE AND DECLARING AN EMERGENCY.**

Motion was made by Councilwoman Taylor Draper, seconded by Councilwoman Belich to waive the Three Reading Rule on Resolution 2022-023.

**Discussion on the Motion:**

Councilwoman Taylor Draper stated that it’s her understanding that these are circumstances that occurred last year and the company is still waiting payment.

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

**Motion carries** to waive the Three Reading Rule on Resolution 2022-023.

**Motion** was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller** to adopt Resolution 2022-023.

**Discussion on the Motion:**

**Mayor Gardner** stated that the incidents actually occurred earlier this year, not last year.

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

**Motion carries** to adopt Resolution 2022-023.

**NEW BUSINESS (Audio: 54:12 – 57:10)**

**Motion** was made by **Councilman Knecht**, seconded by **Councilwoman Taylor Draper**, to submit a Grant Application for Tactical Vest Plate Carriers for the Police Department.

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated this is the standard procedure to submit grants which will provide the tactical vests which provide extra protection which is needed for our officers.

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

**Motion carries** to submit a Grant Application for Tactical Vest Plate Carriers for the Police Department.

**Motion** was made by **Councilman Jarmuszkiewicz**, seconded by **Councilman Knecht**, to declare the old Campbell Park swing set as surplus in order for it to be donated to a church for use.

**Discussion on the Motion:**

**Councilman Jarmuszkiewicz** stated that these were the old swings from Campbell Park that were removed for scrap but it will be reused by the church.

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

**Motion carries** to declare the old Campbell Park swing set as surplus in order for it to be donated to a church for use.

**Motion** was made by **Councilwoman Taylor Draper**, seconded by **Council Vice President Kline**, for all of Council, the Mayor, and the Law Director to go into Executive Session after “For the Good of the Order/For the Good of the Community” and before adjournment to discuss imminent litigation.

**Discussion on the Motion:**

None.

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

**Motion carries** for all of Council, the Mayor, and the Law Director to go into Executive Session after “For the Good of the Order/For the Good of the Community” and before adjournment to discuss imminent litigation.

**PUBLIC PORTION #2 (Audio: 57:12 – 1:06:34)**

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

Public Portion #2 opened at 7:57pm.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094, asked to see the WHISPER report as she wasn’t able to find it on the City’s website. She also asked about personnel issues – specifically Gloria Majeski’s vacant position and Finance Director Frank Brichacek’s soon-to-be vacant position. Ms. Bing asked for a logical flow to the SOM Center Development project as there hasn’t been a straightforward answer to it being a conservation area. Regarding the traffic cameras, she feels that the Police Chief should be in attendance for the Second Reading.

Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, Ohio 44094, asked why the City no longer fixes culverts. She also asked where the Council Correspondence book that used to be outside Council Chambers has been.

Jen Varro, 2890 SOM Center Road, Willoughby Hills, Ohio 44094, spoke on the West Pines Development stating that it is crucial if moving forward for residents to have a better understanding of the development as she still feels that answers she has been given to her questions and concerns are very gray. She went on to read what she had previously read at a PC-ABR meeting regarding West Pines with consideration to Chapter 1143.01 number 2 as well as Chapter 1143.01 number 6 part b.

Public Portion #2 closed at 8:06pm.

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

None.

**FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 1:06:35 – 1:13:35)**

**Councilman Jarmuszkiewicz** spoke of his concerns of speeding on the freeway. Cameras would be helpful for reducing speeding and accidents. **Council President Hallum** stated that he knows of two of the City’s vehicles being damaged due to reckless driving.

**Councilwoman Miller** reminded residents of the Fall Craft Show and Halloween Party this Fall. Volunteers are needed.

**Councilwoman Belich** stated that she would also like to see the Police Chief back at the next Council Meeting. Also, Chagrin River Water Partners have some really great programs coming up for the Fall that can be found on their website.

**Council President Hallum** reminded residents of a renewal levy on the November ballot for Willoughby-Eastlake Schools. If it does not pass, the School of Innovation could be cut.

**Councilwoman Taylor Draper** reassured the residents that the WHISPER program information is listed on the website and she would be willing to offer step-by-step process in finding it to anyone needing it.

**City Engineer DiFranco** responded to Ms. Fulton’s culvert repair question in that the apron of the culvert is the responsibility of the property owner to maintain and replace. The City prefers open ditches. The culvert is for the sole purpose of the property owner. It does not benefit anyone else. In regards to the West Pines Subdivision, all of the issues or decisions are going to be made by the Planning Commission.

**Mayor Gardner** responded to Ms. Bing’s concerns about signs for photo enforcement stating that the City only controls signs on City streets. If ODOT doesn’t allow signs on the highway then they cannot be put there.

WHISPER is up and running. The Mayor's office is up and running. There are three or four people answering phones. There will be a proposal for a position on the next agenda once it goes through law. Regarding the Finance Director, he is starting to organize what he thinks is necessary there and administration is taking care of it.

**Executive Session with all of Council, the Mayor, and the Law Director (Audio: 1:13:54)**

**Return from Executive Session at 8:54pm (Audio: 0:00 - 0:20, Part 2)**

**ADJOURNMENT (Audio: 0:21 – 0:50, Part 2)**

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

**Discussion on the Motion:**

None.

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

NAYS: None

Vote: 7/0

Motion carries to adjourn the Regular Council meeting of September 8, 2022.

The meeting was adjourned at 8:55pm.

**APPROVED:** September 22, 2022  
Date

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

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