

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

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

Cell Phone Reminder to Turn off Devices

Pledge of Allegiance (Audio: 0:12 – 0:28)

ROLL CALL (Audio: 0:30 – 1:32)

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

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

Absent: Councilman Joe Jarmuszkiewicz.

Motion made by Councilwoman Taylor Draper, seconded by Councilman Knecht to excuse Councilman Jarmuszkiewicz from tonight's meeting.

Discussion on the Motion:

None.

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

NAYS: None

Vote: 6/0

Motion carries to excuse Councilman Jarmuszkiewicz from tonight's meeting.

DISPOSITION OF THE JOURNAL (Audio: 1:33 – 2:47)

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

Discussion on the Motion:

None.

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

Motion carries to adopt the meeting minutes of the November 10, 2022 Regular Council Meeting.

Motion made by Council Vice President Kline seconded by **Councilwoman Miller** to adopt the minutes of the November 30, 2022 Special Council Meeting.

Discussion on the Motion:

None.

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

Motion carries to adopt the meeting minutes of the November 30, 2022 Special Council Meeting.

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS (Audio: 2:48 – 3:02)

11/8/22 email from Bowen, re: Bowen has a new website.
11/8/22 email from Mark Grubiss, re: Motion request.
11/9/22 email from Laura O'Donnell, re: WH Photo Contest Follow-up.
11/9/22 email from Dan Knecht, re: Thursday meeting.
11/10/22 email from Rec Commission, re: Recreation Commission Minutes.
11/11/22 email from John Bertosa, re: Willoughby Hills – Deer Mgmt Committee Mtg Notification.
11/14/22 email from klineisfine, re: Deer management.
11/14/22 email from Julie Belich, re: Deer management Subcommittee Agenda.
11/14/22 email from Mark Grubiss, re: Public Portion regarding Community Center.
11/16/22 email from Tanya Taylor Draper, re: New Address.
11/16/22 email from Debbie Semik, re: New Address.
11/16/22 email from PC-ABR, re: Updating the Civil Service Commission Website.
11/17/22 email from Katherine Lloyd, re: Updating the Civil Service Commission Website.
11/17/22 email from Willoughby Hills Finance Dept., re: Website calendar.
11/17/22 email from Julie Belich, re: Draft of Minutes for 11.10.22 meeting.
11/18/22 email from Tanya Taylor Draper, re: Sheetz on 91 in Willoughby.
11/18/22 email from Susan Schilling, re: Public Records Request – Sheetz.
11/19/22 email from Jim Kinnaird, re: ODNR Link.
11/20/22 email from Katherine Lloyd, re: Civil Service Minutes 10/12/22 – draft.
11/21/22 email from Stephanie Kellner, re: Will. Hills Adopted Legislation for November.
11/22/22 email from Joe Massucci, re: List of fire damaged residential properties.
11/22/22 email from Joe Massucci, re: List of fire damaged residential properties.
11/22/22 email from Jen Boger, re: Willoughby Hills – Updated city elected Officials List.
11/22/22 email from Stephanie Nero, re: List of the fire damaged residential properties.
11/22/22 email from Mayor Gardner, re: Resolution for Hazard Mitigation Plan.
11/22/22 email from Joseph Busher, re: Willoughby Hills Resolution for lake County Hazard Mitigation Plan.
11/22/22 email from Mayor Gardner, re: Building/Service Software Recommendation – iWorQ.
11/23/22 email from Katherine Lloyd, re: Rough draft of notes.
11/28/22 email from BZA, re: BZA Meeting 12/31/22 Tuesday – NOT CALLED.
11/29/22 email from Laura O'Donnell, re: Winterfest Update.

11/30/22 email from Mark Grubiss, re: Leaf pickup call.
12/1/22 email from Laura O'Donnell, re: Winterfest Update.
12/1/22 email from Patty Fulop, re: August – September Dashboard and September – October unemployment data.
12/1/22 email from Michael Lucas, re: Revised Ordinance.
12/2/22 email from Stephanie Kellner, re: Will. Hills Adopted legislation for November.
12/2/22 email from Frank Brichacek, re: 2023 Temporary Appropriation Ordinance Request.
12/2/22 email from Mayor Gardner, re: FW-2023 Temporary Appropriation Ordinance Request.
12/2/22 email from PC-ABR, re: Approved PCABR Minutes for 10/6/22 & 11/17/22.
12/4/22 email from Michael Lucas, re: Revised Agenda for Monday and additional legislation.
12/5/22 email from Willoughby Hills Finance Dept., re: Karen start date.
12/5/22 email from Mayor Gardner, re: Dinner Invitation.
12/5/22 email from Frank Brichacek, re: RE: Temporary Appropriation Ordinance Attachment.
12/6/22 email from Katherine Lloyd, re: Recreation Commission Minutes of 10/5/22 draft.
12/6/22 email from Willoughby Hills Finance Dept., re: Christmas Tree in lobby of City Hall.
12/6/22 email from Asst. Finance Director, re: Council Clerk.
12/6/22 email from Willoughby Hills Finance Dept., re: Evolve Migration.
12/6/22 email from Sandi Racic, re: Holiday Light Parade.
12/6/22 email from Frank Brichacek, re: FW: 35% License Fee Distribution Report – 11/28/22 Payment.
12/6/22 email from Rec Commission, re: Recreation Commission Meeting.
12/7/22 email from Willoughby Hills Finance Dept., re: Holiday Light Parade.

PUBLIC PORTION #1 (Audio: 3:03 – 8:04)

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

Public Portion #1 opened at 7:03pm.

Krista Bair, 35353 Curtis Boulevard, Eastlake, Ohio (President of W-E School Board): Thanked and expressed the School Board's appreciation to the voters for passing the most recent school levy. She spoke about the Mayoral Summit that was held last month in an effort for the communities to better connect with the schools.

Charles Murphy, 35353 Curtis Boulevard, Eastlake, Ohio (Interim Superintendent of W-E School Board): Also thanked and expressed his appreciation to the voters for passing the levy in November. He also talked about the recent Senior Night Out (ages 60 and over) that was held at North High School. There was food, games, and music by the high school jazz band and choir. It was well attended and everyone seemed to have a good time. He is hoping to continue activities like this in an effort to keep residents involved.

Public Portion #1 closed at 7:07pm.

Questions/comments following Public Portion #1:

Councilwoman Belich thanked Ms. Bair and Mr. Murphy for coming out tonight and stated her appreciation for the Senior Night and the appreciates the School Board trying to get more residents involved in future events.

MAYOR'S REPORT (Audio: 8:05 – 19:11)

Mayor Gardner reported the following:

- Welcome and thank you to Ms. Bair and Mr. Murphy for coming tonight. The Mayoral Summit was a great event for building relationships between the schools and the cities.
- Highlights from 2022 include the following:
 - New Captain position in the Police Department (Captain Leonbruno)
 - New City Prosecutor (Mike Kenney)
 - Speed cameras
 - Body cameras
 - Security cameras (Community Center, City Hall system upgrades)
 - Bond Issuance (2.34%)
 - Salt Storage Facility complete
 - New Fire Engine due to arrive in the summer
 - Four new police cars with 3 more coming
 - Two new service trucks
 - Fire chase car arriving in the next month
 - Route 6 paving as well as Legend Lane
 - City Hall parking lot and driveway paving
 - Completion of sewer rehab phase
 - Recreation – Trivia night, pickleball;
 - Recreation Commission programs a success and include: Breakfast with Santa, Rock & Roll Day, Touch a Truck, Winterfest (thank you Dynamic Duo and Fosters!)
 - Beautification Committee (thank you!)
- In Police Department news: suspects were apprehended in theft ring on November 27th and on Tuesday the west end flock camera notified police of a suspect wanted for violent crimes. Suspect was arrested.
- Reminder that the Holiday Santa Parade is next week, Monday through Thursday beginning at 6:00pm. Routes will be posted on Facebook.

Questions/comments following Mayor's Report:

Council President Hallum added that Capt. Leonbruno recently graduated from the School of Police Staff and Command at Northwestern University (class of 19 students). It was a 22 week long program providing upper level college instruction in a total of twenty-seven core blocks of instruction. We look forward to all of the assets he will bring us from the education he received.

LAW DIRECTOR'S REPORT (Audio: 19:12 – 22:27)

Law Director Lucas reported that House Bill 563 (AirBnB) is still awaiting a hearing before House of Representatives. **Law Director Lucas** also answered a question from the Public Portion of the Working Session meeting on Monday regarding the Service Agreement with iWorQ Systems and Utah Law. He stated that the contract principles are similar to Ohio's contract law.

Questions/comments following Law Director's Report:

None.

FINANCE DIRECTOR'S REPORT (Audio: 22:29 – 37:36)

Finance Director Brichacek reported that he prepared and submitted a final clean up appropriation for 2022. There have been no significant changes and is mostly reallocations of appropriations. Finance Director Brichacek went on to explain the various changes in the final appropriation submitted.

Questions/comments following Finance Director's Report:

Councilwoman Belich asked why the increase in income tax revenue is higher than anticipated.

Finance Director Brichacek stated it could be due to work from home instances; more conservative in last year's budget as well.

CITY ENGINEER'S REPORT (Audio: 37:38 – 47:17)

City Engineer DiFranco reported that he is in favor of adopting Ordinance 2022-067 regarding the contract with iWorQ Systems. Features of this system include:

- Customer Portal - Online application and payment
- Cloud based (no upgrades necessary)
- Works across devices with internet access
- Allows unlimited users

The County would like all cities that it works with to move to iWorQ Systems for compatibility.

City Engineer DiFranco stated Community Development and Public Works are included in this proposal. He stated that everything is currently on paper and Excel spreadsheets and is labor intensive. It will also help reduce money being passed through different hands.

Questions/comments following City Engineer's Report:

Councilwoman Taylor Draper asked how user-friendly the system is. **City Engineer DiFranco**

responded that it is very user-friendly and very straight-forward. **Councilwoman Taylor Draper** asked if the City's previous data would be uploaded and kept on file. **City Engineer DiFranco** stated this is still to be determined. iWorQ has the ability to migrate and they will.

BOARDS & COMMISSIONS REPORTS / COMMITTEE REPORTS (Audio: 47:19 – 54:47)

PC-ABR reported by Councilwoman Taylor Draper (Audio: 47:19 – 52:40)

Councilwoman Taylor Draper reported the following:

- PC-ABR met on November 17, 2022 during which a Public Hearing was held for Sheetz at the old Baker's Square lot; needed to be granted conditional use for that area; no public concerns noted.
- Planning Commission – Issue with other Sheetz problems raised concerns from residents at the meeting. Councilwoman Taylor Draper stated that, after reviewing public records from the Willoughby Police Department, she feels comfortable with Sheetz coming into the City. She stated that we need commerce here and we have to be diligent with situations that might arise. Preliminary approval was granted.
- Architectural Board of Review gave approval to the following:
 - o New home at 26851 White Road
 - o Pool house at 2371 Pine Valley
 - o Pole barn at 37200 Chardon Road
 - o Pole barn at 29248 Chardon Road
 - o A garage addition at 2975 Bishop Road was given contingent approval.
- **Councilwoman Taylor Draper** reminded everyone to please contact the Building Department before doing any work on your property. **Council President Hallum** reminded everyone that permits are meant to protect residents.
- Master Plan – waiting on the final report from David Radachy.

Questions/comments following the PC-ABR Report:

None.

Recreation Commission reported by Councilwoman Miller on behalf of Councilman Jarmuszkiewicz (Audio: 52:41 – 53:35)

Councilwoman Miller reported the following:

- Everyone did a great job with Winterfest;
- Breakfast with Santa is this weekend – please contact the Recreation Commission if you’d like to volunteer for an hour or two.

Questions/comments following the Recreation Commission Report:

None.

Deer Management Committee reported by Councilwoman Belich (Audio: 53:36 – 54:47)

Councilwoman Belich reported the following:

- The committee has had two meetings – the most recent with the Police Chief in attendance.
 - o Helpful information more specifically on archery hunting on residential property;
 - o Residents who attended shared their thoughts and ideas to move forward;
 - o Committee is working to put together and modifying a document to present to both Council and the Mayor.

Questions/comments following the Deer Management Committee Report:

None.

Finance Committee Report by Council Vice President Kline:

No report.

Business Subcommittee – reported by Council Vice President Kline:

No report.

UNFINISHED BUSINESS (Audio: 54:52 – 54:58)

No Unfinished Business to report.

LEGISLATION (Audio: 54:59 – 1:04:13)

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 2022-066 – 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 OF JANUARY 1, 2023 THROUGH JUNE 30, 2023 AND DECLARING AN EMERGENCY.

Motion was made by Council Vice President Kline, seconded by Councilwoman Taylor Draper, to waive the Three Reading Rule on Ordinance 2022-066.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-066.

Motion was made by **Council Vice President Kline**, seconded by **Councilwoman Belich**, to adopt Ordinance 2022-066.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Ordinance 2022-066.

ORDINANCE 2022-067 – FIRST READING

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH iWorQ SYSTEMS IN ORDER TO PROVIDE COMMUNITY DEVELOPMENT AND PUBLIC WORKS SOFTWARE SERVICES FOR THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

Motion was made by **Councilman Knecht**, seconded by **Councilwoman Miller**, to waive the Three Reading Rule on Ordinance 2022-067.

Discussion on the Motion:

Councilman Knecht thanked the City Engineer for his description of the iWorQ System in his report. He stated that he has studied iWorQ and is happy to see the City moving toward efficiency – and something that is user-friendly.

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

NAYS: None

Vote: 6/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-067.

Motion was made by **Councilman Knecht**, seconded by **Councilwoman Miller**, to adopt Ordinance 2022-067.

Discussion on the Motion:

Councilwoman Miller stated that Council needs to move on this as the contract deadline for submission is December 9, 2022.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Ordinance 2022-067.

ORDINANCE 2022-068 – FIRST READING

AN ORDINANCE PROVIDING FOR TEMPORARY APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE CITY OF WILLOUGHBY HILLS, STATE OF OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2023 THROUGH MARCH 31, 2023; REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

Motion was made by **Council Vice President Kline**, seconded by **Councilwoman Taylor Draper**, to waive the Three Reading Rule on Ordinance 2022-068.

Discussion on the Motion:

Council President Hallum stated that this is a temporary appropriation that needs to be put in place until a Final Budget has been completed.

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

NAYS: None

Vote: 6/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-068.

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Belich**, to adopt Ordinance 2022-068.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Ordinance 2022-068.

ORDINANCE 2022-069 – FIRST READING

ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2021-065 AMENDED TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilwoman Miller**, to waive the twenty-four hour rule on Ordinance 2022-069.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to waive the twenty-four hour rule on Ordinance 2022-069.

Motion was made by **Councilwoman Miller**, seconded by **Councilwoman Taylor Draper**, to waive the forty-eight hour rule on Ordinance 2022-069.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to waive the forty-eight hour rule on Ordinance 2022-069.

Motion was made by **Council Vice President Kline**, seconded by **Councilman Knecht**, to waive the Three Reading Rule on Ordinance 2022-069.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-069.

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilman Belich**, to adopt Ordinance 2022-069.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to adopt Ordinance 2022-069.

NEW BUSINESS (Audio: 1:04:14 – 1:04:54)

Motion was made by **Councilwoman Belich**, seconded by **Councilwoman Miller**, to forego December 22, 2022 Regular Council Meeting.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 6/0

Motion carries to forego December 22, 2022 Regular Council Meeting.

PUBLIC PORTION #2 (Audio: 1:05:55 – 1:08:33)

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

Public Portion #2 opened at 8:05pm.

Mark Belich, 37200 Chardon Road, Willoughby Hills, Ohio 44094: Commented regarding a local recent investigative news report about the commissioner using government property to do an additional work project and be compensated for it then donating money. Mr. Belich wanted **Law Director Lucas** to weigh in as to whether this was acceptable or unacceptable behavior.

Frank Cihula, 35060 Dixon Road, Willoughby Hills, Ohio 44094: Reported that Tom Majeski (previous member of Civil Service Commission and current caretaker of the Willoughby Hills Grange) recently had surgery for a torn meniscus, is doing well, and will be on crutches for five weeks – asking for prayers, please. Also thanked **Councilwoman Taylor Draper** for the hot chocolate and **Councilwoman Belich** for the inside slices of pizza at Winterfest.

Public Portion #2 closed at 8:08pm.

Questions/comments following Public Portion #2 (Audio: 1:08:10 – 1:08:33)

Law Director Lucas stated in response to Mr. Belich that public time and equipment should never be used for private venture.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY
(Audio: 1:08:34 – 1:12:47)

Council Vice President Kline stated that this is the last Regular Council meeting of the month and gave accolades to **Finance Director Brichacek** before wishing him well in his upcoming retirement. Council echoed his sentiment.

ADJOURNMENT (Audio: 1:12:48 – 1:13:12)

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

Discussion on the Motion:

None.

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


NAYS: None

Vote: 6/0

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

The meeting was adjourned at 8:13pm.

APPROVED: January 12, 2023
Date


Christopher Hallum
President of Council

ATTEST: 
Karen Mehollin
Clerk of Council