
Special Council Meeting

Minutes of August 20, 2024

The Special Council Meeting was called to order on Tuesday, August 20, 2024 at 6:00 p.m. in Council Chambers. **Council President Kline** presided.

Call to Order 6:00 p.m. (0:02)

Cell Phone Reminder to Turn off Devices

Pledge of Allegiance (Audio: 0:19)

ROLL CALL (Audio: 0:42)

Members Present: Councilwoman Sivo, Vice President Taylor Draper, Councilwoman Julie Belich, Councilman Joe Jarmuszkiewicz, Council President Mike Kline, and Councilwoman Vicki Miller

Also Present: Finance Director Bruce Scott, and Law Director Michael C. Lucas, INSA Representatives Michael Becker and Steve Reilly

Absent: Mayor Hallum, City Engineer Pete DiFranco, Councilman Dan Knecht

Appointment of Council Clerk Pro Tem:

Motion made by **Councilwoman Miller**, seconded by **Councilwoman Belich** to excuse Councilman Knecht from tonight's meeting.

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

Motion passes to excuse Councilman Knecht from tonight's meeting.

DISPOSITION OF THE JOURNAL (Audio: 2:34)

Motion made by **Councilwoman Miller** seconded by **Councilwoman Sivo** to approve the minutes of the July 22, 2024 Working Committee of Council and Rules & Legislation.

Discussion of Motion:

There was no discussion.

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

The motion passed to approve the minutes of the July 22, 2024 Working Committee of Council and Rules & Legislation.

Motion made by **Councilwoman Miller** seconded by **Councilwoman Sivo** to approve the minutes of the July 25, 2024 Regular Meeting of Council.

Discussion of Motion:

Councilwoman Miller stated the minutes needed a correction, as the motions under Ordinance 2024-036 on the minutes had Councilwoman Miller listed twice.

Roll Call: **AYES: Sivo, Taylor Draper, Belich, Kline, Miller**
NAYS: None
ABSTAIN: Jarmuszkiewicz
Vote: 6/0/1

The motion passed to approve the minutes of the July 25, 2024 Regular Meeting of Council.

PUBLIC PORTION #1 (Audio: 5:07)

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

Public Portion opened at 6:05 p.m.

- **Jenna Bing 36951 Beech Hills Dr:** Asked if there was only one public portion and if she could only ask questions that pertain to the agenda.
- **Council President Kline** confirmed.
- **Mark Belich 37200 Chardon Road:** Objected to there being only one public portion during this meeting, as he would like to speak after hearing the representatives from INSA give their presentation.

Public Portion #1 closed at 6:06 p.m.

OLD BUSINESS: (Audio: 6:30)

- **INSA Representative and INSA General Council Steve Reilly:** Thanked Council for the opportunity to speak before them tonight. He stated Ohio adult use of marijuana in the City started August 6 and their store opened August 7. He explained to Council that the transition from medical to adult use of marijuana was a difficult process with the State. There was poor communication and a lack of certainty as to when this would be allowed. The State had publicly stated that sales would start June 16 for adult use. He explained that he had met with the Mayor and the Police Department to keep them informed as to how the process was progressing, however, there was no clear communication from the State as to when they would inspect the store. During a press release, they had heard that sales were going to start on the 6. They had since approved INSA's request to convert their store into a dual use for medical and adult use of marijuana.

- Ohio currently doesn't have rules for adult use cannabis operation. Because of this, they are imposing the medical rules upon the store. Because of this, INSA is operating as a medicals store, but if an ID is shown for an adult over the age of 21, they can purchase marijuana for adult use.
- He stated that on August 6, 100 new stores opened and around 50 on August 7 across Ohio. Because of this, the demand has spread out and traffic has been controlled and had minimal impacts which would be essential for the City of Willoughby Hills. They are not seeing drive-in from out of state like Kentucky and Indiana have. This is local demand.
- During the first day of operations, they had police detail to make sure things ran smoothly, and they estimated about 150-200 customers a day. He said that even if these numbers went up ten-fold, which is unlikely, there would still be minimal disruptions as this is on a busy street and there is much parking. He said they would likely see a slow ramp up, but nothing that would be disruptive to the community.
- They will continue to stay in touch with the Police Department, and, as expected, they have had no incidents at the store thus far. As of right now, they are continuing to operate the store as they did for medical use. He concluded by saying that they are hoping to increase jobs and tax revenue to the City of Willoughby Hills.
- **Councilman Jarmuszkiewicz** asked what the increase in traffic has been since the approval.
- **INSA Representative Michael Becker** responded saying it has doubled.
- **Councilman Jarmuszkiewicz** mentioned that when they had met years back, they had discussed the possibility of traffic increasing ten-fold. He also asked if Council had any authority to make decisions about adult use in the City.
- **Steve Reilly** stated that the State gives the right to Council to make certain decisions regarding adult use, but INSA has gone through the legal process to convert their store into a dual use. He deferred that question to the Law Director. He emphasized that they have been in communication with the Police Department and the Mayor.
- **Councilwoman Belich** asked if their hours have changed.
- **Michael Becker** stated that the morning hours have changed but the evening hours are the same.
- **Councilwoman Belich** asked what those hours are every day.
- **Michael Becker** responded saying 7:00 AM to 9:00 PM every day of the week.
- **Councilwoman Belich** had stated that the waiting area appeared small to her, and she asked about parking and how they would handle waiting and preventing long lines of residents.
- **Michael Becker** responded saying that this process goes much quicker now. Unlike medical use, where they have to check residents in like a patient and check their prescription monitoring system, adult use simply requires is an ID over 21 years of age. He stated that there is a lot of room in the

middle of the store.

- **Councilwoman Belich** asked what this process looks like now that their customer size has doubled due to adult use.
- **Michael Becker** stated that this is still in a period of transition. They have seen a loss of patients because the price has gone up. Because of this, they have seen an influx of recreational use. Customer count has doubled; it has been a loss of medical and a gain of recreational.
- **Councilwoman Belich** asked about the number of employees and how their income levels would be effected by this process.
- **Michael Becker** responded saying they are competitive with their rates. Most of the staff is part-time, but about 5 employees are full-time. There is a total of 18 employees, and this started at 8.
- **Councilwoman Belich** asked if the full-time employees are receiving health benefits, and if part-time receive those same benefits.
- **Michael Becker** responded saying full-time do receive these benefits. Part-time employees have a package of part-time benefits. They receive PTO and discounts.
- **Councilwoman Belich** asked if they receive health benefits and 401K options.
- **Michael Becker** responded saying not as part-time, but as full-time.
- **Councilwoman Sivo** asked if INSA keep tracks of who their customers are and if they are local and are coming in from out of the City.
- **Steve Reilly** responded saying that they have good data on that, but not with them at the moment.
- **Michael Becker** responded saying it is Lake County for the most part.
- **Council President Kline** asked if they had a future intent to split the stores from being both adult use and medical use to being two separate stores, or if this will always be a combined location.
- **Steve Reilly** responded saying that this would stay one store. Some states like Massachusetts can have separate stores but they intend to keep this as a single store in Ohio.

LEGISLATION: (Audio 17:40)

ORDINANCE 2024-038 -FIRST READING

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NUMBER 2024-005 AMENDED TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

- **Finance Director Scott:** his is mainly a clean-up entry where we are looking at the actual results exceeding projections from the photo enforcement program. Since we are taking in additional revenue the corresponding fees have exceeded the original budget. This Ordinance gets everything back in line.

Also, since Music Fest had strong sponsorship and donation support, I would like to move the funds into the Rec budget to offset the costs from the event.

- **Councilwoman Belich** asked if this could remain on Three Readings or if it was necessary to pass this tonight.
- **Finance Director Scott** said that this would be necessary so that they don't have a large outstanding overage. He urged Council to pass this if they are comfortable doing so.
- **Council President Kline** asked if they had a similar Ordinance this year to this one.
- **Finance Director Scott** confirmed.

Motion made by **Council Vice President Taylor Draper** seconded by **Councilwoman Miller** to waive the Three Reading rule on Ordinance 2024-038.

Discussion of Motion:

No discussion.

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

The Three Reading rule on Ordinance 2024-038 has been waived.

Motion made by **Council Vice President Taylor Draper**, seconded by **Councilwoman Miller** to adopt Ordinance 2024-038.

Discussion of Motion:

No discussion.

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

Ordinance 2024-038 has been adopted.

RESOLUTION 2024-019 – 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 FOR UPDATING CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

- **Finance Director Scott:** Every year, the passed legislation is codified through a company called The Walter H. Drane Company. New staff members were not properly trained and familiarized with this process and the order was placed prior to requesting a shipping label. Because this amount was over \$3,000, this resulted in a then and now Resolution. This is a clean up entry, and he would like to pay them as soon as possible.

Motion made by **Councilwoman Miller** seconded by **Councilwoman Sivo** to waive the Three Reading rule on Resolution 2024-019.

Discussion of Motion:

- **Councilman Jarmuszkiewicz** asked if this was an expense that this was budgeted.
- **Finance Director Scott** responded saying it was, \$4,000 was budgeted but this went over just a little bit.

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

The Three Reading rule on Resolution 2024-019 has been waived.

Motion made by **Councilwoman Miller**, seconded by **Councilwoman Sivo** to adopt Resolution 2024-019.

Discussion of Motion:

No discussion.

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

Resolution 2024-019 has been adopted.

RESOLUTION 2024-021-FIRST READING

A RESOLUTION ACKNOWLEDGING ANDY GARDNER FOR HIS YEARS OF SERVICE AS MAYOR FOR THE CITY OF WILLOUGHBY HILLS.

Motion made by **Council Vice President Taylor Draper**, seconded by **Councilwoman Miller** to waive the Three Reading Rule on Resolution 2024-021.

Discussion of Motion:

There was no discussion.

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

The Three Reading rule on Resolution 2024-021 has been waived.

Motion made by Council Vice President Taylor Draper, seconded by Councilwoman Miller to adopt Resolution 2024-021.

Discussion of Motion:

- Vice President Taylor Draper asked if there was an attempt to reach out to Mayor Gardner to see when he was available to come to a meeting to receive this Resolution.
- Council President Kline had said that there were multiple attempts to reach out to him. He has family coming in soon, and hopefully the first or second meeting next month he will be available to come.

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

Resolution 2024-021 has been adopted.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 27:53)

- Councilwoman Miller expressed her gratitude and appreciation for the Recreation Department for all their hard work making Music Fest happen for the community despite the hardships of the weather and storm.
- Council President Kline expressed his gratitude to the work of the Police Department, Fire Department, and Service Department during the severe storm that caused damage and left the a large part of the City without power for several days. He also thanked the crews from First Energy, as well as all utilities and contractors who helped the City get their power back up. He wished everyone a happy Labor Day.

ADJOURNMENT (Audio: 29:35)

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

AYES: Sivo, Taylor Draper, Belich, Jarmuszkiewicz, Kline, Miller

NAYS: None

Vote: 6/0

The meeting was adjourned at 6:30 p.m.

APPROVED: SEPTEMBER 12, 2024
Date


Michael Kline
President of Council

ATTEST: 
Nicholas Aiello
Clerk of Council