

President of Council
CHRISTOPHER HALLUM

Vice President of Council
MICHAEL KLINE

Clerk of Council
KAREN MEHOLLIN

City of Willoughby Hills

Special Council Meeting

Minutes of August 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 Special Council Meeting was called to order on Monday, August 8, 2022 at 6:00 p.m. in Council Chambers. Council President Hallum presided.

Call to Order 6:00 p.m. (Audio: 0:00 – 0:20)

Cell Phone Reminder to Turn off Devices

Pledge of Allegiance (Audio: 0:20 – 0:50 / technical difficulties)

ROLL CALL (Audio: 1:05 – 1:20)

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

Also Present: Mayor Andy Gardner, Law Director Michael C. Lucas.

Absent: Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. DiFranco.

PUBLIC PORTION #1 (Audio: 1:25 – 7:25)

PUBLIC PORTION #1 – An opportunity for the public to address Council concerning anything pertaining to tonight’s agenda

Section 107.08 – Public Meetings of Municipal Bodies of the Codified Ordinances of the City of Willoughby Hills: (a) All meetings of any municipal body are declared to be public meetings open to the public at all times. All meetings shall provide a reasonable opportunity to hear public opinion.

Public Portion #1 opened at 6:01 pm.

Dale Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094, (Audio: 1:40-3:39) encouraged Council to vote yes on Ordinance 2022-037 and added information regarding the case to back up his reasoning.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094, (Audio: 3:45-5:20) agreed with Mr. Fellows and doesn’t understand why this has been dragged on when the bill should just be paid. She went on to ask Council what happened to the Medical Marijuana and SOM Development issues. Those have also been just sitting on Third Reading. She asked where the authority with BZA lies if something is approved but not welcome by the residents. What can the residents do?

Tony Miller, 2857 Hayes Drive, Willoughby Hills, OH 44094, (Audio: 5:30-6:35) disputed the Nancy Fellows case stating that there was no exoneration. He continued with information to back up his reasoning.

Public Portion #1 closed at 6:07 pm.

LEGISLATION (Audio: 7:30 – 32:40)

ORDINANCE 2022-037 – THIRD 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.

(Councilwoman Miller was instructed by Law Director Lucas to leave Council Chambers at this time. Audio: 7:50 – 8:28)

Motion was made by Council Vice President Kline, seconded by Councilman Jarmuszkiewicz to adopt Ordinance 2022-037.

Discussion on the Motion:

Councilman Jarmuszkiewicz stated his reasoning for opposing the adoption of Ordinance 2022-037. (Audio: 8:54 – 10:05)

Council Vice President Kline stated his reasoning for opposing the adoption of Ordinance 2022-037. (Audio: 10:08 – 14:01)

Council President Hallum stated his reasoning for opposing the adoption of Ordinance 2022-037. (Audio: 14:05 – 18:51)

Councilwoman Belich stated her reasoning for opposing the adoption of Ordinance 2022-037. (Audio: 18:55 – 23:45)

Roll Call: **AYES:** None.

NAYS: Taylor Draper, Belich, Hallum, Jarmuszkiewicz, Kline, and Knecht.

Vote: 0/6

Motion fails to adopt Ordinance 2022-037.

(Councilwoman Miller was brought back into Council Chambers.)

ORDINANCE 2022-043 – FIRST READING

AN ORDINANCE AUTHORIZING FINAL APPROVAL FOR PHASE 1 OF THE MAYPINE PARK DEVELOPMENT, A SINGLE FAMILY RESIDENTIAL SUBDIVISION LOCATED AT 32700 WHITE ROAD, WILLOUGHBY HILLS, OHIO, AND DECLARING AN EMERGENCY.

Motion was made by Councilwoman Taylor Draper, seconded by Councilwoman Belich to waive the Three Reading Rule on Ordinance 2022-043.

Discussion on the Motion:

Councilwoman Taylor Draper stated that the Planning and Zoning Committee reviewed and approved the moving forward of Phase 1 at their last meeting. It meets all codes and regulations and is ready to move forward.

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

NAYS: None

Vote: 7/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-043.

Motion was made by Councilwoman Taylor Draper, seconded by Councilwoman Belich to adopt Ordinance 2022-043.

Discussion on the Motion:

Councilwoman Miller thanked Mr. Berzin for being at the meeting and representing the project very well. She feels it will be an asset to the community and is looking forward to the houses being built. **Council President Hallum** agreed.

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

NAYS: None

Vote: 7/0

Motion carries to adopt Ordinance 2022-043.

ORDINANCE 2022-044 – FIRST READING

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 135 – DEPARTMENT OF FINANCE – BY THE ADDITION OF A NEW SECTION 135.38 – ONEOHIO OPIOID SETTLEMENT SPECIAL REVENUE FUND TO THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilman Knecht** to waive the Three Reading Rule on Ordinance 2022-044.

Discussion on the Motion:

Mayor Gardner explained that these are funds received from one of the opioid settlements. The amount here at issue is between \$4,500 and \$5,000 that was distributed and received by the City. Law Director Lucas is keeping an eye out for the specific guidelines on how these funds can be spent as they are limited in purpose for what can be done with them. We need to make sure they are spent appropriately.

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

NAYS: None

Vote: 7/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-044.

Motion was made by **Councilman Jarmuszkiewicz**, seconded by **Councilwoman Miller** to adopt Ordinance 2022-044.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion carries to adopt Ordinance 2022-044.

ORDINANCE 2022-045 – FIRST READING

AN 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 BY PROVIDING FOR 2022 OPERATING BUDGET REVISIONS; SPECIFICALLY, TO INCLUDE APPROPRIATIONS OF THE ONEOHIO OPIOID SETTLEMENT MONEYS RECEIVED, AND REPEALING CONFLICTING LEGISLATION.

Motion was made by Councilwoman Belich, seconded by Councilwoman Miller to waive the Three Reading Rule on Ordinance 2022-045.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion carries to waive the Three Reading Rule on Ordinance 2022-045.

Motion was made by Councilwoman Belich, seconded by Councilman Knecht to adopt Ordinance 2022-045.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion carries to adopt Ordinance 2022-045.

Motion to reject or request a hearing for the New Theatrical LLC liquor license application.

Motion was made by Councilwoman Belich, seconded by Councilwoman Taylor Draper, to *reject* a hearing for the New Theatrical LLC liquor license application.

Discussion on the Motion:

No discussion.

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

NAYS: None

Vote: 7/0

Motion carries to reject a hearing for the New Theatrical LLC liquor license application.

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY (Audio: 32:45 – 40:45)

Councilman Jarmuszkiewicz reminded residents of Rock and Roll Day happening from 10:00am-10:00pm this Saturday and they could always use more volunteers to fill spots for the day. Council President Hallum added that there will be a lot going on for everyone to enjoy.

Council Vice President Kline, Council President Hallum, Councilwoman Taylor Draper, Councilwoman Belich, Councilman Jarmuszkiewicz, and Councilwoman Miller all recognized and expressed their gratitude to the Mayor's Executive Assistant, Gloria Majeski, on her upcoming retirement next month.

Mayor Gardner reported that two police officers were sworn in earlier today in order for them to begin their training and get their paperwork filed to the State. They are straight out of the Police Academy and will be introduced properly at one of the meetings next month. Also, according to the City Engineer, Route 6 should finish under budget and there is hope of a rebate for the City's local share. Resurfacing of Legend Lane is moving along. The work has been more extensive than anticipated and may cause some overages.

ADJOURNMENT (Audio: 40:48 – 41:15)

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

Discussion on the Motion:

None.

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

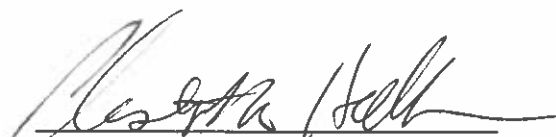
NAYS: None

Vote: 7/0

Motion carries to adjourn the Special Council Meeting of August 8, 2022.

The meeting was adjourned at 6:41pm.

APPROVED: September 8, 2022
Date



Christopher Hallum
President of Council

ATTEST: 

Karen Mehollin
Clerk of Council