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# City of Willoughby Hills

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NANCY E. FELLOWS  
JOE JARMUSZKIEWICZ  
DANIEL KNECHT  
TANYA TAYLOR DRAPER

## Minutes

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### Working Committee of Council and Rules & Legislation November 8, 2021 6:00 p.m.

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The Working Committee of Council and Rules & Legislation Meeting was called to order on Monday, November 8, 2021 at 6:03pm in Council Chambers. **Council President Hallum** was unable to attend due to a personal matter so **Vice President Kline** presided.

*(Meeting was broadcast on government cable channel, but not on Facebook Live. There is no audio of the meeting due to a recorder malfunction.)*

#### **Roll Call of Council**

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

**Also Present:** Mayor Andy Gardner, Law Director Michael Lucas, Finance Director Frank Brichacek, Police Chief Matthew Naegele.

**Absent:** Councilwoman Nancy Fellows, Council President Christopher Hallum.

#### **DISCUSSION ITEMS:**

1) Ordinance 2021-057 – First Reading – Ordinance declaring a City vehicle as surplus property and granting authorization to sell said surplus vehicle on the open market upon such terms and at such prices as are deemed most advantageous to the City of Willoughby Hills and declaring an emergency.

- **Mayor Gardner described the condition of the vehicle and that it currently is not in service. Council asked what asking price will be and Mayor Gardner said it would be the estimated value shown in the ordinance (\$7,500). When asked if Council should waive 3 reading rule, he was in favor of it since used vehicles are currently in demand.**

- 2) Ordinance 2021-058 – First Reading – Ordinance authorizing and directing the Mayor to enter into the “Computer, MDTs and Record System Agreement” with the Lake County Sheriff’s Office to provide information technology (IT) Services to the City of Willoughby Hills’ Police Department and declaring an emergency.
  - **Chief Naegele explained what this agreement was about. This will replace the agreement that the City is currently in (it expires at year end). He believes the cost is basically the same.**
  
- 3) Ordinance 2021-059 – First Reading – 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 January 1, 2022 through June 30, 2021 and declaring an emergency.
  - **Mayor Gardner was asked about the search by the City to find its own inspector. Mayor Gardner stated that the City was not having any success at all.**
  
- 4) Ordinance 2021-060 – First Reading – Ordinance authorizing and directing the Mayor to enter an agreement between the City of Willoughby Hills, the Board of Education of the Willoughby-Eastlake City School District, Cleveland Veterinary Rehabilitation LLC, and CVR Holdings LLC authorizing general compensation and income tax revenue sharing on new municipal income tax revenues relating to CVR’s Community Reinvestment Area Project in the City of Willoughby Hills and declaring an emergency.
  - **Mayor Gardner and Finance Director Brichacek explained how the revenue sharing will work. Council had several questions on the revenue splitting.**
  
- 5) Ordinance 2021-061 – First Reading – Ordinance authorizing and directing the Mayor to enter into an agreement with the Board of Lake County Commissioners in order to provide emergency dispatch and communication services for the City of Willoughby Hills and declaring an emergency.
  - **This ordinance was discussed next at Mayor Gardner’s request so that Chief Naegele would not have to sit through the entire meeting. Chief Naegele explained what this agreement contained. Council asked several questions related to the operation of the County dispatch service.**

**A discussion followed as to the need to waive 3 reading rule on both of Ordinance 2021-058 & 061. With only 2 regular council meetings remaining this year (1 in November and 1 in December), Council will either have to waive one reading or call a special meeting.**
  
- 6) Ordinance 2021-062 – First Reading – Ordinance waiving the stipulation as set forth in Part One – Administrative Code, Title Five – Administrative, Chapter 157 – General Employment Provisions, Section 157.05(f) Vacations – of the Codified Ordinances of the City of Willoughby Hills to allow Road Superintendent Mark Grubiss to carry over sixty-four (64) hours of vacation time and declaring an emergency.

- **Mayor Gardner explained that this is similar to the ordinances passed allowing other department heads to carryover vacation time.**
- 7) Resolution 2021-019 – First Reading – Resolution recognizing Frank Cihula for his outstanding contribution and service to the City of Willoughby Hills during his tenure as a member and Chairman of the Board of Building and Zoning Appeals in the City of Willoughby Hills.
- **Comments were made by Council people thanking Frank Cihula for his dedication to the City.**
- 8) Resolution 2021-020 – First Reading – Resolution recognizing the outstanding act of heroism displayed by Mark Radebaugh for his exemplary actions taken on October 4, 2021 rescuing fellow service employee Matthew Kahley when he became trapped between an excavator and steel container in the City of Willoughby Hills and declaring an emergency.
- **Mayor Gardner was asked about Kahley’s condition and Mayor Gardner said he would be returning to work later this week.**
- 9) Motion to accept donation money from Jim and Dorothy Quandt.
- **Mayor Gardner and Finance Director Brichacek explained what the donation related to (K9 and FD Equipment and/or CO<sub>2</sub> detectors) and the need to have this put into a motion.**
- 10) Motion to forego November 25, 2021 Regular Council Meeting.
- **This date being Thanksgiving, Council needs to formally cancel the meeting.**

**PUBLIC PORTION**

**PUBLIC PORTION - An opportunity for the public to address Council with any comments, issue or concern**

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 opened at 7:01 PM**

**Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094** - Ms. Bing made two comments. She felt Council should not have canceled the October 28, 2021 Council Meeting. There was work for Council to do. Several of the Ordinances on First Reading this

week should have been presented at the October 28, 2021 meeting, therefor allowing for three readings in a normal course. Her other comment related to the legal work to stop short term rentals from being allowed in residential neighborhoods and the work Council is supposed to be doing on Legislation. She feels both are going much too slow.

**Public portion ended at 7:03 PM**

**Law Director Lucas** responded to the legal work underway. He explained the status and action that is being taken. He stated he is in part waiting to see the results of the Business Subcommittee's review and proposal of short term rental ordinance. **Council Vice President Kline** stated that work has begun on reviewing the documents that **Law Director Lucas** and **City Engineer DiFranco** have turned over to Council and that the completion of it and the scheduling of the start of Subcommittee meetings will begin as soon as possible without delay.

**Mayor Gardner** stated that we need to stop referring to the short term rental companies generically as "AirBnB." That is the name of a specific listing site. He suggested referring to such businesses and sites as "short term rentals."

**Mayor Gardner** also stated, on a different topic, the need for more WHISPER volunteers since there a number of projects to be done this fall.

**LEGISLATION:**

**ORDINANCE 2021-057 – FIRST READING**

**AN ORDINANCE TO DECLARE A CITY VEHICLE AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE ON THE OPEN MARKET UPON SUCH TERMS AND AT SUCH PRICES AS ARE DEEMED MOST ADVANTAGEOUS TO THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**ORDINANCE 2021-058 – FIRST READING**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO THE "COMPUTER, MDTs AND RECORD SYSTEM AGREEMENT" WITH THE LAKE COUNTY SHERIFF'S OFFICE TO PROVIDE INFORMATION TECHNOLOGY (IT) SERVICES TO THE CITY OF WILLOUGHBY HILLS' POLICE DEPARTMENT AND DECLARING AN EMERGENCY**

**ORDINANCE 2021-059 – FIRST 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 JANUARY 1, 2022 THROUGH JUNE 30, 2022 AND DECLARING AN EMERGENCY.**

**ORDINANCE 2021-060 – FIRST READING**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, THE BOARD OF EDUCATION OF THE WILLOUGHBY-EASTLAKE CITY SCHOOL DISTRICT, CLEVELAND VETERINARY REHABILITATION LLC, AND CVR HOLDINGS LLC**

**AUTHORIZING GENERAL COMPENSATION AND INCOME TAX REVENUE SHARING ON NEW MUNICIPAL INCOME TAX REVENUES RELATING TO CVR'S COMMUNITY REINVESTMENT AREA PROJECT IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**ORDINANCE 2021-061 – FIRST READING**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF LAKE COUNTY COMMISSIONERS IN ORDER TO PROVIDE EMERGENCY DISPATCH AND COMMUNICATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**ORDINANCE 2021-062 – FIRST READING**

**ORDINANCE WAIVING THE STIPULATION AS SET FORTH IN PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 157- GENERAL EMPLOYMENT PROVISIONS, SECTION 157.05(f) VACATIONS - OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS TO ALLOW ROAD SUPERINTENDENT MARK GRUBISS TO CARRY OVER SIXTY-FOUR (64) HOURS OF VACATION TIME AND DECLARING AN EMERGENCY**

**RESOLUTION 2021-019 – FIRST READING**

**A RESOLUTION RECOGNIZING FRANK CIHULA FOR HIS OUTSTANDING CONTRIBUTION AND SERVICE TO THE CITY OF WILLOUGHBY HILLS DURING HIS TENURE AS A MEMBER AND CHAIRMAN OF THE BOARD OF BUILDING AND ZONING APPEALS IN THE CITY OF WILLOUGHBY HILLS.**

**RESOLUTION 2021-020 – FIRST READING**

**A RESOLUTION RECOGNIZING THE OUTSTANDING ACT OF HEROISM DISPLAYED BY MARK RADEBAUGH FOR HIS EXEMPLARY ACTIONS TAKEN ON OCTOBER 4, 2021 RESCUING FELLOW SERVICE EMPLOYEE MATTHEW KAHLEY WHEN HE BECAME TRAPPED BETWEEN AN EXCAVATOR AND STEEL CONTAINER IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.**

**ADJOURNMENT**

**Meeting was adjourned at 7:15 PM.**