

# City of Willoughby Hills

## Regular Council Meeting

### Minutes of September 10, 2020

*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 10, 2020 at 7:00 p.m.** remotely, using Zoom and Facebook Live. Council President Hallum presided. (Audio: 0:06-0:31)

**Pledge of Allegiance (Audio: 0:32-0:55)**

#### ROLL CALL

(Audio: 0:56-1:37)

**Members Present:** Councilman Joe Jarmuszkiewicz, Council Vice President Mike Kline, Councilman Dan Knecht, Councilwoman Tanya Taylor Draper, Councilman Dan Zegarac, Councilwoman Nancy Fellows and Council President Chris Hallum.

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

#### DISPOSITION OF THE JOURNAL Audio: 1:38-6:22)

**Motion made by Councilwoman Taylor Draper, seconded by Council Vice President Kline,** to approve the meeting minutes of the Regular Council Meeting of June 25, 2020.

**Discussion: None.**

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum**  
**NAYS: None**

**Vote: 7/0**

**Motion Carries to approve the meeting minutes of the Regular Council meeting of June 25, 2020.**

**Motion made by Councilman Jarmuszkiewicz, seconded by Councilman Dan Knecht,** to approve the meeting minutes of the Regular Council Meeting of July 9, 2020.

**Discussion: None.**

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum**  
**NAYS: None**

**Vote: 7/0**

**Motion Carries to approve the meeting minutes of the Regular Council Meeting of July 9, 2020.**

**Motion made by Councilwoman Taylor Draper**, seconded by **Councilman Zegarac**, to approve the meeting minutes of the Regular Council Meeting of July 23, 2020.

**Discussion: None.**

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum**  
**NAYS: None**

**Vote: 7/0**

**Motion Carries to approve the meeting minutes of the Regular Council Meeting of July 23, 2020.**

**Motion made by Councilman Dan Knecht**, seconded by **Councilwoman Taylor Draper**, to approve the meeting minutes of the *Special Council Meeting* of August 27, 2020.

**Discussion: None.**

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum**  
**NAYS: None**

**Vote: 7/0**

**Motion Carries to approve the meeting minutes of the *Special Council Meeting* of August 27, 2020.**

### **COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS**

**(Audio: 6:23-6:36)**

- 7/17/20 email from NOACA, re: Virtual Town Hall Meetings.
- 7/20/20 email from Gloria Majeski, re: 2020 Sewer Rate Information.
- 7/22/20 email from Lakeland, LogOn & Learn, re: Webinar Series.
- 7/22/20 email from OML, re: Gov. DeWine- Statewide Mask Mandate.
- 7/23/20 email from NOACA, re: 2020 NOACA Virtual Annual Meeting.
- 7/23/20 email from Lake Co. Gen. Health District, re: Mask Order Effect. Date 7/23/20.
- 7/24/ email from Gloria Majeski, re: Link to the Grant Seminar-CARES Act Funding.
- 7/24/20 email Gloria Majeski, re: Updated Roster for City of Willoughby Hills.
- 7/24/20 email Gloria Majeski, re: NAC Rep. Gary Pratt's report to Council on the 7-9-20 NAC Meeting.
- 7/24/20 email from Katie Lloyd, PCABR Clerk, re: PCABR Remote Meeting on 7/16/20.
- 7/24/20 email from Fire Chief Gandee, re: Press Release -Willoughby Hills Fire 7-28-20, High Pressure Fire Attach System.
- 7/29/20 email from Rebecca Racich, News Herald, re: Public Notice Postings - 7/9/20 &7/23/20 Passed Ordinances.
- 7/30/20 email from Gloria Majeski, Clerk Pro Tem, re: Recreation Commission Meeting on 8/5/20 via Zoom.
- 8/3/20 email from Katie Lloyd, PCABR Clerk, re: PC-ABR Remote Meeting on 8/6/20 via Zoom.

- 8/6/20 email from Gloria Majeski, to News Herald, re: Notification of Meeting for PC-ABR Master Plan Subcommittee on 8/19/20.
- 8/6/20 email from Gloria Majeski, re: WHISPER Guidelines Book.
- 8/7/ email from Jan Clair, Director Lake Co. Bd. Of Elections, re: Ballot Language for the November General Election.
- 8/7/20 email from Council Clerk to Councilwoman Fellows, re: Letter from Judge Bartolotta.
- 8/9/20 email from Council Clerk, re: Draft - 6/25/20 Meeting Minutes.
- 8/11/20 email from Chief Schultz, Willoughby Police Dept., re: Police Assist. on 8/2/20.
- 8/12/20 email from Mike Lucas, Law Director, re: Revisions to Initial Ballot Language.
- 8/14/20 email from Sharen Michney, Finance Asst., re: Request for Council Members business cards.
- 8/18/20 email from Council Clerk, re: Draft -7/9/20 Meeting Minutes.
- 8/19/20 email from Katie Lloyd, PCABR Clerk, re: Master Plan Subcommittee Meeting.
- 8/20/20 email from Council Clerk, re: Liquor Permit Billing received on 8/17/20 from Finance Director Brichacek.

### **PUBLIC PORTION #1 (Audio: 6:37-7:33)**

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

**Public Portion opened at 7:07 p.m.**

No one spoke.

**Public Portion closed at 7:07 p.m.**

### **MAYOR'S REPORT (Audio: 7:34-16:26)**

#### **Mayor Gardner reported:**

- Welcomed everyone back from the August recess.  
**COVID-19 update:** Currently at 104 cases in the City, which is an increase of 18 since the end of July. We had an increase of 44 total cases in July.
- Continues to urge all residents to follow the Health Department suggestions and guidelines for safety and the safety of others and to help stop the spread of the virus in the City.
- The City has received two installments of CARES ACT Funding, the total just over \$800,000.
- Working with Department Heads and Council to set City priorities for the use of the funds.
- In addition to the \$120,000 set aside for grants for businesses and apartment complexes, hoping use approximately \$300,000 for a new ambulance and \$20,000 for the equipment.
- After meeting with Department Heads, we anticipate spending the following funds:
  - \$50,000 for cleaning and personal protective equipment.
  - \$60,000 for technology improvements.
  - \$50,000 for improved communications with residents which includes updating equipment in Council's Chambers,
  - \$60,000 for employee social distancing and separation from the public, and \$10,000 for new EMS equipment for squad-patient areas.

- Asked Finance Director Brichacek to move the 2021 Budget process into this year. The goal is to have a draft of the 2021 Budget to Council by early November.
- Recognized Finance Director Brichacek for his outstanding efforts with the 2021 Budget process and with the CARES Act Funds.
- The Lake County Board of Elections have absentee ballots available.
- Reminder that the road levy renewal is on the November ballot.
- The street rehabilitation process is going well on Evergreen Drive, Beech Hills Drive and Graylock Drive. It should be completed in the next few weeks.
- The Ordinance to authorize the Rockefeller Street Project is on tonight's Agenda.
- 2020 Sewer Rehab. Project is progressing well, with the goal of being completed by the end of the year.
- Traffic pattern changes with Eddy Road due to construction with the I-90 and I-271 interchange. (Slow down and please be careful).
- Making substantial progress on the Police Substation; Road Superintendent, Mark Grubiss, is making office improvements to the substation so the detective bureau can be based there full time.
- Please complete your 2020 Census. The results are critical for the City's future funding. The website is [www.my2020census.gov](http://www.my2020census.gov) or call 1-844-330-2020.
- The Recreation Commission worked hard this summer planning for two new Pickleball Courts.
- Letters to Santa is a new program coming this Fall. Mailboxes will be located at City Hall, Community Center, and the Police Substation.
- The City is planning a drive-thru Trunk or Treat Event on October 16, 2020, at the Community Center from 5:00 -7:00 p.m.
- The City's photo contest is back on this year, details on the City's website.
- The Senior of the Day Program continues, if you would like to nominate someone, contact the Mayor's Office.
- Tomorrow is 9/11, please take a moment to thank our First Responders for their services.

**Questions/comments following Mayor's Report: (Audio: 16:27-16:39)**

There were none.

**LAW DIRECTOR'S REPORT (Audio: 16:40-17:07)**

**Law Director Lucas reported:**

- Attended a vigorous Board of Zoning Appeals Meeting yesterday.
- There was a single agenda item and the matter was continued to the next month's Board of Zoning Appeals Meeting.

**Questions/comments following Law Director's Report: (Audio: 17:08 -17:15)**

There were none.

## FINANCE DIRECTOR'S REPORT (Audio: 17:16-17:50)

### Finance Director Brichacek reported:

- Discouraging news; the income tax collection continues to lag behind after nine months.
- We are approximately \$500,000 behind the 2019 nine-month total, which would put us roughly \$600,000 behind what was budgeted.
- We will have to continue to be cautious; but it will definitely impact next year's budget.

### Questions/comments following City Finance Director's Report: (Audio: 17:51-23:43)

**Councilman Vice President Kline** asked do you feel that most of the funds have come in, in relationship to, the normal timing from the filing date? **Finance Director Brichacek** stated that he was not sure; that up until the July receipts, they started to pick up and run ahead of the previous year, but August has flattened out. We will probably not get a good feeling until October or November. **Council President Hallum** stated that even though the filing deadline was July, people who have payments due, they are not due until September or maybe in October. **Finance Director Brichacek** stated that with the July 15<sup>th</sup> deadline, the taxpayer would be liable for their 2019 balance due and half of their estimated tax liability for 2020. The third quarter's payment would be due September 30, 2020. **Councilman Jarmuszkiewicz** asked if the Departments and Committees try to reduce their budget/costs for the coming year? **Finance Director Brichacek** stated that they do look for ways to adjust and save money where they can. Our operations tend to be very similar from year to year.

## CITY ENGINEER'S REPORT (Audio: 23:44-30:25)

### City Engineer DiFranco reported:

- At the last meeting in July, there was an article published regarding a potential interchange on I-271 near White Road.
- Contacted NOACA, they said at this time it was just an idea for a long range transportation plan for 2025. Called ODOT and they were unaware of anything.
- Contacted by ODOT regarding an upcoming project for 2024, they are planning to rehab the Chardon Road bridge.
- It will be a major project; it will close down the bridge over the Chagrin River for an entire season. (approx. 6-12 months). They will be replacing the deck, the superstructure.
- They are in the process of hiring a consultant, no further information at this time.
- The Corp 90 Force Main Project is currently out to bid. The bids are due by September 17, 2020.
- There are currently four Plan Holders that have picked up plans.
- Regarding Ordinance 2020-47, the finance agreement with the Ohio Public Works Commission (OPWC) for Rockefeller Road, recommending that Council waive the three readings rule and adopt said ordinance.
- This will cover half of the project cost up to \$205,900. Part of that, from OPWC, is a \$50,000 loan.
- OPWC encourages cities to agree to a loan, but if you do not need it, you do not have to use it.
- Based on the bids received, it looks like we will not need the loan.
- Based on the bid of \$288,000 that was received, the City would be responsible for \$144,000 or 50%.

- We received a grant from Lake County to cover over \$62,000, so the City will be responsible for \$82,000 for this resurfacing project.
- The Agreement will need to be executed before the contract can be awarded to the Contractor.
- Regarding Ordinance 2020-51, the Rockefeller Road Project, awarding the construction project to Chagrin Valley Paving Inc., as the lowest and best bidder.
- Recommending that Council waive the three readings rule and adopt said ordinance.
- Seven bids were received; all were lower than the estimate.
- Thanked Council for allowing us to go out to bid early, it allowed the project to get constructed this year.
- The bid from Chagrin Valley Paving \$287,770. which was approximately 23% lower than the estimate of \$372,658.
- The Project is required to be completed in 90 days after issuance of the notice to proceed.
- A performance bond is required from the Contractor which allows the City to finish the project if they are not able to complete it.
- The standard construction project in the City includes liquidated damages if they cannot finish the project on time. They can be charged \$100.00 per day.

**Questions/comments following City Engineer’s Report: (Audio: 30:26-30:46)**

There were none.

**COMMITTEE REPORTS (Audio: 30:47-38:48)**

**PC-ABR: (Audio: 30:48-33:05)**

**Councilwoman Taylor Draper reported on the Architectural Board of Review & Planning and Zoning:**

- During Council’s recess, the Board continued to approve several in ground pools, sheds, home additions and new home constructions.
- We said “goodbye” to long time member, Jonathan Irvine and welcomed the newest member, Daniel Biondolillo.
- There were two Master Plan Subcommittee Meetings.
- The group discussed the City’s visions and needs with technology and virtual preferences and how the Master Plan need to support those visions and needs.
- Invited Developer Scott Scheel of the Shoppes At Willoughby Hills and a Developer/Representative from Pinecrest to give their input and also share some of their experiences and projections.
- The Lake County Planning Commission will provide a number of hours to help.
- There is a Town Hall planned for the public to get their input before any decision are finalized.

**Questions/comments following Committee Reports: (Audio: 33:06-33:10)**

There were none.

**WHISPER Subcommittee: (Audio 33:11-35:25)**

**Councilman Taylor Draper** reported:

- The WHISPER Program: City's website has been updated with of the forms, applications and information from the new Guideline Handbook.
- The WHISPER Committee has formed: Nance White and Andrea Murinko completed their application for resident volunteers and were approved and sworn in by Mayor Gardner.
- Nance White and Andrea Murinko will join Facilitator Gloria Majeski, Council Representative Vice President Mike Kline, Police Department Representative Craig Anderson, Fire Department Representative Chief Gandee and Road Department Representative Mark Grubiss.
- Looked for the best price for background checks for the Volunteers and found a company that will charge \$19.50\* per background check. (\*should be \$18.50)
- An account was created through the company's portal so that the volunteers could submit to the background check.
- The Law Director reviewed and approved the Agreement; Mayor Gardner signed off on the Agreement.
- We are in business and ready to get things rolling.

**Questions/comments following WHISPER Sub-Committee Report: (Audio: 35:26-35:44)**

There were none.

**Councilman Jarmuszkiewicz reported on the Recreation Commission: (Audio: 35:45-37:47)**

- Correction regarding the Pickleball Courts, we are converting two of the tennis courts into four Pickleball Courts, not two.
- The funds will be coming from the Recreation Commission's 460 Fund.
- This project has been developing for the last three or four years.
- The Pickleball Court will be ready to use by next Spring.
- A special thanks to Pat Grebenc, Donna Klements, Mark Grubiss and Jim Walsh.
- The Trunk or Treat will be a Drive Through Event at the Community Center.
- Encouraging residents who would like to give out candy for Halloween to decorate your car and set up in the Community Center parking lot. The public can drive through and you can hand out candy.

**Questions/comments following Recreation Commission Report: (Audio: 37:48-38:48)**

There were none.

**Councilwoman Fellows** stated she did not have any questions for Councilman Jarmuszkiewicz, but she did for Councilwoman Taylor Draper regarding Planning and Zoning.

**Councilwoman Fellows** asked if there was any information on who purchased Garfield School, the property there and the division for that property? **Councilwoman Taylor Draper** said no, she did not have that information, but she could find out. **Council President Hallum** stated a lot of people are curious about that. **Mayor Gardner** stated he heard from the school that it was an individual, he did not have the name in front of him, they were the winning bidder.

**UNFINISHED BUSINESS (Audio: 38:49-45:08)**

**Councilwoman Taylor Draper** stated when the Resolution on Racism was passed at the end of July, she spoke with Vanessa Clapp, Vice Chair, of Begin the Conversation. Ms. Clapp was very interested in Willoughby Hills and is very interested in organizing an outreach project. Ms. Clapp is going to speak with the rest of the Board. This would be something great for the City.

**Council Vice President Kline** wanted to give a brief update in the start of the Willoughby Hills Corona Virus Economic Relief Subgrant Program. It formally started on the September 1, 2020. Working with a business listing that was updated during the month of August. The list of businesses was split amongst Councilman Jarmuszkiewicz, Councilman Zegarac, Gloria Majeski and Council President Kline. They have called and the visited the businesses, made packets, and prepared the applications. To date, twelve application have been turned in, each for the allotted \$2,000. Eleven applications have been reviewed. There is a second round of contacting the businesses who either did not respond or have not submitted applications. Councilman Zegarac has been leading the way, primarily visiting a lot of the businesses.

**Councilman Zegarac** stated regarding the small business grants, they actually have fourteen applications to date. Fourteen applications represent \$14,000 which track us to about \$84,000 worth of grants for the month. He feels that they will able to distribute all of the \$100,000. People have asked how the City is promoting the small business grants; they are on the City's website, the News Herald gave the program some great press, letters have been sent out, social media and word of mouth. It is going very well, many of the businesses are very busy but appreciate it when you stop by and explain it to them.

**Council Vice President Kline** stated some on the businesses were concerned that the application for them to fill out is seventeen pages, but it is mostly verbiage. There is very little information for them to fill in. Even if it is a small amount they would qualify for, it is to their benefit.

**Council Vice President Hallum** stated Monica Drake, Economic Development Professional is working to help bring businesses into the surrounding cities. Some of the CARES Act Funding has been budgeted to hire someone to help with economic recovery from COVID-19. She is someone who we are considering; she will be invited to the Working Committee of Council Meeting on September 21, 2020 to hear from her and answer any questions before finalizing anything.

**Questions/comments following Unfinished Business: (Audio: 45:09-45:23)**

There were none.

**LEGISLATION** (Audio: 45:24-1:07:10)

**ORDINANCE 2020-41- SECOND READING**

AN ORDINANCE AUTHORIZING THE TEMPORARY ENFORCEMENT ABEYANCE, OF THE CITY OF WILLOUGHBY HILLS CODIFIED ORDINANCE, CHAPTER 1103.02-DEFINITIONS AND CHAPTER 1137.02(d) – COMMERCIAL ZONING DISTRICT DURING THE CURRENT “STAY AT HOME” & “STAY SAFE” ORDERS FOR A PERIOD OF TIME NOT TO EXCEED EIGHTEEN (18) MONTHS.

**Council President Hallum stated this Ordinance will remain on Second Reading.**

**Discussion:** None

**ORDINANCE 2020-42 – SECOND READING**

AN 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 CHIEF ROBERT GANDEE TO CARRY OVER FORTY-ONE AND A HALF (41.5) HOURS OF VACATION TIME AND DECLARING AN EMERGENCY.

**Council President Hallum stated this Ordinance will remain on Second Reading.**

**Discussion:** None

**ORDINANCE 2020-45 – FIRST READING**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO SIGN ANY AND ALL DOCUMENTS TO ACCEPT THE GARFIELD LEASE TERMINATION AGREEMENT PROVIDED BY THE BOARD OF EDUCATION OF THE WILLOUGHBY-EASTLAKE CITY SCHOOL DISTRICT, RESCINDING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

**Motion made by Councilman Jarmuszkiewicz, seconded by Councilman Zegarac to waive the Three Readings on Ordinance 2020-45.**

**Discussion:** None

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to waive the Three Readings on Ordinance 2020-45, Garfield Lease Termination.**

**Motion made by Councilman Jarmuszkiewicz, seconded by Councilman Knecht to adopt Ordinance 2020-45.**

**Discussion:** None

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to adopt Ordinance 2020-45, Garfield Lease Termination.**

**ORDINANCE 2020-47 – FIRST READING**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A PROJECT GRANT/LOAN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE SOLE AND EXPRESS PURPOSE OF FINANCING OR REIMBURSING COSTS OF THE ROCKEFELLER ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Fellows, seconded by Councilwoman Taylor Draper to waive the Three Readings on Ordinance 2020-47.**

**Discussion:** None

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to waive the Three Readings on Ordinance 2020-47, Rockefeller Road Project.**

**Motion made by Councilwoman Fellows, seconded by Councilman Zegarac to adopt Ordinance 2020-47.**

**Discussion:** None

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to adopt Ordinance 2020-47, Rockefeller Road Project.**

**ORDINANCE 2020-49 – FIRST READING**

AN ORDINANCE ACKNOWLEDGING THE ROLE OF THE CITY OF WILLOUGHBY HILLS EMPLOYEES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY AND AUTHORIZING AND DIRECTING THE MAYOR TO PROVIDE FOR HAZARD PAY BENEFITS AND DECLARING AN EMERGENCY.

**Council President Hallum stated this Ordinance will remain on First Reading.**

**Discussion:** None

**ORDINANCE 2020-50 – FIRST READING**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO SECURE THE PURCHASE OF AN AMBULANCE USING CORONAVIRUS RELIEF FUNDS (“CRF”) AND DECLARING AN EMERGENCY.

**Motion made by Councilwoman Fellows, seconded by Councilman Knecht to waive the Three Readings on Ordinance 2020-50.**

**Discussion:** None

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to waive the Three Readings on Ordinance 2020-50, Purchase of Ambulance with CRF Funds.**

**Motion made by Councilwoman Fellows, seconded by Councilman Zegarac to adopt Ordinance 2020-50.**

**Discussion:**

**Councilman Taylor Draper** thanked Chief Gandee and Lieutenant DiMattia. **Mayor Garnder** advised everyone that Chief Gandee and Lieutenant DiMattia were there if they had any questions. **Councilman Jarmuszkiewicz** stated the funding was coming from the CARES Act Funding Grant and one of the uses permitted is to purchase the ambulance. It will be a big help for the City. **Council President Hallum** asked Chief Gandee to review the benefit to the City. **Chief Gandee** stated the purchase of the ambulance is a huge benefit to the Community. It will allow the Department to better serve the residents and anyone that visits the Community. The two squads are getting overused. Last year they had a record number of calls, over 2,400; 80 % of those calls are EMS. The number of transports continue to rise, especially the aging population. The new squad has all the latest technology. Overall, this will greatly enhance and lessen the need to borrow an ambulance from our neighboring community. On behalf of the Fire Department, thank you for everything. **Finance Director Brichacek** stated the ambulance was not in the City’s budget. It was dictated by the need of the Corona pandemic. Under the grant funding we are not allowed to replace things that we would otherwise budget for.

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to adopt Ordinance 2020-50, Purchase of Ambulance with CRF Funds.**

**ORDINANCE 2020-51 – FIRST READING**

AN ORDINANCE ACCEPTING THE BID OF CHAGRIN VALLEY PAVING, INC., OF CHAGRIN FALLS, OHIO FOR THE ROCKEFELLER ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY.

**Motion made by Councilman Jarmuszkiewicz, seconded by Councilman Zegarac to waive the Three Readings on Ordinance 2020-51.**

**Discussion: None**

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to waive the Three Readings on Ordinance 2020-51, accept bid for Rockefeller Road Project.**

**Motion made by Councilwoman Taylor Draper, seconded by Councilman Knecht to adopt Ordinance 2020-51.**

**Discussion: None**

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to adopt Ordinance 2020-51, accept bid for Rockefeller Road Project.**

**ORDINANCE 2020-52 – FIRST READING**

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2020-15 AND ORDINANCE NO. 2020-44 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2020 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE INCREASE OF THE CORONAVIRUS RELIEF FUND SPECIAL REVENUE FUND AND REPEALING CONFLICTING LEGISLATION.

**Motion made by Councilman Zegarac, seconded by Councilman Knecht to waive the Three Readings on Ordinance 2020-52.**

**Discussion:**

**Councilwoman Fellows** asked if “the Government” was the County Commissioners? **Council President Hallum** stated yes. **Councilwoman Fellows** stated we should be thanking our County Commissioners. **Council President Hallum** stated go ahead and he will follow. **Councilwoman Fellows** stated that all the County Commissioners have worked very diligently to be able to give all of our communities these funds. It is not the Government; it is our County Commissioners. **Council President Hallum** stated thank you, County Commissioners.

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to waive the Three Readings on Ordinance 2020-52, 2020 Operating Budget Revisions.**

**Motion made by Councilman Zegarac, seconded by Councilwoman Fellows to adopt Ordinance 2020-52.**

**Discussion:**

**Councilwoman Fellows** asked if there needs to be an emergency tag on this Ordinance. **Finance Director Brichacek** stated appropriations are effective immediately upon passage. They do not require an emergency ordinance.

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum.**

**NAYS: None**

**Vote: 7/0**

**Motion Carries to adopt Ordinance 2020-52, 2020 Operating Budget Revisions.**

**NEW BUSINESS (Audio: 1:07:11-1:07:19)**

There was none.

**PUBLIC PORTION #2 (Audio: 1:07:20-1:09:27)**

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

**Public Portion opened at 8:07 p.m.**

**Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44094**

1. Asked if the Ambulances are cleaned after every EMS run to the standard of COVID-19.
2. Why doesn't the Law Director ever speak about the lawsuit that is going on?

**Public Portion closed at 8:09 p.m.**

**Comments/Responses following Public Portion #2 (Audio: 1:09:28-1:11:46)**

**Chief Gandee** responded the following to Ms. Fulton:

- Historically, we always make sure the ambulances are cleaned afterwards.
- Not to the extent of the suspected COVID patient. It is a long period of down time.
- There are steps that we do take such as making patients wear a mask around others and when going to the Emergency Room, which is a requirement of the hospital.
- If someone is suspected or known to have COVID-19, we take the necessary precautions to completely decontaminate the ambulance.
- To answer your question, we still do decontamination of some sort after every call to make sure that the ambulance is clean and can handle any patient that we may encounter.

**Law Director Lucas** responded the following to Ms. Fulton:

- He never discusses pending litigation in the public.
- That includes in the forum of a Council meeting.
- There is a specific provision within the Ohio Revised Code to discuss pending litigation in Executive Session with Council.
- His personal belief is to never discuss pending litigation in any public forum.

**FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY**

**(Audio: 1:11:46-1:14:37)**

**Councilwoman Taylor Draper** received a call from a resident that received a ballot. It appeared to be a ballot request, with no defining information as to who sent it. Urging residents to be very careful. If you have any concerns, you can contact the Ohio State Board of Elections or the Lake County Board of Elections.

**Councilwoman Fellows** stated there are many organizations that are putting out that literature. They are also using Frank LaRosa's name on it as well. If you have any questions regarding any of the literature call the Lake County Board of Election or the State. **Councilwoman Taylor Draper** stated it would be important for the residents to understand. She asked if Dale Fellows could be at the next Council Meeting and have a little explanation. **Councilman President Hallum** stated absolutely and he agreed.

**Councilman President Hallum** stated if go into a local small business, please make sure they are aware of the Small Business Grant Program and take advantage of the grant monies while they last. Please help our local businesses.

**ADJOURNMENT (Audio: 1:14:38-1:15:25)**

**Motion** was made by **Councilwoman Taylor Draper** to adjourn seconded by to **Councilman Zegarac**.

**Roll Call: AYES: Jarmuszkiewicz, Kline, Knecht, Taylor Draper, Zegarac, Fellows and Hallum,**  
**NAYS: None**  
**Vote: 7/0**

Motion carries to adjourn the meeting of September 10, 2020.

The Regular Council Meeting of September 10, 2020 was adjourned 8:15 p.m.

APPROVED:

9-24-20

Date



Christopher Hallum  
*President of Council*

ATTEST:

Joane Koneco

Council Clerk