

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

GLORIA MAJESKI
Clerk of Council, Pro Tem
2/13/2020 meeting

COUNCIL:

NANCY E. FELLOWS

JOE JARMUSZKIEWICZ

JANET R. MAJKA

TANYA TAYLOR DRAPER

City of Willoughby Hills

Regular Council Meeting – As Amended

Minutes of February 13, 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, February 13, 2020, at 7:00 p.m. in Council Chambers. Council President Hallum presided. Council President apologizes on the audio for not turning on the recorder until after the Pledge of Allegiance, Roll Call and the appointment of the Clerk Pro-Tem, but recorded Roll Call and Clerk Pro-tem appointment manually.

Pledge of Allegiance

ROLL CALL

(Audio-not available – recorder not turned on by Council President Hallum)

Members Present: Council President Chris Hallum, Councilman Joe Jarmuszkiewicz, Council Vice President Mike Kline, Councilwoman Janet Majka, Councilwoman Tanya Taylor Draper and Councilwoman Nancy Fellows (arrived at 7:13 p.m.)

Others Present: Mayor Andy Gardner, Finance Director Frank J. Brichacek and City Engineer Pietro A. Difranco

APPOINTMENT OF CLERK PRO-TEM

(Audio -not available – recorder not yet turned on by Council President Hallum)

Motion made by Councilwoman Taylor Draper, seconded by Councilman Kline to appoint Gloria Majeski as Council Clerk Pro Tem for tonight's meeting.

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka and Taylor Draper

NAYS: None

Vote: 5/0

Motion Carries to appoint Gloria Majeski as Council Clerk Pro Tem for tonight's meeting.

ADMINISTRATION REPORTS AND COMMUNICATIONS

(Audio 00:26-4:29)

MAYOR GARDNER'S ADMINISTRATION OF OATH OF OFFICE TO CHAGRIN RIVER WATERSHED DELEGATE AND ANNOUNCEMENT OF SGT GREG LEONBRUNO:

Mayor Gardner administered the Oath of Office to Chagrin River Watershed Partners Alternate Delegate Pat Grebenc. He acknowledged that Bob Bartolotta had been appointed as the City's Delegate to the Chagrin River Watershed Partners earlier in the week. Mayor Gardner acknowledged Councilwoman Majka for her previous work on the Chagrin River Watershed Partners. Mayor Gardner also acknowledged that he had administered the Oath of Office to promote to the rank of

Sergeant, Police Officer Greg Leonbruno, who was in attendance to be introduced and acknowledged by the City. Mayor Gardner gave a brief overview of his Police work with numerous accolades.

DISPOSITION OF THE JOURNAL

(Audio 4:42-6:13)

Councilwoman Taylor Draper asked that an amendment be made to the January 23, 2020, draft minutes by making the following change to Page 5 - Council Vice President Kline's Finance Committee Meeting statement regarding upcoming meetings:

From: "Plans to have Standing Committee meetings of the Finance Committee to be held on the second Monday of each month beginning at 6:30 p.m. in Council Chambers. If no business, the meeting will be cancelled. If there is additional business to discuss, particularly during the budget process, however, an additional meeting can be planned for the fourth Monday of the month (which is also a Council week) at 6:30 p.m."

To: "Plans to have Standing Committee meetings of the Finance Committee to be held on the Monday before the first Council meeting and, if necessary, on the Monday before the second Council meeting at 6:30 p.m. in Council Chambers. If no business, the meeting will be cancelled."

Add: "The first meeting then will be held on Monday, February 10, 2020 at 6:30 p.m."

Motion made by Councilwoman Taylor Draper seconded by Councilman Jarmuszkiewicz to approve the January 23, 2020, Regular Council Meeting minutes, as amended. (Audio 5:55-6:13)

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka and Taylor Draper

NAYS: None

5/0

Motion Carries to approve the January 23, 2020, Regular Council Meeting minutes, as amended.

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS

(Audio 6:21-6:49)

- Email dated January 27, 2020 from Councilman David M. Fiebig re. Retirement
- Interoffice memo from Mayor Gardner dated January 29, 2020 re. Ordinance for Engineering Fees for 2020 Pavement Rehabilitation
- Email dated February 4, 2020 from City Engineer DiFranco in response to a Public Records Request from resident Barbara Blazy
- City Engineer Report dated February 6, 2020
- Interoffice memo from Mayor Gardner dated February 6, 2020 re. Resolution for City's Participation in the Northeast Ohio Public Energy Council (NOPEC) 2020 Community Event Sponsorship Program and Grant Acceptance

PUBLIC PORTION #1

(Audio 6:58-12:22)

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

Public Portion opened at 7:09 p.m.

Jenna Bing 36951 Beech Hills Drive – Ms. Bing pointed out that there is an Ordinance on the agenda for a Law Director and Assistant Law Director and she would like Council to consider making it two ordinances, one for a Law Director and a second for the Assistant Law Director. She said that the Assistant Law Director is “kind of new, we have had them in the past but not on a retainer basis.” She said that we are asking the Assistant Law Director to be a 20-25 hour a month retainer and it was her opinion that this is a lot of money. She stated that all three proposals that were submitted for Law Director included Mr. Tom Lobe as Assistant Law Director. When she asked the Mayor about it, he indicated that he wanted to have the history from Tom Lobe and that is why it is in there, because he specifically wanted the assistance of Tom Lobe. Ms. Bing indicated that while she thought there may be some value to that since he was the Law Director for a long time, has knowledge of the history about why things happened the way they did (at least from his perspective), when she thought about it, there are transition periods of a few months of getting the new Law Director up to speed. She felt it should not take that long for a new Law Director to learn it and tap into whatever history Mr. Lobe could bring. Given that, she felt that the 20-25 hours for the length of the contract for Mr. Lobe seems “excessive.” Ms. Bing felt that the terms of the contract for the work to be done by the Assistant Law Director were not “transitional,” but rather “a personal lawyer for the Mayor, any time he wants something on a daily basis, he will be here to do it.” She felt that fell into the responsibilities of the Law Director and the other members of Attorney Lucas’s staff who were assigned to be special support staff for him. Ms. Bing had concerns that she felt Mr. Lobe was “polarizing.” She said he was “kicked out of the January 2017 Council meeting for being disrespectful to Council members.” (Her time then expired).

Linda Fulton – 2990 Marcum Blvd., Willoughby Hills, OH – Ms. Fulton once again requested that Public Portion be placed **after** the “Committee Reports” so that the public can ask questions.

Vicki Miller – 2857 Hayes Drive, Willoughby Hills, OH – Mrs. Miller commented on the Law Director ordinance. She felt it was time to get a Law Director and has reviewed the proposals. Mrs. Miller feels that the amount to retain the Law Director and Assistant Law Directors is a “pretty good deal” compared to what we have seen in the past with regard to law directors. She would like to have someone in as quickly as possible to help the new Mayor and Council. She indicated that she feels that Tom Lobe has a history with the City legal issues and the integrity to do the job well.

Public Portion closed at 7:15 p.m.

MAYOR'S REPORT

(Audio 12:45-22:08)

- Mr. Mike Lucas of the firm of Wiles & Richards is his nomination submitted for Council confirmation to be our Law Director, awaiting membership verification. He spoke of the concept of including assistant law directors, including Stephanie Landgraf and Tom Lobe, who could provide a history. As an attorney himself, he felt it is far more economical to have someone with a history of previous City information as opposed to paying someone an hourly rate to get the information.
- Mayor is in the early stages of creating a Willoughby Hills Grant Team with representatives from all City departments and Council. The goal is to optimize securing grants for the City. He pointed out that the departments will have a chance to collaborate. A grant library will be created to track grants received from year to year to serve as a reference. City Engineer DiFranco can bring back grant ideas from other communities that he works with. Finance Director Brichacek has been asked to budget an allowance for training opportunities to secure the grants. He will circulate the policy when finalized.
- A Key Policy has been established and all employees are being asked to record what keys they have in their possession so that all keys are accounted for and returned when no longer needed.
- WHISPER – Mayor has requested that Council look at the WHISPER program guidelines so that we can get the program back up and running.
- Willoughby Western Lake County Chamber State of the Cities was held on February 13, 2020 and area mayors were in attendance. Discussion included Willoughby's idea for an amphitheater at Todd Field, Willowick and Eastlake opening the waterfront area and Eastlake beautifying the Vine Street corridor.
- Republic Services – yard waste proposal will be presented at the 2/24/2020 Committee of the Whole meeting of Council. Three Readings will be requested to allow residents to weigh in on the proposal.
- Pickleball Court – Mayor is trying to gauge interest to see if we should move forward on this.
- Years of Service commemorative coin presented to Police Officer Jim Ours for his fifteen years of service to the City of Willoughby Hills.
- Welcome to Harvest Community Church. They are located on Maple Grove Road at the former site of Maple Grove Alliance Church. We wish them many years of success in our community.
- Census – Reminder to please report and complete forms when received.

- Councilman Fiebig's resignation was received. Mayor gave him thanks for his years of service to the City of Willoughby Hills and its residents and wishes him the best.
- Attempted distraction burglary recently occurred in Willoughby Hills. Just a reminder to call the Police with any suspicion or need for service.
- Sympathies to the family of Jeff Melvin of Canterbury Court who passed away this week.

Questions for the Mayor:

Councilwoman Taylor Draper asked about the expiration date of the Republic contract.

Council Clerk Pro Tem Majeski indicated that it automatically renews annually on April 1st but is renewable at the current rate until the year 2025 unless the City makes any changes prior to the annual expiration date.

FINANCE DIRECTOR'S REPORT
(Audio 22:13-22:15)

Finance Director Brichacek:

- Nothing new to report

CITY ENGINEER'S REPORT
(Audio 22:21-25:48)

City Engineer DiFranco wanted to follow up on a question at the last Council meeting regarding time frame for permits and gave the following information:

- The City issues Planning Commission approvals and Zoning approvals but Building permits are then issued by the County.
- Planning Commission approvals are valid for one year unless the Planning Commission issues an extension, at their prerogative.
- Zoning certificates, which follow Planning Commission, are also valid for a year and they can be renewed by the applicant for an additional year at an additional cost.
- The Building permits are issued by Lake County and those time frames are governed by the Ohio Building Code. The way it reads is that as long as work is not suspended for six months, the permit is continuous. As long as someone is making progress, they can keep working with the existing permit. However, if they do stop working for six months, they are allowed to get two six-month extensions.

City Engineer DiFranco states that he had received numerous inquiries about the work being done at the intersection of Chardon Road & Pleasant Valley and had the following information to offer:

- The applicant has followed all of the rules and procedures and obtained the proper permitting.
- The City has met with them several times.
- There were some issues with mud on the streets, but they quickly addressed those.
- City Engineer has met with EPA at the site.

- The project is being monitored continuously.
- “The project consists of filling a deep area because it is a steep drop off. There are two houses back there and the driveway exiting the property is fairly dangerous. The new owner is going to level it out so that it makes it safer when he exits the property.”

Questions for the City Engineer:

Council President Hallum asked about the “weigh station” on the property. **City Engineer DiFranco** stated “The owner of the property owns a construction property. He has a contract with the Northeast Ohio Regional Sewer District who is building those big tunnels underground. So they are transporting shale from those projects to this site. In his contract, he gets paid for the shale that he removes from the Sewer District project. But he has to weigh the trucks as part of that contract. This material is shale. It is coming from underground. It is very clean. He has all of the perimeter requirements on the site to make sure that it does not get into the Chagrin River.”

Council President Hallum asked if he was aware of the weight limits of our roads. **City Engineer DiFranco** stated that there are no weight limits on Chardon Road or SOM Center. Both of them are state routes, so they are unlimited.

Council President Hallum stated that he had neglected to give Council an opportunity to ask any questions of the Finance Director following his report this event.

Questions for the Finance Director:

Councilman Jarmuszkiwicz asked when Council could expect the budget. **Finance Director Brichacek** indicated that he is working on it presently and hopefully it will be out next week.

**COUNCIL COMMITTEE REPORTS/OTHER COUNCIL REPRESENTATIVE REPORTS
(Audio 26:01-26:18)**

Council Vice President Kline – Finance Committee (Audio 26:35-30:52)

A Finance Committee meeting was held on Monday, February 9, 2020 and two topics were discussed:

- Comdoc Agreement – We are waiting for Comdoc to present a proposal. Council Vice President Kline researched questions previously raised about the contract and confirmed that the original contract became effective in April 2013. It was a 63-month contract, expiring in July 2018, with a provision that if the City did not notify the company within 90 days, the contract would roll over for an additional 12 months. The first rollover went until July 2019 which was when the previous Council began to review the contract. Nothing was done so it rolled over again. This year it will come up again in July and hopefully by then we will have enough information to decide the best course of action.
- Ordinance for Assistant Finance Director – Finance Director Brichacek explained how he calculated the pay range and answered questions pertaining to the range.

Questions for Council Vice President Kline, Chairman of Finance Committee:

Mayor Gardner asked if July was the beginning or end date of the Comdoc contract. **Council Vice President Kline** indicated that it was the end of the contract. **Mayor Gardner** stated that if we wanted to replace the vendor, we should start consideration in possibly April. **Council Vice President Kline** agreed on that time frame, but reassured the Mayor that at the Comdoc meeting, the representatives indicated that the contract would be rewritten with a new start date. He agreed, however, that if we want to explore other options, we will need to let Comdoc know in April 2020.

Councilwoman Taylor Draper asked Council Vice President Kline if he discovered any reasons why this had been previously tabled for approximately two years. **Council Vice President Kline** said that the “short answer is no.” He said it had been referred to the Finance Committee but he could not find any discussions about it in any of their meetings.

Council President Hallum – Council Committee of the Whole Committee (Audio 31:01-37:54)

The meeting was held on Monday, February 9, 2020. Those present included: Council President Hallum, Council Vice President Kline and Council members Jarmuszkiewicz, Taylor Draper and Majka. Also present were the Mayor and Finance Director.

- The validity of adopting Council Policy #2 at the first Regular Council meeting to allow for shortening of the Council minutes wherever possible was discussed. **Council President Hallum** wanted to reassure Council and the public that this was valid in that it is a Council policy which requires only a majority of Council members to pass it, not Three Readings or any other requirement reserved for other Council actions, such as an Ordinance or Resolution.
- There was a procedural issue, however, in the adoption of Ordinance 2020-09, which designates Council committees, which needs to be corrected. It would have taken five votes to waive the Three Readings and there were only four votes to do so at the January 23, 2020 meeting. This Ordinance, therefore, has been placed back on the Council agenda for Second Reading.
- Update on Council Clerk – 3 applications with good credentials; currently interviewing and hope to have that done soon to be able to make an offer to someone.
- Ordinance 2020-06 – Assistant Finance Director – Finance Director Brichacek gave comparison ranges from \$37,000 to \$76,000 with a mid-range recommendation. The Mayor is permitted to go 10% above the minimum of the salary range upon hiring, but will not give raises within the range without Council approval.
- Ordinance 2020-09 as amended – Council Committees – previously discussed tonight. If we don't waive the Three Readings tonight, we will need to appoint individuals to those Council Chairman positions.
- Ordinance 2020-10 – naming Michael C. Lucas as Law Director – vetting package was received tonight with the exception of four items that we hope to have early next week. Mayor wants Law

Director appointed as soon as possible so we can proceed with legal concerns including Union contracts, cell tower dispute, employee handbook and the appointment of Councilwoman Majka presented by former Mayor Weger.

- Ordinance 2020-11 – Street Rehab – Mayor Gardner has recommended Three Readings on this to give the residents a chance to weigh in.
- Resolution 2020-03 – NOPEC Sponsorship Grant - \$1500 for Community event

Public Portion question was asked regarding the process for appointing to the open Council seat. Council President Hallum explained that all candidates who turned in applications will be interviewed. A second question was asked about Gloria Majeski being paid as Council Pro-Tem. Council President Hallum explained that Mrs. Majeski is being given compensatory time, no overtime, for the hours put in for her pro-tem Council Clerk assistance. The Council Committee of the Whole meeting adjourned at 6:54 p.m.

Questions for Council President Hallum, Council Committee of the Whole Committee Chairman:

Councilman Jarmuszkiewicz inquired about the Council Clerk applications. **Council President Hallum** responded that three applications had been received. One candidate had been interviewed, one candidate was set up to be interviewed and the third had yet to be scheduled to be interviewed.

Councilwoman Fellows asked if there had been an Executive Session at the Committee Meeting of the Whole to interview the Law Director. **Council President Hallum** responded that Council convened into Executive Session for the purpose of interviewing Law Director applicant Michael Lucas in Executive Session. **Councilwoman Fellows** said that it was her understanding according to the Ohio Administrative Code that Executive Sessions are only permitted at Regular or Special Council meetings, not at Committee meetings. **Council President Hallum** indicated that he did not believe that to be the case but that we would have the Law Director rule on that to make sure it was done properly.

Council President Hallum – Rules & Legislation Committee (Audio 37:56-39:12)

Council President Hallum reported that the meeting was called to order at 7:35 p.m. The same individuals were present from the earlier Council Committee of the Whole meeting. All Ordinances and the Resolution were reviewed. No issues with regard to clarity, fit or form for tonight's ordinances were reported. There was a question about whether Rules & Legislation was supposed to be talking more in depth about the legislation and **Council President Hallum** did inform the resident that when he read the Ordinance that covers Council committees, Rules & Legislation is supposed to be specifically for fit, form and language. He wants to be compliant in following that Ordinance.

Councilman Jarmuszkiewicz – Recreation Commission (Audio 39:32-40:59)

- Volunteer names are still being sought for all of the upcoming events.
- Pancake Breakfasts are coming upon 3/8 and Lions on 3/15. Every Council member has tickets.

- Facebook Recreation page is being handled by Recreation Commission Chairman Sandy Grubiss. Please like or share.

Councilwoman Taylor Draper – Planning Commission and Architectural Board of Review (PC-ABR):
(Audio 41:04-42:35)

- PC-ABR met on Thursday, February 6, 2020. During ABR portion, one garage and two new homes were approved. Two business signs were also approved. During the Planning Commission portion of the meeting, a Public Hearing was held and the PNC ATM proposal at 27297 Chardon Road was reviewed. All safety concerns were addressed. They are due to start construction. The existing PNC is due to close on February 18. One resident addressed concerns about safety and aesthetics. The resident was reassured that there is plenty of lighting and the aesthetics were approved as being code compliant.

UNFINISHED BUSINESS
(Audio 42:46-43:44)

Councilman Jarmuszkiewicz spoke of previously tabled Ordinance 2019-40. This was tabled on 5/23/19 and had to do with use of the Grange Building. He proposed review of this by the Committee of the Whole to discuss usage. Also, he would like to revise Codified Ordinance 941.05 regarding keys to Campbell Park in order to comply with what we are currently doing to issue keys there.

LEGISLATION
(Audio 43:51-52:39)

ORDINANCE NO. 2020-06 – SECOND READING (Audio 43:58-44:14)

AN ORDINANCE FIXING THE SALARY AND COMPENSATION FOR THE POSITION OF FULL-TIME ASSISTANT FINANCE DIRECTOR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Council President Hallum indicated that this will remain on Second Reading.

ORDINANCE NO. 2020-09 – AMENDED – SECOND READING (Audio 44:19-49:46)

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE THREE – LEGISLATIVE, CHAPTER 121 – COUNCIL, SECTION 121.01 SUBSECTION (C) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, AMENDING COMMITTEES OF COUNCIL, REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Motion was made by Councilwoman Taylor Draper to waive the Three Readings on Ordinance 2020-09, as Amended, seconded by Councilman Jarmuszkiewicz.

Discussion on the Motion:

Councilwoman Taylor Draper indicated that she feels this to be an exercise in futility. Her reasons for being on Council included her desire to work with people as a group on this Council. She has no desire to be the head of anything or the Chairman, but rather part of a group that will work together to have good discussions and make good decisions.

Councilwoman Majka stated she is reluctant to change the standing committees that we have had for the past fourteen years. “It does not have anything to do about being a Chairman.” Since everyone ran on “working together and moving forward with positivity”, she finds it curious that “the amount of the committees was reduced greatly and that the remaining committees that exist on paper in this Ordinance excluded three Council members totally, myself, Councilwoman Nancy Fellows and former Councilman Dave Fiebig.” She does not think this constitutes working together when three Council members are being excluded and has concerns that we will not cover the depth and scope of items previously covered by losing “committees that are in our Charter.” **Council President Hallum** corrected Councilwoman Majka’s statement that the committees are “in an Ordinance, not in the Charter,” thanked Councilwoman Majka for her comments and reminded everyone that the Council of the Whole is made up of ALL of Council. Further, he stated that former Councilman David Fiebig had been asked to be on both Rules & Legislation and Finance, but declined. He hopes the committees will meet more frequently than in the past.

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline and Taylor Draper

NAYS: Fellows and Majka

4/2

Motion fails to waive Three Readings on Ordinance 2020-09 as Amended.

Council President Hallum stated that Council will appoint Council Chairmen of the other Committees under New Business.

ORDINANCE NO. 2020-10 – FIRST READING (Audio 49:52-50:12)

AN ORDINANCE CONFIRMING MICHAEL C. LUCAS AS DIRECTOR OF LAW AND APPOINTMENT OF ASSISTANT LAW DIRECTORS, DEFINING THE DUTIES AND RESPONSIBILITIES OF THE POSITIONS, AND FIXING THE SALARY AND COMPENSATION FOR SAID POSITIONS, REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Council President Hallum stated that this will remain on First Reading.

ORDINANCE NO. 2020-11 –FIRST READING (Audio 50:17-50:52)

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE 2020 STREET REHABILITATION PROGRAM, SPECIFICALLY FOR RESURFACING BEECH HILLS DRIVE, EVERGREEN DRIVE, GRAYLOCK DRIVE AND ASPHALT REJUVENATION FOR STREETS RESURFACED IN 2017 AND 2018 AND DECLARING AN EMERGENCY.

Council President Hallum asked for the wishes of Council. No one replied. He indicated that this will remain on First Reading.

RESOLUTION NO. 2020-03- FIRST READING (Audio 50:55-52:39)

A RESOLUTION SUPPORTING THE CITY’S PARTICIPATION IN THE NOPEC 2020 COMMUNITY EVENT SPONSORSHIP PROGRAM AND AWARD ACCEPTANCE AND DECLARING AN EMERGENCY.

Motion was made by Councilwoman Taylor Draper to waive the Three Readings on Resolution 2020-03, seconded by Councilwoman Majka.

**Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows
NAYS: None
6/0**

Motion Carries to waive Three Readings on Resolution 2020-03.

Motion was made by Councilwoman Majka seconded by Councilwoman Fellows, to adopt Resolution 2020-03.

**Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows
NAYS: None
6/0**

Motion Carries to Adopt Resolution 2020-03.

Mayor Gardner encouraged residents who wish to have input on the Road Program to please feel free to give us their input. The City Engineer has been asked to design this Ordinance for Three Readings to be able to get the public input. With the upcoming Road Levy renewal this year, residents are welcome to give us their input over the next two readings of this Ordinance.

**NEW BUSINESS
(Audio 53:25-57:39)**

Council President Hallum indicated that in order to be in compliance with the current provisions listed on Ordinance 2020-09, as amended, it is necessary to appoint Chairman to the various committees not previously assigned.

Councilwoman Fellows said that she would like to serve as Chairman of Safety and Service Committee and would like to nominate Councilwoman Majka as Chairman of Utilities Committee. **Council President Hallum** said we will first do the vote for Councilwoman Fellows to serve as Chairman, Safety and Service Committee.

**Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows
NAYS: None
6/0**

Motion Carries to appoint Councilwoman Fellows as Chairman, Safety & Service Committee.

Councilwoman Majka said that she would like to serve as Chairman of Utilities Committee.

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows

NAYS: None

6/0

Motion Carries to appoint Councilwoman Majka as Chairman, Utilities Committee.

Councilman Jarmuszkiewicz said that he would like to serve as Chairman of Personnel Relations Committee.

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows

NAYS: None

6/0

Motion Carries to appoint Councilman Jarmuszkiewicz as Chairman, Personnel Relations Committee.

Councilman Jarmuszkiewicz said that he would like to serve as Chairman of Recreation Committee.

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows

NAYS: None

6/0

Motion Carries to appoint Councilman Jarmuszkiewicz as Chairman, Recreation Committee.

Motion was made by Councilwoman Fellows to declare the August 8, 2020, Rock N Roll Day in Willoughby Hills as a Public Purpose, seconded by Councilwoman Taylor Draper (Audio 57:43-58:25)

Roll Call: AYES: Hallum, Jarmuszkiewicz, Kline, Majka, Taylor Draper and Fellows

NAYS: None

6/0

Motion Carries to declare the August 8, 2020, Rock N Roll Day in Willoughby Hills a Public Purpose.

PUBLIC PORTION #2

(Audio 58:28-1:05:02)

An opportunity for the public to address Council with any comments, issue or concern.

Public Portion opened at 8:01 p.m.

Frank Cihula, 35060 Dixon Road, Willoughby Hills, OH - Mr. Cihula, Chairman of the BZA, commended Mayor Gardner on his Law Director appointment to include Tom Lobe to serve as an Assistant Law Director. He worked with Mr. Lobe in his BZA capacity and found him to be a valuable asset.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH - Ms. Bing indicated that she was “tired of the fact that we are not following the Charter and our municipal codes.” She identified what she believes to be errors by Council in recent Council actions:

- 1) Appointment of the Council Clerk – By Charter, this should have been completed by Council within thirty days (of the previous Clerk’s resignation). This has not been done to date. The next step then would be for the Mayor to make the appointment “immediately.” (The Charter states “The Mayor SHALL make the appointment immediately.”)
- 2) Standing Committees of Council should be assigned now since Council passed this on First Reading in error (waiving the Three Readings with only 4 affirmative votes).
- 3) Interview of Law Director applicant Michael Lucas should not have been done in an Executive Session of a Committee Meeting. (Ms. Bing cited where it is stated that Executive Sessions can only be called in a Regular or Special meeting).

Ms. Bing encouraged Council to return to the way previous Councils had done with regard to the Rules and Legislation Committee and the Committee of the Whole. She believes it will help residents prepare to bring something forward at the appropriate meetings. Further, she encouraged the new members of Council to read the Charter, learn it and follow it.

Public Portion closed at 8:05 p.m.

Discussion following Public Portion #2:

Councilman Jarmuszkiewicz responded to Ms. Bing’s remarks, stating that being on Council is a new endeavor and that we are in need of a Law Director to ask advice on these issues. He looks forward to Mayor Gardner’s appointment of a Law Director. While he is not sure of many things on Council, he is reading and learning a lot. He looks forward to months from now when things should be smoother.

Council President Hallum pointed out that the prior Council leadership left us without a Law Director and tabled an Ordinance to appoint a Law Director to “carry us through.” In addition, the Council Clerk did not provide us with “the professionalism of giving us some notice” so we “basically had no time to prepare and it does take some time to get the notifications out, give people an opportunity to get their applications in, interview them and finding time to do all of that.” He thanked Mayor Gardner for his patience as they go through their Council Clerk search as he would have to be going through the same process to fill the position. A Law Director will be able to counsel Council on these “minor procedural issues.”

FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY
(Audio 1:05:06-1:10:27)

Councilman Jarmuszkiewicz stated that the temperature is supposed to be below eighteen degrees tonight, where salt will not work and advised all to stay home tonight to be safe.

