

CHRISTOPHER HALLUM
President of Council

MICHAEL KLINE
Vice President of Council

JOANNE E. MONACO
Clerk of Council

COUNCIL:

NANCY E. FELLOWS

JOE JARMUSZKIEWICZ

DANIEL KNECHT

TANYA TAYLOR DRAPER

DAN ZEGARAC

City of Willoughby Hills

Regular Council Meeting

Minutes of June 11, 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, June 11, 2020 at 7:00 p.m. remotely, using Zoom and Facebook Live. Council President Hallum presided. (Audio: 1:06-2:22)

Pledge of Allegiance (Audio: 2:23-2:46)

ROLL CALL

(Audio: 2:47-3:32)

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

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: 3:33-7:34)

Councilwoman Taylor Draper: stated there was a correction regarding the May 28, 2020 meeting minutes on page 5 under PC-ABR, the home at 27200 Chardon Road received preliminary approval.

Motion made by Councilman Jarmuszkiewicz, seconded by **Councilwoman Taylor Draper** to approve the meeting minutes of the Regular Council Meeting of May 14, 2020.

Discussion: None.

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

NAYS: None

Vote: 6/0

Motion Carries to approve the meeting minutes of the Regular Council Meeting of May 14, 2020.

Motion made by Councilwoman Taylor Draper, seconded by **Councilman Vice President Kline,** to approve the meeting minutes of the Regular Council Meeting of May 28, 2020 as **Amended.**

Discussion: None

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

Motion Carries to approve the meeting minutes of the Regular Council meeting of May 28, 2020 as **Amended.**

COUNCIL CORRESPONDENCE AND MISCELLANEOUS REPORTS
(Audio: 7:35-7:49)

- 5/21/20 email from Gloria Majeski, re: Mayor's Request for Motion for Ball Field Usage Fees
- 5/21/20 email from Frank Brichacek, re: Council Agenda and Legislation for 5/28/20 Council Meeting
- 5/21/20 email re: LogOn&Learn – Lakeland Nonprofit and Public Service Center Webinar Series
- 5/23/20 email from Pietro DiFranco, re: Public Records Request - 29483 Sayle -Terranova
- 5/26/20 email from Chris Hallum, re: Zoom Meeting Invitation – Regular Council Meeting 5/28/20
- 5/27/20 email from Council Clerk, re: Meeting Minutes of 5/14/20
- 5/27/20 email from Localgov, re: Disaster Grant Funds
- 5/27/20 email from Gloria Majeski, re: Email from former Council member Janet Majka
- 5/28/20 email from Gloria Majeski, re: Updated Roster and Letterhead
- 5/29/20 email from Gloria Majeski, re: Meeting Notification-Civil Service Commission
- 5/29/20 email from Gloria Majeski, re: Recording of the May 28, 2020 Regular Council Meeting
- 6/01/20 email from Christopher J. Collins, Chief of Police, re: Majka Council Key
- 6/01/20 email from Katie Lloyd, re: PCABR Meeting 6/4/20 Thursday – via Zoom
- 6/01/20 email from Gloria Majeski, re: Notification of Regular Council Meetings and Committee Meetings for the month of June 2020
- 6/01/20 email from Gloria Majeski, re: Adopted Legislation by Willoughby Hills City Council – Month of May 2020
- 6/01/20 email from Council Clerk re: Receipt of Resume from Steven Howard Roth
- 6/02/20 email from Steven Nelson, re: Resume - Open Council Position
- 6/02/20 email from Jim Walsh, re: Resume - Open Council Position
- 6/02/20 email from Dale Patel, re: Meeting with Stratford Residents
- 6/02/20 email from Gloria Majeski, re: Ordinance 2020-33 Tax Budget 2020
- 6/02/20 email from Robert L. Gandee, Fire Chief, re: Department Staffing
- 6/03/20 email from Ed McKenna, Request for copy of resignation letter
- 6/03/20 email from Gloria Majeski, re: Ordinance 2020-33 for 2021 Tax Budget
- 6/04/20 email from Steven Schupbach, American Transparency, re: New Ohio Public Records Act – City of Willoughby Hills submitted on 6/4/2020
- 6/04/20 email from Jenna Bing, re. Resume – Open Council Position
- 6/03/20 mail – Recreation Commission Agenda for 6/3/20
- 6/03/20 mail – Mayor's Court Report ending 5/31/20
- 6/03/20 mail – PC-ABR Agenda for 6/4/2020
- 6/04/20 mail – Resume from Dan Zegarac

PUBLIC PORTION #1 (Audio: 7:50 -12:11)

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

Public Portion opened at 7:08 p.m.

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094 stated:

- Concerned about the Budget; she has heard that revenue is going to be reduced by at least 10%.
- Frank Brichacek states that Personnel is the biggest part of the budget.
- The only flexibility in our budget is the part-time police and fire; and maybe cutting Council's salaries.
- As a city taxpayer, would feel better, if we had an amount that we have to make up and have a plan how to make that up. She would like to hear from the Finance Chair, Mr. Kline or the Mayor.

Public Portion closed at 7:12 p.m.

MAYOR'S REPORT (Audio: 12:12-20:03)

Mayor Gardner reported:

- **COVID-19** update: 7 new cases reported in the last 10 days in the City, more than half in the 20-39 years old range.
- Continues to urge all residents to follow the Health Department suggestions and guidelines for safety
- Received emails regarding Police Department Policies.
- All police policies are reviewed regularly for compliance with the National Standards. Specifically, the "use of force" policy is reviewed for compliance annually and reviewed and discussed with police officers regularly.
- Anyone with questions regarding policies should feel free to call Chief Collins.
- Re-opening City's playground in Campbell Park on Monday, June 15, 2020; signs with guidelines will be posted.
- Tennis Courts have been opened; please follow guidelines.
- City will continue to open facilities as permitted and we will keep residents updated.

In response to Mrs. Bing question from the last meeting:

- City Service Department vehicles do not ever dump their contents into the river.
- City Service Department does not pump out basements unless the City sewer part is an issue.
- Fire Department does pump out basements in an emergency as part of damage abatement.

In response to Mrs. Bing's question from tonight's meeting:

- All nonessential spending has been cut. Overtime and income sources are being monitored.
- Currently, RITA is estimating we are potentially off \$500,000 in collections.
- Net can be made up when income tax payments are made on 7/15/20.

- To date, Mayor's Court revenue is down 30%, but is coming back.
- State and local government funding will take a hit; gasoline tax revenue is still unknown.
- We are monitoring our spending, as close as possible, goal is not to lay anyone off; if necessary, can use surplus.
- Labor negotiations have begun, combined meeting with all the unions held last week. Future meetings scheduled.
- Application for Grange Curators are currently being taken. See the City's website for information.
- Internet auction underway for the Service Department surplus equipment until 6/22/20, visit www.govdeals.com, if interested.
- Meeting held last week for pre-construction for the 2020 street rehab, letter went out to residents regarding project. Project to start later this month or beginning of July.
- Thanks to Councilwoman Taylor Draper, Councilwoman Fellows and the WHISPER Sub-Committee, who are working very hard and doing a great job. Looking forward to the presentation at next meeting.
- Sympathies to the families of Michael Zielke and Gayle Cendrowski for their losses.
- Upcoming events: Shred Day, 6/13/20, from 9:00 a.m. - noon at City Hall, Lions Pancake Breakfast To-Go, 6/21/20, (Father's Day) from 8:00 a.m. -11:00 a.m. at the Community Center and Garage Sale Day on 8/1/20.

Questions/comments following Mayor's Report: (Audio: 20:04 21:52)

Councilwoman Taylor Draper asked when Shred Day was again and was it for Willoughby Hills residents only or anyone? **Mayor Gardner** stated it was this Saturday from 9:00 - noon and it is opened to only city residents. **Councilwoman Fellows** asked if the bathrooms are going to be opened? **Mayor Gardner** stated that the bathrooms are not going to be opened to this point. The servicing requirements are too stringent. The drinking fountains are not available, cannot meet Health Departments guidelines. **Councilwoman Fellows** asked about the one (bathroom) at the playground and if there was a sign? **Mayor Gardner** stated if there isn't one, they would make sure one goes up.

LAW DIRECTOR'S REPORT (Audio:36 21:53-24:35)

Law Director Lucas reported:

- Final Resolution of the hearing before the Architectural Review Board. conditions have been resolved and the City has been advised of the Dykstra property located at 2203 River Road.
- Follow-up to Dale Fellows' question regarding the issue: Organizational Meeting, voting for yourself? Response: you can nominate yourself and you can vote for yourself as Council President, the only restriction is that once voting begins, you cannot further advance why you should be chosen.

Questions/comments following Law Director's Report: (Audio: 24:36 -24:48)

There were none.

FINANCE DIRECTOR'S REPORT (Audio: 24:49-26:15)

Finance Director Brichacek reported:

- Tax Budget being introduced: Ordinance 2020-33.
- Tax Budget is the first step in beginning the 2021 budgetary process. The purpose of the Tax Budget is to enable the City to levy its property taxes in the following year.
- We anticipate no change in the property tax rate. Assuming the road levy is renewed, the property tax rate will stay at 7.3 mils.
- Request that Ordinance 2020-33 remain on First Reading. By law, the City is required to hold a Public Hearing on the tax budget prior to its adoption.
- Statutorily, the City is required to adopt the tax budget no later than 7/15/20 and filed it with Budget Commission no later than 7/20/20.

Questions/comments following City Finance Director's Report: (Audio: 26:16-28:28)

Councilwoman Fellows asked what would be the strategy if the road levy did not pass in November?

Finance Director Brichacek stated that from the financial point of view, if the road levy fails to pass, there would be no funding for major resurfacing projects beginning in 2021. **Councilwoman Fellows** stated that historically 68% of the road levy was used for salary and wages in the past, where are we with that? **Finance Director Brichacek** stated that for the last five or six years we have not charged any wages or benefits to the Road Levy Fund. **Mayor Gardner** stated that they do not have a Plan B; the focus is to provide an assessment of what the current road levy provides for. We do pay for equipment from it. If the levy does not pass, we will need to suspend some road work next year because of insufficient funds.

CITY ENGINEER'S REPORT (Audio: 28:29-29:40)

City Engineer DiFranco reported:

- Continue to work with Road Superintendent, Mark Grubiss, to prepare a plan to replace the State Route 91 force main.
- Monitoring State funding for Rockefeller Road resurfacing, to date have not received any news.
- Supports Ordinance 2020-34, which is awarding the sewer rehab contract.
- The sewer rehab contract was estimated at \$180,000. Two bids were received. The contract should be awarded to United Survey at the lowest bid of \$152,000.

Questions/comments following City Engineer's Report: (Audio: 29:41-30:04)

There were none.

COMMITTEE REPORTS (Audio: 30:05-31:31)

Councilman Jarmuszkiewicz reported on the **Recreation Commission**:

Sub-committee meeting scheduled for 6/18/20 at 6:00 p.m. (via Zoom) regarding available grants the Recreation Commission may be interested in pursuing for next year. Mrs. Grebenec will be presenting the available grants.

Council Vice President Kline reported on the **Finance Committee**: (Audio: 31:32-33:36)

- Meeting was held on 6/8/20, the purpose was to review office equipment contracts or proposals
- Received notification that one of the vendors had some changes in their proposal, so could not proceed further. A proposal has since been submitted.
- A Finance Committee meeting has been scheduled for 6/22/20, able to move forward, reach a conclusion and proceed with an ordinance on those.
- In the Public Portion tonight, there were questions about the impact on the budget in relation to COVID-19. We are in the middle of a big timing difference because of the July 15 filing this year. The results of the July 15th filing is really the key point as to what impact there may be on the Municipal income tax, which is the largest portion of the revenue.

Questions/comments following Finance Committee Report: (Audio: 33:37-34:53)

There were none.

Councilwoman Fellows: stated that she did not have any questions for **Councilman Vice President Kline**, (Finance Committee) but did have a question for **Councilman Jarmuszkiewicz**, (Recreation Committee).

Councilwoman Fellows asked who are the members on the city's grant writing team? **Councilman Jarmuszkiewicz** stated that the Mayor was still in the process of putting one together because of COVID-19. Once the Mayor gets the final team together; we will be able to work with them. **Mayor Gardner** stated that back in February there was a proposal out to Council. **Mayor Gardner** stated that he would send a copy of the charter to Councilwoman Fellows if needed.

COMMITTEE REPORTS (continued): (Audio: 35:54-36:32)

Council President Hallum reported on the **Committee of the Whole**:

- Council of the Whole and Rules met on 6/8/20 at 6:00 p.m.
- Discussions on the WHISPER Program, Councilwoman Taylor Draper asked to postpone a vote this week so that they had everything ready and in place before we vote on it.

- Discussed the plans in filling the Council At Large-1 vacancy, interviewing two candidates, originally there were three. One of the applicants withdrew due to family issues. The two candidates being interviewed this evening are Steve Roth and Jim Walsh.
- Planning on holding a Special Council Meeting on Monday, 6/15/20 at 6:00 p.m. strictly for the purpose of interviewing the final four applicants.

Questions/comments following Committee of the Whole: (Audio: 36:33-36:37)

There were none.

COMMITTEE REPORTS (continued) (Audio: 36:38-37:17)

PC-ABR:

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

- Met on 6/4/20, approved one garage addition at 38100 Pleasant Valley.
- There was no planning and zoning business.
- Discussed beginning the task of updating the Master Plan.

Questions/comments following Committee Reports: (Audio: 37:18-38:21)

Council President Hallum asked Councilwoman Taylor Draper if she wanted to give any update on WHISPER sub-committee? **Councilwoman Taylor Draper** stated that they are looking to vote on 6/25/20. The committee has done a “hero’s work”! We are hoping to conclude by next Tuesday; and then all documents will go to the Law Department for review. Hoping to have a draft for council on June 22, 2020 at the Committee of the Whole meeting.

UNFINISHED BUSINESS (Audio: 38:22-44:12)

Councilwoman Taylor Draper asked Councilwoman Fellows the status of the Resolution Denouncing Racism and Bullying and stated that she has concerns. **Councilwoman Fellows** stated that she has collected information from the Lake County Begin The Conversation. **Councilwoman Taylor Draper** stated that she read the draft of the resolution that Councilwoman Fellows prepared and wanted to know why “bullying” was included as part of the resolution? **Councilwoman Fellows** stated that is what people do, “they bully”. **Councilwoman Taylor Draper** stated they don’t bully minorities; it’s discrimination against skin color. That’s not bullying and she would never use that term. **Councilwoman Fellows** stated that she appreciated her thoughts and feelings on that. **Council President Hallum** recommended that they should continue the conversation at the Committee of Whole Meeting.

LEGISLATION (Audio: 45:13-50:12)

ORDINANCE 2020-26 – THIRD READING (Audio: 45:15-46:08)

AN ORDINANCE RESCINDING ORDINANCE 2018-11 IN ORDER TO ABOLISH THE SUSPENSION OF THE WILLOUGHBY HILLS ISOLATED SENIOR PROGRAM FOR EVERYDAY RELIEF (W.H.I.S.P.E.R.) TO ASSIST THE SENIOR CITIZENS OF THE CITY OF WILLOUGHBY HILLS, AND RE-ESTABLISHING THE W.H.I.S.P.E.R. PROGRAM; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Council President Hallum stated that this Ordinance will remain on Third Reading.

Discussion: None

ORDINANCE 2020-27 – THIRD READING (Audio: 46:09-47:49)

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 AND DECLARING AN EMERGENCY.

Motion made by Councilwoman Fellows, seconded by Councilman Knecht to adopt Ordinance 2020-27.

Discussion: None

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

NAYS: None

Vote: 6/0

Motion Carries to adopt Ordinance 2020-27, to accept the proposal as submitted by Richard L. Bowen& Associates, Inc.

ORDINANCE 2020-33 -FIRST READING (Audio: 47:50-48:10)

AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2021 FOR THE CITY OF WILLOUGHBY HILLS.

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

Discussion: None

ORDINANCE 2020-34 -FIRST READING (Audio: 48:11-50:12)

AN ORDINANCE ACCEPTING THE BID OF UNITED SURVEY, INC., OF 25145 BROADWAY AVENUE, OAKWOOD VILLAGE, OHIO, FOR THE 2020 SEWER REHABILITATION PROGRAM AND DECLARING AN EMERGENCY.

Motion made by Councilwoman Fellows, seconded by **Councilman Jarmuszkiewicz** to waive the Three Readings on **Ordinance 2020-34**.

Discussion: None.

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

NAYS: None

Vote: 6/0

Motion Carries to waive the Three Readings on **Ordinance 2020-34**.

Motion made by Councilwoman Fellows, seconded by **Councilman Knecht** to adopt **Ordinance 2020-34**.

Discussion: None

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

NAYS: None

Vote: 6/0

Motion Carries to adopt **Ordinance 2020-34**, to accept the bid of United Survey, Inc. for the 2020 Street Rehabilitation Program.

NEW BUSINESS (Audio: 50:13-50:29)

There was none.

PUBLIC PORTION #2 (Audio: 50:30-58:18)

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

Public Portion opened at 7:49 p.m.

Frank Cihula, 35060 Dixon Road, Willoughby Hills, OH 44094

- Mr. Cihula asked if they interviewed the candidates for the council position yet?

Jenna Bing, 36951 Beech Hills Drive, Willoughby Hills, OH 44094

- Mrs. Bing shared her feelings and thoughts regarding bullying and racism.

Dale Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094

- Mr. Fellows thanked Law Director Lucas for his answer regarding voting for yourself. He appreciated Mr. Lucas's thoughtfulness on the answer.

Public Portion closed at 7:56 p.m.

Councilwoman Taylor Draper responded the following to Mrs. Bing:

- Not minimizing bullying, it exists, people kill themselves over it. It is a very serious action that someone can do to someone else.
- Taking a stand on racism should not involve "city laundry"; we should absolutely deal with bullying but the two do not go together. It has more to do with this group vs. this group.
- Racism should not be marginalized because there are issues in the City.

EXECUTIVE SESSION

INTERVIEWS OF CANDIDATES FOR COUNCIL VACANCY

(Audio: 58:19-1:00:52)

Motion was made by **Councilwoman Taylor Draper**, seconded by **Councilman Jarmuszkiewicz**, to go into **Executive Session** for purposes of interviewing (potential council members) Steven Roth and Jim Walsh, not to last more than 60 minutes with Steve Roth first and then Jim Walsh.

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

NAYS: None

Vote: 6/0

Motion approved to go into Executive Session.

(Following: For the Good of the Order/For the Good of the Community and before Adjournment)

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

(Audio: 1:00:53-1:04:45)

Councilman Vice President Kline commented:

- Wanted to thank the Mayor for the meeting he put together yesterday on the Dodd Road Bridge to discuss the debris piled up from storms under the bridge. The Mayor has contacted the County; two representatives from the County followed up and the debris will be removed in the next two weeks.

Motion was made by **Councilwoman Fellows**, seconded by to **Councilwoman Taylor Draper** to excuse the City Engineer, the Law Director, and the city Finance Director.

Discussion: There was none.

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

Motion carries to excuse the Law Director, the City Finance Director and the city Engineer.

Council went into Executive Session at 8:04 pm.

Council President Hallum called the meeting back to order at 8:58 p.m. and accepted a motion to adjourn.

ADJOURNMENT (Audio: 1:57:55– 1:58:52)

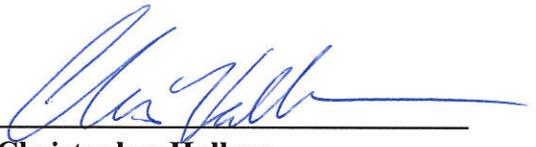
Motion was made by **Councilwoman Fellows** to adjourn seconded by to **Councilman Jarmuszkiewicz**

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

Motion carries to adjourn the meeting of June 11, 2020.

The Regular Council Meeting of June 11, 2020, was adjourned 8:58 p.m.

APPROVED: June 25 2020
Date


Christopher Hallum
President of Council

ATTEST: Josmo Monico
Council Clerk