

City of Willoughby Hills

Regular Council Meeting Minutes of April 11, 2019

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. Council minutes shall be written, and approved by Council.

The Regular Council Meeting was called to order on Thursday, April 11, 2019 at 7:00pm in Council Chambers. President Pro Tem Plecnik presided.

Pledge of Allegiance

Members Present: Councilwoman Janet R. Majka, Councilwoman Laura Pizmoht, Vice President John Plecnik, Councilman David M. Fiebig, Councilman Christopher Hallum, Councilwoman Laura Lenz

Others Present: Law Director James O'Leary, Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. Di Franco, Clerk of Council Victoria Ann Savage

Absent: Mayor Robert M. Weger

MOTION TO APPOINT VICE PRESIDENT PRO TEM

President Pro Tem Plecnik: At this point given the absence of our Council President, I would entertain a motion for President or excuse me, Vice President Pro Tem.

Councilwoman Pizmoht: Mr. President. I'd like to nominate Janet Majka to be our Vice President Pro Tem.

Councilwoman Lenz: Second.

President Pro Tem Plecnik: We have a motion by Councilwoman Pizmoht and a second by Councilwoman Lenz. Any discussion on that motion?

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Tem Plecnik: Then it's unanimous, Councilwoman Majka will serve as Vice President Pro Tem for the evening. And as Vice President, I will serve as President Pro Tem to run the meeting.

I would now also entertain a motion to excuse our Council President per our policy, she has spoken with the Council Clerk and informed her of the reason of her absence.

MOTION TO EXCUSE

Councilman Fiebig: Move to excuse the absence.

President Pro Tem Plecnik: We have a motion by Councilman Fiebig.

Councilwoman Majka: Second.

President Pro Tem Plecnik: Second by Councilwoman Majka. Any discussion on that motion?

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Tem Plecnik: Our Council President is excused for the evening.

Before we get into any further business, our Council President Nancy Fellows at the beginning of the year, instituted an invocation, a moment of silence, a pray at the beginning of each Council meeting and this evening we're very honored to have Rabbi Elchanan Stern join us. He is currently a second-year law student at Cleveland Marshall College of Law at Cleveland State University and I'm honored to call him my student. But previous to his legal studies Rabi Stern was a Rabbinic Fellow at the Torah Life Institute of Cleveland. He received both his B.A. and M.A. in Talmudic and Theological Education as well as his Rabbinic Ordination from the Telshe Rabbinical College in Wickliffe, Ohio, our neighbor. He resides in Cleveland Heights with his wife Naomi and their three children. And I might also add that he is the founding President of the Louis Brandeis Center of the Cleveland Marshall Chapter. So, we're very blessed and honored to have Rabbi Stern with us this evening and I would invite him to come forward and share an invocation with us before we begin with our business.

INVOCATION/POSITIVE MESSAGE

Rabbi Stern: Thank you Professor Plecnik and City Council. It's an honor for me to be here. Maimonides, the great medieval Jewish philosopher and jurist, writes in his code of Jewish law that every day of our lives we should regard ourselves and the world as evenly posed between innocence and guilt. One good deed can tilt ourselves and the world to redemption and one bad deed can tilt ourselves and the world to destruction. There has never been a more democratic statement made underscoring the potential of every human being to make or break the world.

As you gather to address the needs of Willoughby Hills and to better the lives of our constituents, be mindful of the plight of the individual. The might of the majority must not overwhelm the rights of minority. Every individual is precious. Every individual is created in the image of God, the Imago Dei.

Let us now turn to seek divine guidance:

“Dear God: Grant us the courage to face up to our problems, the flexibility to bend with life's blows, the resilience to bounce back with enthusiasm, and the faith with which to begin anew.

Grant us good health, long life, a sense of fulfillment, the will to be generous. Help us to be content with our lot, but never permit us to be satisfied with ourselves. Inspire us to appreciate the preciousness of time. Bestow upon us the wisdom to understand that time and life are two sides of the same coin, and to waste the one is to destroy the other.

Give us the capacity to view life from the perspective of eternity. Focus our attention on eternal values, make us big enough to abhor pettiness, humble enough to loathe vanity and self-seeking, enlarge our vista to see that true happiness comes from the goods that we share, not the riches that we hoard.

Impress us with the spiritual power of silence, guard our tongue from evil and our lips from speaking guile. Teach us, dear God, when not to be quiet, make us vocal in speaking out against injustice wherever it rears its ugly head.

Teach us to love our fellow man as we love ourselves and to be critical of ourselves the way we are critical of our fellow man. Keep us sensitive to the fact that only a person who is conscious of his own faults can fully appreciate other people's virtues. Help us learn that happiness, like love, cannot be found, but must be created. That genuine satisfaction is the byproduct of meaningful living enriched with sanctity of purpose.

Inspire us with the awareness that people who live only for themselves soon find it hard to live with themselves, that he who shares his fellow man's burdens lightens the weight of his own problems.

Teach us that self-criticism not only creates friends, it also influences people, especially one's self. Make us ever aware of the need for priorities, priorities of the spirit, so that the right shall precede the wrong, the good shall precede the expedient. Teach us to understand that all who seek justice and righteousness can find fulfillment under the broad umbrella of true democracy. Amen."

President Pro Tem Plecnik: Thank you, Rabbit Stern. With that, we'll return to our regular schedule and the Disposition of the Journal. Do we have a motion with respect to the Regular Council Meeting Minutes of March 28th?

DISPOSITION OF THE JOURNAL

Councilwoman Pizmoht: Mr. President. Motion to adopt the Regular Council Meeting Minutes of March 28, 2019.

Councilwoman Majka: Second.

President Pro Tem Plecnik: We have a motion by Councilwoman Pizmoht and a second by Councilwoman Majka to adopt the Regular Council Meeting Minutes of March 28, 2019. Any discussion on that motion?

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Tem Plecnik: The minutes of March 28th are adopted.

I do want to share this is the point of the meeting when we would go to our Mayor's report but Mayor Robert Weger is actually representing the City of Willoughby Hills at the YMCA's annual dinner and fundraiser and given that we are very blessed to have the YMCA dream house off of Maple Grove Road, we're glad that the Mayor is able to represent us there and he sends his regrets. But also, I'm sure, his congratulations for what will happen later this evening.

That said, with our Mayor and Council President absent, it's still important to have a bit of a report on behalf of the City because we are incredibly blessed and fortunate to have the good news of Produce Packaging Incorporated coming to the old Sam's Club building as reported by Cleveland.Com and the News Herald. This is going to bring over 300 new jobs to the City of Willoughby Hills. It's the single biggest moment in economic development at least in the last twenty years, filling the largest commercial building and they're coming to Willoughby Hills because they want to expand and they're hoping that in the coming years they'll grow to 350 jobs, who knows, may be more. So, this is really an extraordinary moment for the City and we need to build on that momentum and be grateful for the hard work that brought us there. As I said to the News Herald, it really was a team effort and I do what to recall the enormous amount of work that Councilwoman Laura Pizmoht has put in to working on the tax abatements for the City. This comes on the heel of bring Hospice of the Western Reserve to Chardon Road with their 4.2 million payroll and that of the 10 million dollars plus payroll of Produce Packaging here, I was very grateful to have a tax expert, a tax lawyer to work with the drafting of those ordinances. It was also incredibly helpful to have Councilwoman Pizmoht join me as Jobs Ohio visited

Willoughby Hills along with the Lake County Port on Economic Authority to decide whether or not to support Produce Packaging's move and I will say, to follow off the Rabbi's call for blessings, I felt very blessed when the Coastal Development Director turned out to be none other than my former student Peter Zahirsky and he proved to be a very strong advocate for us and I also want to thank Mr. Zahirsky and the Port Authority for stepping in and supporting Willoughby Hills and to support Lake County as they always do because with their advocacy and help, we have made a huge difference for the westside of Willoughby Hills. And that's not even to say about Aldi coming to the Sears building, about the continued work in bringing a gym into the Shoppes of Willoughby Hills, the impending opening of our Police Substation which Council President Nancy Fellows and I negotiated with the new owner J. Scott Scheel. We're told by the Mayor that will probably happen in May, so we're very excited for that as well. I think that will add a lot of safety and reassurance to the plaza as well as encourage still more business but going back to Produce Packaging, this is a 24-hour employer. They're going to have 3 shifts and there will always be people in the plaza who not only pay taxes themselves, but are going to be in the market for lunch, dinner and breakfast. They are going to be present, so I think that this is a great moment for our City and something for us to be very thankful for and excited about. I just wanted to share that before we move forward. I know that the Mayor would want to share it. We're grateful too for his hard work, for the engineer's hard work in making this possible.

Councilman Fiebig: Mr. President. And I share that sentiment as well. You know, this all started with a phone call from a resident to me, a resident who had a friend that was a consultant and this just goes to show the power of communication. A resident had his ears open, he listened and he said, well you know, I know Councilman Fiebig up there and I immediately called their consultant and we set up a meeting on September 11th and the Mayor and I and four people met and we had subsequent meetings, we had subsequent phone calls, and that got the ball rolling. So, it really is the power of communication, it's the power of working together as a community, that we made all that happen. Everybody had a hand in it. I think that it was great. I think that it shows when we work together great things happen for Willoughby Hills. So, I believe that the property transferred, so the real estate has actually transferred. I know that there was quite a bit of work that we did on the Planning and Zoning Commission, so I want to recognize the efforts of our volunteer Planning and Zoning Board. You know those people work without pay, like some of the Council members here and the Mayor and the Administration work with pay, these people dedicate their time to review these plans, week after week. They meet twice a month, just like Council does. So, I want to recognize the people on the Planning and Zoning and the Architectural Review Board as well. The folks there do quite a bit of work, Frank Cihula as well, I know that you had some input on this too. So, again, a team effort. Congratulations, we definitely welcome them. We're looking forward to the ribbon cutting which I'm sure will happen sometime in June, may be July. I'm hearing that they needed to be out of their existing place by August. So, we're definitely looking forward to that and many other great developments here in the City. Thanks.

President Pro Tem Plecnik: Thank you, Mr. Fiebig. Any other questions before we move on to our Law Director's report?

ADMINISTRATION REPORTS & COMMUNICATIONS

LAW DIRECTOR'S REPORT: I have just a couple of quick things. The last several weeks, I've been working on several different contractual issues, interpretations of contracts, disputes that have arisen related to the City, one involving cellphone lease as well as some other things. As they get resolved, I'll have more to share with Council. But the other thing that I wanted to share, was that prior to coming here, this evening I had the honor of attending the middle school showcase at Corner Stone Christian Academy, just up the street with 56, fifth and sixth graders participated in a showcase of their work: Speech Meet, Spelling Bee, Math Olympics, Sports, Drama and Science Fair. Some great kids, great school, and it's actually going on until 8:30, so if we finish early enough, and you want to sneak out, you can see that they had some great science projects, some hypothesis that I was a little surprised at and they were really fun to look at so, that's what I have for this evening.

President Pro Tem Plecnik: Thank you, Mr. O’Leary. Any questions for the Law Director this evening?

Councilman Fiebig: I have one. Has there been any discussion regarding union negotiations?

Law Director: There has not at this point.

President Pro Tem Plecnik: Any other questions for our Law Director? Hearing none, our Finance Director’s report.

FINANCE DIRECTOR’S REPORT: Nothing to report tonight.

President Pro Tem Plecnik: Thank you, Mr. Brichacek. Any questions for our Finance Director?

Councilman Fiebig: I have one. Frank, how are things going with the audit? Are they in and are they, are they working already?

Finance Director: The auditors are here. They’re working. They are getting to a point where they are going to stop for a couple of weeks. They’ll be here through Monday. They are going to stop for a couple of weeks and then come back. How it’s going? We’ll know at the end.

Councilman Fiebig: So far, so good?

Finance Director: So far, so good. We’ve been able to give them every record that they have requested.

Councilman Fiebig: It’s the first time in a while that we’ve done a two-year audit, have we...

Finance Director: No, we’ve been on a two-year audit cycle for a while.

Councilman Fiebig: It has been, okay. All right, so this is 17 and 18?

Finance Director: I believe that we started the two-year audit cycle, I think in 2012.

Councilman Fiebig: Okay.

Finance Director: When the City, when I first started with the City, the City was in auditable, we were on an annual audit cycle at the request of the state and continuing with their scheduling, we moved to the biannual audit cycle. And as you had said, the years under audit right now are 2017 and 2018.

Councilman Fiebig: The upcoming event here, April 15th, Tax Day, any concerns or any issues that maybe you have with RITA or with income tax collections?

Finance Director: I haven’t heard of any problems with RITA. Things same to be going, they are just what RITA expects them to be.

President Pro Tem Plecnik: If I could just follow on, we actually save money as a City by actually having a biannual audit every two-years as opposed to doing it on an annualized basis which is one of the reasons why the City given its previous record was allowed to do it. We took the opportunity to save the tax payers money and I did see the auditors hard at work downstairs in the basement next to Council Office early today, so they are on campus as it were. Any other questions for our Finance Director this evening?

Councilwoman Pizmoht: Mr. President and Finance Director, I'm assuming we filed our city budget on time. We passed it at our last meeting and we had a few days to file it and so this is just confirming that we filed our budget on time.

Finance Director: Yes, it was filed with the Budget Commission, as a matter of fact, you must be prophetic because I received the certification today.

Councilwoman Pizmoht: Great.

President Pro Tem Plecnik: Excellent. Then on to our City Engineer's report, Mr. Di Franco.

CITY ENGINEER'S REPORT: Thank you, Mr. President. We had a preconstruction meeting today with Nerone Construction regarding the Dodd Bank Stabilization Project. They anticipate two months of construction and we have an ultimate completion date of July 31st. We're waiting for the finale permit from EPA before we can start but that should be no problem in getting that two months in and being done by July 31st. And at that time, for the public, the road will be closed for those two months, at least, and that's Dodd Road.

And then there are three pieces of legislation that I would support on tonight's agenda: One is 2019-26 for the engineering of this year's Road Program and I would encourage you to waive the 3-Reading Rule and there is an emergency clause on that so we can get started right away. Ordinance 2019-27 is to award the contract for the Pavement Markings Project to JD Striping. There is no sense of urgency on that. Mark Grubiss and the Service Department are making some road repairs so we don't want to start the pavement markings until he is done, so there is some time on that one. And the last one is Ordinance 2019-28 this is for a Sewer Rehabilitation Project that we would like to do. This would be to grout and reline sewers that may be experiencing infiltration and I would encourage you to waive the 3-Readings and there's also an emergency clause on that one. And that completes my report.

President Pro Tem Plecnik: Thank you, Mr. Di Franco. One question on my part first, I got a call from a resident earlier today as I was preparing for the Council meeting and he was hoping for an update on the home on Maple Grove Road that was initially demolished without a permit. Where are they at, have they pulled permits with the City? He had informed me that there was a septic tank that's not buried, standing out on the property, that they did some foundation work and he just wanted to make sure and obviously, we all just want to make sure that we're appropriately monitoring the project and making sure that it's all going according to code.

City Engineer: Yes. Actually, the contractor or the builder pulled his zoning permit today from the City, so that should be starting construction soon.

President Pro Tem Plecnik: Okay. So, all the work is permitted at this point?

City Engineer: Yes.

President Pro Tem Plecnik: Thank you. Any other questions for our City Engineer this evening?

Councilwoman Pizmoht: Mr. President. I just want to note that Dodd Road will be closed past Milann if you're coming from Chardon Road and before the bridge, going towards Eagle Road. So, it will be just in the southern part of the road. So, you just won't be open to through traffic.

City Engineer: Correct.

Councilwoman Pizmoht: And then, so the Stabilization Project should be done July 31st, then we'll be moving on to the next phase which will be paving the road.

City Engineer: Correct.

Councilwoman Pizmoht: Yeah, so people who live on Dodd Road or travel Dodd Road are going to have some issues for a lot of months here, but for a good cause though. I think the end result will be well worth it. So, thank you.

Councilman Fiebig: Mr. Di Franco, we have two other projects going on that affect traffic flow; on Rodgers is one of them, so that project is still ongoing. Lake County is replacing the waterline and that's from the bottom of the hill up to the top of the hill on Rodgers. Everything is going okay on that, right now?

City Engineer: As far as I know, yes.

Councilman Fiebig: The other is River Road. Now, it's in Willoughby but it does affect the entry, ingress/egress to Willoughby Hills and its from Gully Brook to Ridge Road. Now, Gully Brook Park is still open. You can still approach and enter the park from the south but that's a City of Willoughby project so I believe that was another 30 days until the end of April or got pushed back a week because they had some problems isn't that right?

City Engineer: Correct. It was pushed back and I think it's a month long.

Councilman Fiebig: Very good, okay, thank you, sir.

President Pro Tem Plecnik: Any other questions for our City Engineer? Hearing none, it's time for us to move on to Council Committees. Would any Committee Chairs like to give a report?

COUNCIL COMMITTEE REPORTS/ OTHER COUNCIL REPRESENTATIVE REPORTS

Councilman Fiebig: Mr. President. We had discussed at our last meeting the possibility of holding a Service Committee Meeting to discuss the brush pile that would be the brush location across the street; however, since that announcement of 2 weeks ago, there's been some developments here so we did not hold a Service Committee. I don't know that we need to at this point because administratively I think they've found the solution as where the brush pile will be open Thursday and Friday and Saturday. The area needed to be cleared out by our Road Superintendent and the crew. Pete, do you know any of the activity on that or can you update us at all on where they are with that?

City Engineer: No, I'm not familiar with that.

Councilman Fiebig: Okay. Well, it will be announced here shortly. I do expect that brush pile to be open and it will be by permit only. Now it's a free permit, but you will need to sign that either on site, online or come in here to City Hall and you would be allowed to drop off just brush not leaves or grass clippings they can't accept that. So, we'll at least have that, the brush pile will be open to residents. I believe it will be Thursday, Friday and Saturday. Someone will be there to supervise because that was one of the problems the EPA had, they did not want us dumping, people were, maybe some residents, some scoundrels were just dumping anything and it was causing a lot of problems for the City and for the creek that runs right next to it, so we're looking forward to having that back open again as a service. Meanwhile, people can still use Greenvision which is on 298th Street in Wickliffe, I'm sorry, 289th Street in Wickliffe, although it's a bumpy road to get back there, it's free and open, Monday through Friday, I believe it's about 8 to 4pm. That's all I have.

President Pro Tem Plecnik: Thank you, Mr. Fiebig. Any other Council reports? I do want to note that we're very grateful to our Street Superintendent for his work on trying to reopen the brush pile as the Mayor had

shared with us at the past meeting they are also considering the possibility of actually having brush pickup yard by yard that many cities do, so we'll continue to explore what is most convenient for residents and we encourage you to share your thoughts on what will be the best solution but we would have to invest in a mobile chipper, it is something that we could do like and cities like Kirtland do, so everything is on the table, it's all about serving residents the best way.

Are there any Council Representative reports? I actually have one this evening. I am the Willoughby Hills representative to the Cuyahoga County Airport Noise Abatement Council and we met earlier today at 10am for our quarterly meeting and here's what happened.

Complaints were down from last year. There was a total of 7 aircraft complaints to the Cuyahoga County Airport for the first quarter of this year, 3 of which were from Willoughby Hills. There were 4,356 aircraft operations which was slightly up from 4,142 operations in the first quarter of last year. But overall, the airport is still relatively slow compared to where we were about a decade ago.

We're still pushing to have a website for the Cuyahoga County Airport and the Noise Abatement Council that has the Joint Statement, that has the complaint procedures, has updates easily available to residents. We formally voted for that in the past, we continue to follow up with Cuyahoga County. Mayor Roche of Richmond Heights actually uses Cuyahoga County to do their website and that they've been told that the County is getting a new software and they won't be able to do anything software related for a year in terms of major update. So, he warns that it may be awhile but I want to share that we're still pushing to have a website dedicated solely to the Cuyahoga County Airport Noise Abatement Council. Right now, we just have a page that's rather hard to find and a little bit counterintuitive, it's there but it's not as helpful as it could be so we're hopeful that we'll have a website in the future.

With respect to the Joint Statement which once again is the agreement between Cuyahoga County, Willoughby Hills, Richmond Heights, Highland Heights, the border cities as well as all the airport tenants who use the airport, the updated version of the Joint Statement which is essentially the same as the old, really just an affirmation has been signed by all but two parties. We were told that Eaton Corporation and Five Star Aviation, two of the airport tenants, didn't want to sign until all of the construction was done at the airport which led us to our construction update.

Although most of the construction is done, there is still three things on the "to do list". First, the Runway End Identifier Lights or REILs on the Richmond Heights side, those have had some issues because the FAA's engineer came in and cutout some water drains along the airport runway, saying that they were unnecessary, well all the electrical boxes filled with water. It turns out those drains were necessary and the FAA inspection gave us a big failure for the airport electrical boxes so now they're putting the drains back in and that will allow us to have lights on the Richmond side, Richmond Heights side of the airport which is important for safety so that people see the lights as they are landing the planes. As residents we certainly want the lights to be operating at the airport and right now, they aren't operating because they can't safely do so. Electricity and water don't mix. So, thanks to the FAA on that one but the airport is working to fix it.

They're also working on the Automated Weather System or AWOS and I'm told that the automated weather system which broadcast weather updates to pilots and the tower should be completed and approved by next Friday. So, that will be done soon.

And the last major task is runway repainting, just like we're restriping the roads in Willoughby Hills. The runway for the airport needs to be restriped, repainted but Cuyahoga County Airport is so small that the contractors put them in as like an extra job. So, when they get Hopkins or another big airport, they do us on the side and so there's a little uncertainty as to when that will be done. But the Airport Manager Robert Hartigan shared that he thinks all of this should be collectively finished by the end of the year.

In general discussion, Mayor Roche of Richmond Heights volunteered and this is relevant not just to the airport but to all of us locally particularly on the westside of Willoughby Hills, that Richmond Heights is going to be repaving Richmond Road and that's going to happen in two phases, in about two weeks, the City is going to repave Richmond Road from the Mall to Highland Road and when that phase is complete, they aren't exactly sure how long it will take, the City is going to repave from Highland Road to their border with Euclid. It's not going to be a full redo of the road, it's going to be a grind and pave, so it shouldn't take too long. They're hopeful that the project will be done by the end of September and they are not going to completely close the road. There's always going to be at least one lane open when possible, two. So, the road won't close but you could expect slower traffic when they start two weeks from now at least through the end of September. But the road will be reopened and no new weigh limits will be imposed.

All meetings of the Cuyahoga County Noise Abatement Council are open to the public and our next meeting is scheduled for July 11th at 10am at the Airport. We have a public portion, we have an opportunity for you to share your thoughts and we're actually grateful that Cuyahoga County Councilwoman Sunny Simon who represents the district including the airport and Republican State Central Committeeman John Popelka both came to the meeting, so that was nice to see local elected officials keeping involved and informed on how the airport impacts our residents. But that's the airport report and I stand open to any questions.

Councilman Fiebig: Mr. President. The Planning & Zoning and Architectural Board of Review Board met on April 4th. Two houses were on the agenda for architectural review, one on Maple Grove and the other on SOM Center, residents Scott and Jennifer Varro are building a new house on the horse property that is there and that will be a welcome addition to the City as well as to the development on Maple Grove.

Want to give a shout out, as I mentioned earlier, to the members that serve on that, Christopher Smith, Jonathon Irvine, Michael Kline, Jim Shannon serve along with Mayor Weger and myself on that commission and the Vice Chairman John Lillich's sister passed away and I wanted to express our condolences to him and his family on the passing of his sister.

President Pro Tem Plecnik: Thank you, Mr. Fiebig. Any questions on the Planning and Zoning report? I do have one question, we certainly love Lucky Horse stables, that's the name of the Varro's establishment on SOM Center. Lovely horses, I've visited them myself, but you did express some concern that our planning and zoning code hasn't been fully reviewed and updated for some time and it is the responsibility of the Planning and Zoning Commission to work on the Master Plan for the City under the Charter. Do you have any update on where you're all at with our Master Plan?

Councilman Fiebig: The last conversation I had with the Board was to bring up that, get an update from them and I told that three chapters were reviewed and that they were waiting for the 2020 census before they continue.

President Pro Temp Plecnik: Well, I certainly appreciate that, I will say our charter does set a timeline and it is late and we've heard now from some residents who are impacted by that, so I would encourage you and your colleagues on Planning and Zoning, while we thank you, I would encourage you to actively review now, I wouldn't wait for the 2020 census. I would follow the charter and get started. Thank you.

Councilman Hallum: Mr. President. So, I would, a couple of things, the minutes are not done yet for the Recreation Commission meeting that was held; however, I do want to point out a couple of things that may be interesting to the residents. They are looking at and it looks like it is going to happen, putting in a couple of pickleball courts over at the tennis courts, behind City Hall here. It's coming up to the final stages of decision making I think, but they also, if they do put those in, they are also planning on having somebody come up and hold some classes for residents to learn how to play to try to make it more popular and so the residents can enjoy the pickleball courts.

President Pro Tem Plecnik: Any questions for Mr. Hallum on Recreation? Then I will move on to our next item on the agenda, I will open Public Portion at 7:33pm. If you wish to address Council please approach the microphone, give your name and address for the record and as always, be positive and respectful for the future of our City. So, would anyone like to speak in Public Portion this evening?

PUBLIC PORTION

Section 107.08 – Public Meetings of Municipal Bodies

(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.

Lind Fulton – 2990 Marcum Boulevard. Concerning the Master Plan, I've asked many times of the Planning Commission about the Master Plan and I think they've dragged their feet on it and it's news to me that they've gotten that far because I don't know for sure, but is it in the charter to say anything that there's suppose to be public meetings because they have not met in front of a public body. So, I would like to find that out because at last I knew Mr. Smith's firm was looking at it, I don't know if they still are but it definitely needs to be done before 2020.

Ed McKenna – 2963 Lamplight Lane. I did not attend the last council meeting. I attended previous to that and I inquired in Public Portion the cost of the back wages of the settlement and the legal cost of the settlement which was reached with the City. I listened to the meeting last week on TV and I heard the words, we have heard Mr. McKenna speak how expensive these costs are and the salaries...I did not say that. I did not say or refer to the...how expensive those costs were, okay and I think an apology is in order for saying something that I did not say. Thank you.

President Pro Tem Plecnik: Thank you Mr. McKenna. Anyone else for Public Portion this evening? **Then we will close Public Portion at 7:36pm.** And at this point, we open Unfinished Business. Any Unfinished Business this evening?

UNFINISHED BUSINESS

Councilman Fiebig: Mr. President. I'll address Ms. Fulton's concern that their meetings are held in public, they're the only meetings held that are in public. I know that Christopher Smith was reviewing it personally and I think that his company was part of it but let's ask him at the next meeting specifically and then I'll bring it up to them again. But I worked extensively on the last two updates, so I'm ready, willing and able as soon as...

Resident Fulton: Haven't discussed it in public.

Councilman Fiebig: Well, the Architectural Review Planning meetings are all public meetings. As I said, what I found out was that he had been reviewing it, he had been, personally. So, as far as a public review, I was not on the board prior to that, Chris Hallum might, did you guys have any discussions about it?

Councilman Hallum: No. Mr. Smith as I recall, offered to, at no charge to the City, have his folks review it initially.

Councilman Fiebig: That was my understanding as well. So, we'll update it. We're meeting next Thursday and I'll put in a call to him and ask about, you know, let's review that in more detail and hold some meetings regarding that.

I did have a question for Mr. McKenna, he said someone said something and I don't know who he would be referring to, so if you could clear that up. I don't know who made that statement that you were asking for to clarify.

Resident McKenna: Mr. Plecnik has said it.... [resident speaking from the back of the room with no microphone]

President Pro Tem Plecnik: Thank you Mr. Fiebig. With respect to that comment, I'll simply say, you have for the record, even tonight, referred to the backpay, backpay is a cost of salary and that is what I was referring to, I think, quite accurately.

Councilwoman Pizmoht: Mr. President. I just want to clarify with respect to the Master Plan that our charter requires that it is presented, an update is presented to Council every five years and I'm curious when the last one was presented to Council, the last update, do we know when the last one was presented?

President Pro Tem Plecnik: What I can share with you is that the five years I've been on Council, running five years plus, we have not had a Master Plan presented. So, I'm not sure when the last time was but it has been more than five years. I've called for it, as Ms. Fulton has, many times and the Planning and Zoning Commission is made up of one council representative, Mr. Fiebig, the Mayor, and five volunteers and we certainly thank them all for their service but I do think that our Master Plan is critically important to economic development. Too many times we've had people make requests to change one plot of land from residential to commercial and I don't think that we should be doing spot zoning or making decisions in isolation. I think it's really important that we have a vision for the City and I have my vision for the City and I'm sure that everyone sitting here at this dais has given a lot of careful thought to their own idea of a Master Plan but this is a document that really needs to come from the whole City and that responsibility originally lies with the Planning and Zoning Commission because they do as Mr. Fiebig shared, meet twice a month to consider zoning issues and they're in the best place to give that first draft, that first bit at the apple. So, we would really appreciate it if we could finally get back on the schedule that the charter sets because I think that this is really important particularly to build up the momentum that we have with Produce Packaging coming to our City. I know that it's hard work and most of the members are volunteers but I think that we need all seven to hit the ground running and then Council given that draft needs to do its job and the public needs to give its input so that we have a plan that puts our best foot forward as a City.

Councilman Hallum: Councilman Plecnik. I was talking to Karen Tercek a few weeks back, from the Chamber of Commerce and she said there was someone who helped, I think it was Kirtland, Chesterland or Chardon with their master planning and it went really well and I recommended that she give a call to the Mayor and share that kind of information because perhaps we just need some help in, because she had a very successful one, so may be we can somehow utilize that person to help us get ours moving.

President Pro Temp Plecnik: That might be a very good idea.

Councilman Fiebig: I do recall there are different agencies, for example, D.B. Hartt was the one that did our initial, or at least the one that I was very familiar with in 2008, and then it was reviewed by them by my urging and I want to say, it was like, five years later but I don't know the exact date, we'll have to get back with you on that. But I know that there was a pretty good review of it. Very little was changed the second time around. But it was a thorough review that they did and that we paid for. So, we can take that track, if Council wants to expend the money for that, we can do that. What are the wishes of Council, do we want to expend some funds to bring in a company to do this? I'll bring this information back to the Planning and Zoning Committee at our next meeting, next Thursday.

President Pro Tem Plecnik: Actually, Mr. Fiebig, I do believe that the charter already gives the Planning and Zoning Commission the ability to expend funds to aid them in the planning and zoning review. You would have

to speak with the Finance Director about how exactly that would be implemented. But I think the charter explicitly gives them that ability.

Councilman Fiebig: They do and then I can say that we can make the decision as a body and you have Council's full support in whatever decisions that they would make.

Councilwoman Pizmoht: And Mr. President, not to beat this to a bloody pulp, I'm sorry everyone but we still need to talk about this, the charter also does require that we do a complete review of the zoning code every five years as well. So, if we're going to be doing the master plan we also need to be reviewing the zoning code and I know for a fact that there are several things that need to be addressed in our zoning code that aren't currently being addressed or that we may need to think about changing, so that also needs to be done.

Councilman Fiebig: I would ask for then, if there are a few thoughts perhaps put them together in an email and let's get the ball rolling that way. So, if you had a few thoughts about some zoning changes please email them to the committee and that would be another point that we could kickoff in our next discussion, next Thursday at 7:00.

President Pro Tem Plecnik: Well, I certainly think that it's appropriate for any Councilmember to weigh in who chooses to but I do think that the charter has a certain wisdom to it and having the discussion start with the planning and zoning experts who deal with these issues every day. So, I would never tell a Councilmember or the Mayor to not weigh in initially, but I do think that we really want to see the product of the Planning and Zoning Commission. There should be a concerted effort given that it is overdue, to turn something around and have a draft and while we can always hire consultants and it's in your purview to do so, I do think the organic thought needs to start now even before someone is hired because I'm sure that there are many valuable thoughts and suggestions from the volunteers who have been on Planning and Zoning for many years.

Councilman Fiebig: As I said, I just heard from one of the Councilmembers that she had some concerns and some thoughts. I'm just inviting the opportunity to please share that with us, not here, but perhaps an email would be a good form for that, enough said.

President Pro Tem Plecnik: Thank you, Mr. Fiebig. Is there any more Unfinished Business this evening? Hearing none, we will move on to Legislation.

LEGISLATION

ORDINANCE NO. 2019-18 – (Amended: March 15, 2019) – THIRD READING

1st Reading: March 14, 2019

2nd Reading: March 28, 2019

AN ORDINANCE CONFIRMING THE APPOINTMENT OF AND FIXING THE COMPENSATION FOR THE POSITION OF CHIEF OF THE FIRE DEPARTMENT; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Mr. President. I'd like to make a motion to adopt Ordinance No. 2019-18-Amended.

Councilman Hallum: Second.

President Pro Tem Plecnik: We have a motion from Councilwoman Pizmoht and a second from Councilman Hallum. Any discussion on the motion?

Councilwoman Pizmoht: Mr. President. We have Mr. Robert Gandee who has been waiting for many, many, many weeks now to be confirmed by this Council. I think that he will be a wonderful addition to the Fire Department and our City. And I'm looking forward to hopefully welcoming him on board.

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Temp Plecnik: We have a new Fire Chief, ladies and gentlemen. Congratulations!

We would now invite our Fire Chief to be, he will be sworn in tomorrow, to address the public of Willoughby Hills.

Robert Gandee: Mr. President, Members of Council, residents of Willoughby Hills, it is my sincere honor to be your Fire Chief and pleasure. I'm very excited about this. As it goes without saying, that you already know that you have a great Fire Department and my hope is to enhance it. I hope to exceed your expectation. I hope to continually strive to provide the best customer service that a Fire Department can provide. I hope to provide for a safer City through prevention planning, preparedness and education. I will ensure that we have a well-trained Fire Department and that's provided with strong leadership. In addition, I'll be a strong worker as far as a team player with City Administration and Council to strive to continually help with the success of the City. And once again, we invite everyone including members of the City of Willoughby Hills to the Fire Station tomorrow at 7pm. Once again, thank you for the opportunity to be entrusted to lead the men and women of the Willoughby Hills Fire Department. It is an obsolete honor. I'm filled with excitement. Thank you.

ORDINANCE NO. 2019-26

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE 2019 STREET REHABILITATION PROGRAM SPECIFICALLY FOR TRAILARD DRIVE, MAYFRIARS DRIVE AND GLENGATE ROAD AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Mr. President. I'd like to waive the 3-Reading Rule on Ordinance No. 2019-26.

Councilman Fiebig: Second.

President Pro Tem Plecnik: We have a motion from Councilwoman Pizmoht and a second by Councilman Fiebig to waive the 3-Reading Rule on Ordinance No. 2019-26. Is there any discussion on that motion?

Councilwoman Pizmoht: Mr. President. As our City Engineer advised us, he would like us to get this rolling so that we can start working on getting bids to repave these roads that are in desperate need of repaving.

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Tem Plecnik: Ordinance No. 2019-26 has had the 3-Reading Rule waived.

Councilwoman Pizmoht: Mr. President. Motion to adopt Ordinance No. 2019-26.

Councilman Hallum: Second.

President Pro Tem Plecnik: We have a motion by Councilwoman Pizmoht and a second by Councilman Hallum to adopt Ordinance No. 2019-26. Is there any discussion on that motion?

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz

Motion PASSED.

President Pro Temp Plecnik: Ordinance No. 2019-26 has been adopted.

ORDINANCE NO. 2019-27

AN ORDINANCE ACCEPTING THE BID OF JD STRIPING & SERVICES, INC. FOR THE 2019 PAVEMENT MARKINGS PROGRAM AND DECLARING AN EMERGENCY.

President Pro Temp Plecnik: Do we have any motions?

Councilman Fiebig: Remain on 1st Reading.

Councilman Hallum: He (City Engineer) said that it's all right.

President Pro Temp Plecnik: This will remain on 1st Reading.

ORDINANCE NO. 2019-28

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE 2019 SEWER REHAB PROJECT AND DECLARING AN EMERGENCY.

Councilman Fiebig: Mr. President. Move to waive the 3-Reading Rule on Ordinance No. 2019-28.

Councilman Hallum: Second.

President Pro Temp Plecnik: We have a motion by Mr. Fiebig and a second by Councilman Hallum to waive the 3-Reading Rule on Ordinance No. 2019-28. Any discussion on that motion?

Councilman Fiebig: Mr. President. As we heard from our City Engineer's report, this is an expediency that is required for the infiltration of ground water into a sewer system. So, it's urgent that we pass this quickly.

President Pro Temp Plecnik: Any other discussion?

**Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.**

President Pro Temp Plecnik: The 3-Reading Rule has been waived on Ordinance No. 2019-28.

Councilman Fiebig: Mr. President. Move to adopt Ordinance No. 2019-28.

Councilman Hallum: Second.

President Pro Temp Plecnik: We have a motion from Councilman Fiebig and a second from Councilman Hallum to adopt Ordinance No. 2018-28. Is there any discussion on that motion?

**Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.**

President Pro Temp Plecnik: Ordinance No. 2019-28 has been adopted.

ORDINANCE NO. 2019-29

AN ORDINANCE REPEALING ORDINANCE NO. 2019-21 AND IN LIEU THEREOF ENACTING ORDINANCE NO. 2019-29 TO DECLARE CITY VEHICLE(S) AND/OR EQUIPMENT AS SURPLUS

PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE(S) AND EQUIPMENT 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.

Councilman Fiebig: Mr. President. Move to waive the 3-Reading Rule for Ordinance No. 2019-29.

Councilman Hallum: Second.

President Pro Tem Plecnik: We have a motion by Councilman Fiebig and a second by Councilman Hallum to waive the 3-Reading Rule for Ordinance No. 2019-29. Is there any discussion on that motion?

Councilwoman Pizmoht: Mr. President. This is the same ordinance that was related to a surplus tractor that we discussed at the last meeting and there was a discrepancy between some of the emails and the memos related to the value of that tractor and so this is just correcting the value of the tractor. The Mayor had said that he believed that it was the \$1500 number but it's really the \$6000 number. So, we're just fixing this, we have to repass the ordinance, that's all.

President Pro Tem Plecnik: Thank you. Any other discussion on the motion?

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Tem Plecnik: The 3-Reading Rule is waived on Ordinance No. 2019-29. Any other motion?

Councilman Fiebig: Mr. President. Move to adopt Ordinance No. 2018-29.

Councilwoman Majka: Second.

President Pro Tem Plecnik: We have a motion by Councilman Fiebig and a second by Councilwoman Majka to adopt Ordinance No. 2019-29. Is there any discussion on that motion?

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz
Motion PASSED.

President Pro Tem Plecnik: Ordinance No. 2019-29 has been adopted and that is the end of our legislation.

NEW BUSINESS

President Pro Tem Plecnik: Does Council have any new business to discuss? Going once, going twice, then we will move on to For the Good of the Order and For the Good of the Community. Any discussion on those items?

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

Councilman Fiebig: Mr. President. I would just like to wish a Happy Easter to all of our residents in the City, to all my colleagues.

President Pro Tem Plecnik: As well as a blessed Palm Sunday.

Councilwoman Pizmoht: Mr. President. Our local elementary school had their annual fundraiser for the PTO "Purses for a Purpose". And there were over 500 people there. We raised somewhere in the ballpark of \$30,000. It was a great event, a great turnout, a wonderful night and all that money is going to go back to our kids. So, it was great.

Councilman Hallum: Again, it's coming up, the Eggstravaganza is coming up on April 13th. So, please mark your calendars for that and register if you are going to go. Also, I believe that they have the coloring page for any of the kids that want to participate in that, online. You can get a jump start and perfect your coloring. I think that it's for kids only guys, little kids. So, please consider attending that. It's always a lot of fun and it's a good chance to meet your neighbors and friends in the community. Thank you.

President Pro Tem Plecnik: It's eggsordinary. Any other discussion?

ADJOURNMENT

Councilman Fiebig: Move to adjourn.

Councilwoman Lenz: Second.

President Pro Tem Plecnik: I have a motion by Councilman Fiebig and a second by Councilwoman Lenz to adjourn. There is no discussion on that motion.

Roll call: YEAS: Majka, Pizmoht, Plecnik, Fiebig, Hallum, Lenz

Motion PASSED.

The Regular Council Meeting of April 11, 2019 was adjourned at 7:55pm.

APPROVED: April 25, 2019
Date

Nancy E. Fellows
Nancy E. Fellows
President of Council

ATTEST: Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council