

City of Willoughby Hills

Regular Council Meeting Minutes of February 14, 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, February 14, 2019 at 7:00pm in Council Chambers. President Nancy E. Fellows presided.

Pledge of Allegiance

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

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

DISPOSITION OF THE JOURNAL

President Fellows: The first order of business this evening is the Disposition of the Journal for the Regular Council Meeting of January 24, 2019.

Councilman Fiebig: Madam President. I'd move to approve and adopt the Regular Council Meeting Minutes of January 24, 2019.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Majka to adopt the Regular Council Meeting Minutes of January 24, 2019. Is there any discussion on the motion?

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

President Fellows: The Regular Council Meeting Minutes of January 24, 2019 have been adopted.

The next is the Mayor's report, Mr. Mayor.

ADMINISTRATION REPORTS & COMMUNICATIONS

MAYOR' REPORT: Thank you. I had the pleasure this morning of speaking at the Willoughby Western Lake County Chamber of Commerce for State of the Cities. I discussed the following topics:

Moving forward in a positive direction with the staff being back at City Hall, the Mayor's Court reopened; the appointment of Law Director O'Leary and the continued great service from our Police, our Fire, and Service Departments.

With the group being primarily businesses in nature, I then reported on the unfortunate sudden closing of Giant Eagle and our attempts to fill that void with Aldi taking over the former Sears and Motorcycle building very soon.

I believe the Shoppes of Willoughby Hills are continuing to recruit businesses through their recent acquisition of Produce Packaging, which is currently making its way through the planning process. They'll move in probably June or July and are just getting their things together. They are moving into the Sam's Club property.

In an attempt to serve better markets and have a pulse on our business community, I have created a "Business Advocacy Team" or "Bat Team" as I call it and are encouraging individuals to become a Batman or Batwoman to do a better job in this area of Economic Development.

We are also moving forward on placing a Police Substation at the Shoppes of Willoughby Hills.

The YMCA Dream House will be built at the corner of Maple Grove and Maple Hill roads certainly adds to our excitement in the community and businesses. You can see, when you drive by the basement has been put in and they have the first floor started.

We are working to create a Dream Team to brainstorm ideas that can involve our businesses during Dream House tours.

It is exciting to have our Community Center showing life again and the Recreation Commission is assisting in getting this year's programs off the ground.

We've promoted these newly created events in the Art Gallery which will be great advertisement for the different venues that will be at the building, in the Library and building.

I thought it was a great deal, a great discussion and enjoyed listening to the other Mayors who seemed to have similar concerns with their cities. This year we changed the format and all the cities got to hear everybody's speech, so it was very informative.

With the nice weather around the corner, I have started to plan road and service department projects that we'll be undertaking. On tonight's legislation, we have an ordinance for the 2019 Pavement Markings Program. We do this every other year and I appreciate passage of this ordinance to once again.

We are waiting for permits from the EPA and Army Corp of Engineers before we begin the Dodd Road Bank Stabilization Project, but hope to go out to bid in early spring. Following that, the Resurfacing Project will begin in fall as we await for OPW Grant Funding.

I'm reviewing the Engineer's estimate for Trailard, Glengate and Mayfriars. This will coincide with this year's budget once passed roughly the project is \$504,000.

Lastly, we are working on the Stratford Place Pump Station and anticipate that project soon.

I want to congratulate Police Officer Craig Anderson on his well-deserved retirement on February 20th. He has had a fine career with our Department on a fulltime basis and look forward to him coming back part-time to continue to assist our businesses and residents of our community.

Finally, I want to offer condolences to the following families Willoughby Hills who recently passed away: Beverly Sivo, Ante Brekalo, Charles Mormino, Anthony Jacketti, Don Miklich, Mili Lekan, Ann Zakelj and Angela Laurich (who incidentally is the Grandmother of Chris Hallum's wife) and also, Ernest Battelley.

Ernest is a man who three years ago experienced a flood in his house in the Glen. He and his dog were helpless as they saw their lifelong home destroyed by the ravages of water.

That night, two thoughtful residents named Jenny and Ray Sanvido took him in for the night and called the Police Department in the morning for further direction on getting him help. The Police Dispatcher called my office and the WHISPER Program sought to find this man shelter and basically a new life for three years.

At this week's memorial service, the Lake County Council on Aging stated that we saved the man's life with our actions and want to reiterate how much good was done for this man.

This man was not abused, taken advantage of or deprived of fair real estate value on a home that was only worth, what was not on the tax value because it was destroyed in the flood.

I only bring this up tonight because Ernie's death caused me to reflect on the good that we did for him during his final years.

As we move forward in a positive direction, I do not want this memory to be tainted by hurtful, unsubstantiated suspicions by people with no knowledge of the situation. I am very proud of the work we did to help Ernie and hope we continue to help others. So, thank you to everyone who helped Ernie during his lifetime when he was just a stranger but became a friend to all.

As a Board Member of Lifeline, I encourage individuals to inquire about the guardian program for those in need. You will understand how the whole process works and accountability, fairness that ensured elder abuse would not occur. You will understand how it helps an individual who has no family in their final days. You will understand that it is a good thing and it is the right thing to do. It is also very fitting that I express this today on Valentine's Day and I hope people learn from it. Thank you.

President Fellows: Thank you, Mayor. Are there any questions for the Mayor this evening? Seeing none, Law Director's report, Mr. O'Leary.

LAW DIRECTOR'S REPORT: Thank you, Madam President. I just have a couple of things as I continue to get acclimated to the staff and the workings of the City. One of the nice things of establishing office hours every Tuesday and Thursday, is that it allows me to do, be in the building and participate in meetings that would otherwise, I wouldn't have the opportunity to do so. One of those was, the Mayor met with a developer he had mentioned earlier and I had a chance to sit in on that meeting. It happens that I knew the developer from a previous experience and were able to talk about where he's going with his project and look forward to working with him. Also, the Mayor and I met with the Fire Department, talking about staffing ratios and what we can do in the coming year as we look at manpower. I had the opportunity to meet with Councilman Fiebig and Police Chief Collins stopped in for a few minutes as we talked about traffic cameras and some other things. I too, had the opportunity to come to the breakfast this morning. They did a nice job, it was nice to see the collaboration amongst the various communities on the west end of the county as an example, not only for the county but for the region. So, having said that, those were the things that have been going on with me.

President Fellows: Thank you. Are there any questions for the Law Director this evening? The next is the Finance Director's report, Mr. Brichacek.

FINANCE DIRECTOR'S REPORT: I have nothing to report tonight.

President Fellows: Are there any questions for the Finance Director this evening?

Councilman Fiebig: Madam President. Mr. Brichacek, how's our budget coming along, are you done with yearend and are we starting to make progress on that?

Finance Director: Yes, we're making progress. No, I'm not done. Matter of fact, I'm...

Councilman Fiebig: Not done with yearend and...

Finance Director: Oh, I'm sorry, yearend. Yes, yearend is done. Those reports are out and they're posted on the website.

Councilman Fiebig: Great, great. When do you anticipate we might see a version of the proposed budget?

Finance Director: I hope in a couple of weeks.

Councilman Fiebig: Thank you, sir.

Finance Director: I apologize, I'm trying to catchup...

Councilman Fiebig: I understand.

President Fellows: Thanks. Any other questions for the Finance Director?

Vice President Plecnik: Madam President. I just want to thank our Finance Director for getting us the yearend reports. They're very informative and as we get ready to review the budget, I hope that every member of Council checks their email, reads through them, so that we're prepared.

President Fellows: Next is our City Engineer's report, Mr. Di Franco.

CITY ENGINEER'S REPORT: Thank you, Madam. President. I would echo the Mayor's recommendation to approve a motion to go out to bid for the pavement markings under New Business and also approve Ordinance 2019-12 which is for my engineering of the pavement markings. And just to clarify on the Mayor's Report about the Dodd Road Bank Stabilization, we are out to bid today. We started advertising for bids. We have not received permits yet. We'll receive bids in about a month and hopefully we'll have the permit and be able to start construction in the spring and that concludes my report.

COUNCIL COMMITTEE REPORTS/ OTHER COUNCIL REPRESENTATIVE REPORTS

President Fellows: Thank you. Any questions for the City Engineer this evening? Thank you, Pete. Moving on to Council Committee Reports. Anybody have anything to share? Report?

Then I will report on **Rules and Legislation**. The Committee met Monday, February 11th at 6:45pm. All members of the Committee were present: myself, Vice President Plecnik and Councilwoman Laura Pizmoht and Councilman Dave Fiebig. Also present were Councilwoman Lenz, Majka and the Mayor, the Finance Director, Mr. Brichacek and our Law Director Mr. O'Leary.

The Order of Business was Legislation to be considered this evening. The first is **Ordinance No. 2019-10**. This would be 2nd reading this evening. This is an ordinance setting the 1% PERS pick-up for the administration union. In compliance with the terms of the union agreement the parties will receive 3% general wage increase effective January 1, 2017 through December 31, 2019 and in addition to the City current contribution, the City will pickup 1% of the employee's contribution to their retirement fund (OPERS) for the duration of the contract beginning with the first payroll following ratification of the collective Bargaining Unit. Establishment of the plan is a necessary requirement of the SERB ULP order and required by US Treasury regulations and that's from Mr. Brichacek's email.

For the record, this was the union contract that was discussed in the Personnel Relations Committee in July 2016 where committee members asked the Mayor to renegotiate some of the terms. Those adjustments were never brought back to the committee, nor was Council apprised of the time-frame for accepting or rejecting the contract. The Mayor's agreement with the union requires that this plan be established. The Finance Director indicated that this was an "oversight" and will begin with next payroll once the ordinance is passed. Councilwoman Pizmoht questioned IRS involvement and Mr. Brichacek indicated that this addresses the pre-contribution plan and is not mandated by the IRS, but is the mandate of the union settlement. The Rules and Legislative Committee members recommended to Council to waive the 3-Reading Rule and adopt the ordinance.

Ordinance No. 2019-11 – this is an ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant of \$34,688 for 2019, which is Phase II to continue replacement of windows and doors throughout the City Hall Complex. Mayor asked to waive and adopt. The rules and Legislative Committee members recommended to Council to waive the 3-Reading Rule and to adopt the ordinance.

Ordinance No. 2019-12 – an ordinance authorizing the expenditure of funds for professional services provided by Bowen & Associates for the design coordination of 2019 Pavement Markings Program. Both the Mayor and City Engineer had mentioned this earlier this evening. This is a biennial schedule. There will be a motion at the Council meeting to authorize the Mayor to seek bids for the program. The recommendation is to waive and adopt.

Ordinance No. 2019-13 – an ordinance accepting the bid of Hastings Air Energy for the installation of an exhaust removal system in the Fire Department; the cost not to exceed \$64,000. The City's application for financial assistance submitted under the fiscal year of 2017, "Assistance to Firefighters Grant" has been approved in the amount of \$61,905.00 and as a condition of the award, the City is required to contribute a cost match in the amount of \$3,095.00 of non-federal funds. A question was posed to the Finance Director – where will the additional funds needed come from, what fund, and he had indicated the Fire Fund. Recommendation to waive and to adopt this ordinance.

Ordinance No. 2019-14 – an ordinance to accept the proposal from Bowen & Associates for the bidding and construction administration of the Dodd Road Stabilization Project – per a response from my question to our City Engineer, February 6, 2019; to help keep this project in perspective:

- Ordinance No. 2018-30 – approved a contract for Bowen for up to \$7,900 to oversee the design work being performed by KS Associates.
- Ordinance No. 2018-31 – approved a contract with KS Associates for up to \$68,000 to perform the design.
- At the last council meeting on January 24, 2019, a motion was approved authorizing the Mayor to advertise for contractor bids. FYI, we have not advertised for bids yet because we were advised by KS and the Army Corp to wait until we hear back from OEPA & ODNR as this portion of the Chagrin River is designated a scenic river and has seasonal salmonid that go up the river, therefore carries additional restriction. We don't anticipate an issue, but are just being cautious.
- The request below is for a contract with Bowen for up to \$8,100 to oversee the bidding and construction administration of the project. It includes responding to bidder questions, performing the bid opening, coordinating contract execution, administering the contractor during construction, performing periodic site visits, responding to contractor questions, processing pay applications, coordinating with Lake County Storm Water Management, etc...

Recommendation is to waive and adopt.

Resolution No. 2019-2 – a resolution in support of obtaining a grant through the Federal Emergency Management Agency (FEMA) for the purchase of 22 new self-contained breathing apparatus which is known as SCBA. There are concerns about the application...there needs to be more oversight and correctness to applications submitted in the future. Once an application is submitted it cannot be altered. Moving forward, the Law Director will review all grant applications as he does with city contracts. Mr. Brichaek mentioned that grant applications should be reviewed and a resolution from Council acknowledging the grant application before it is submitted. President Fellows and Councilwoman Pizmoht share the importance of receiving grant monies to replace the self-contained breathing (SCBA) for the safety of our firefighters, however, do not necessarily support some of the content of the grant. The Mayor, Law Director, and Bob Vencl, the firefighter who submitted the grant application, are to have a discussion concerning some of the content and references. It is suggested that this Resolution remain on 1st Reading as the grant would be awarded between April-August of 2019; as there may need to be some rewriting of the Resolution.

Resolution No. 2019-3 – a resolution congratulating Gino Covelli on attaining the prestigious rank of Eagle Scout awarded by the National Boy Scouts of America. Recommend is to waive and adopt. Councilman Fiebig will present the resolution to Gino when invited to Council for the presentation.

Resolution No. 2019-4 – a resolution commending Police Officer Craig Anderson for 30 years of dedicated service to the City of Willoughby Hills. Recommendation to waive and adopt.

There may be an Executive Session called during the council meeting to discuss personnel issues/dismissal and hiring of employees. And we're still looking for nominations from Council for the Income Tax Board of Review besides Christina Luciano-Welsh.

Public Portion was opened at 7:35pm. Linda Fulton inquired as to who Bob Vencl was? We shared that he was a Career Firefighter and Paramedic for the City.

Public Portion was closed 7:35pm and the meeting adjourned at 7:35pm. I'm open to any questions or corrections.

Any other Council Representative Reports?

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.

President Fellows: Next is Public Portion. This is an opportunity for the public to come forward. Please state your name and your address as you come forward, for the record. We ask that you keep your comments to 3 minutes, if you can and I will open **Public Portion at 7:21pm.**

Gary Petric – I am with Calvary of God Church, down the street. We've been hosting the Willoughby Hills Eggstravaganza, this will be our fourth year that the church is hosting the event. When we were meeting on Monday, there was some question as to whether or not the police were going to be involved in this year's event, directing traffic and maintaining safety. They've been there for the last three years and I guess, the Council has to declare that it's a public event. So, I'm here just asking if you could declare that a public event. It is really critical that the police are there, maintain order, directing traffic. We have had 3500 people there in the last three years, so we average about 1200 per event, like that, so that's what I'm here for. So, the committee is

behind me in case we need backup. I don't know if that is necessary or not, so that is what I'm just requesting. Any questions, or can I sit down? Thank you.

Linda Fulton – 2990 Marcum Boulevard. I'm inquiring about the blood plasma place. First question is, does anybody know what's going on there because I've noticed inside, it seems like nobody has been working there for months now. It's like at a standstill. And the other is, because, Scott Scheel, I heard that he wants to buy that property over there at Marc's and that, so I was curious whether or not he, if it goes through, does he have to abide by the present lease that they have? Can he alter it or does he have to wait for a year or what? Thank you.

Vicky Miller – 2857 Hayes Drive. I just want to come before you tonight to say I'm grateful that Council and the Mayor have come together to end the lawsuits that have plagued the City. I appreciated the last couple of meetings, seeing that an invocation was added to the agenda, but I also don't want us to become complacent on things and I have been concerned about a few things that have been going on. Recently, my family was harassed on social media and attacked with threats made against us by a council person. And that really upsets me. So, I want to put into Public Portion a conversation that came off of Facebook recently. And I'm also concerned about several other things that are going on in regards to that. One of the things is the blog called Willoughby Hills News and Views. I am finding that this opinion piece is no longer showing that there is, showing who the author is for that and when it first came out, it was introduced and told to the public by a council person's personal mailing which distributes me not knowing who is writing these pieces. And also the fact that council members are using their personal facebook pages to engage in conversations on public, Willoughby Hills forms discussing City business and blocking individual people who are part of that community and not being able to see their comments which kind of greatly disturbs me, so in fairness to everybody involved, I just want to ask everybody to come together and work together not only as a Mayor and Council but also with the public who you say you represent and some of us are not being represented very well. Thank you.

President Fellows: Anyone else this evening?

I will close Public Portion at 7:26pm. Is there any Unfinished Business this evening?

UNFINISHED BUSINESS

Councilman Hallum: Madam President. We had discussed the last time, a motion to make the Extravaganza a public purpose and anyway, it was put under investigation. I would at this time like to ask Mr. O'Leary to make his opinion on this part of the public record, if you would Mr. O'Leary.

Law Director: Thank you, Councilman Hallum. We had a brief conversation here before the meeting started about this. It seems to me that you've had this in place for the last three years and must have declared it in the past, no?

President Fellows: No, we have not.

Council Clerk: I did look it up, I did research...never done.

Law Director: So, how was it that we had the police there anyway? Do we know?

Councilman Fiebig: Mr. O'Leary. If I could shed a little light on it, over the last ten years, maybe eleven years when there's been city events, certain city events, Council has been asked to declare them as Public Purpose. Whether they were run by private organizations or through the Recreation Department. And that allows the City to expend any resources, such as, police officer's time or you know, having an ambulance there, or things of that nature to protect the health and safety of our residents and those who are visiting here.

Law Director: So, it's been done before, is what you're telling me.

Councilman Fiebig: Public purpose has been declared in the last ten years may be at least a half a dozen times that I can recall.

Law Director: Okay. So, I'll restate it the opposite way, if you don't do it, and you withhold the resources, then you're putting the church as well as those from your Rec Department on the spot with 1200 people being there in a short period of time. I think that puts you at more risk than declaring it a public event and devoting the resources that it would be to withhold them. So, it would be my position if that's what it requires to provide the resources then I would declare it a public purpose for that event.

Councilwoman Pizmoht: Madam President. May I ask a question. Do we need to do that every year, for every event?

Law Director: I think that you need to do it each event as it takes place that you're going to be involved in because it could change from year to year. It could be that next year Calvary does it on their own, we're not involved at all. And then at that point, it wouldn't be appropriate for us to do that. So, I would do it on an event by event basis.

Councilwoman Pizmoht: Okay. Yeah, I just not sure, we've certainly haven't done it since I've been on Council, so I think it's good for us to know and make sure in going forward we know how to do it and so, I don't think that there would be any problem in doing that, whatsoever.

Councilman Hallum: With that, Madam President, I would like to restate that motion I withdrew last time for investigation purposes, that we make the Eggstravaganza a public purpose.

Vice President Plecnik: Second.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilman Hallum and a second from Vice President Plecnik, Councilwoman Pizmoht, to make the Eggstravaganza a public purpose. Is there any discussion on the motion?

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

President Fellows: Eggstravaganza is now a public purpose.

Councilman Hallum: On behalf of the Recreation Commission, I appreciate it. Thank you.

Councilwoman Lenz: Madam President. A question for Mr. Hallum. Chris, how many people do you think will be going to this pancake breakfast this year?

Councilman Hallum: You know, do we have any numbers on that? I see Mrs. Grubiss in the audience.

Without the use of a microphone, Mrs. Grubiss responded from the audience, the response was inaudible.

Councilwoman Lenz: I have about twenty that I want to sell.

Mrs. Grubiss responded from the audience without the use of a microphone, her response was inaudible.

Councilman Hallum: Do you remember how many there was last year?

Mrs. Grubiss: No, I don't know how many, I look at the number of tickets that are sold. I would say may be around 400.

Councilman Hallum: Okay.

Mayor: Yes.

Councilman Hallum: That sounds about right.

Councilwoman Lenz: Who do we turn the tickets and money into?

Mrs. Grubiss: You can turn the money into the Mayor's office or Finance.

Mayor: Yeah, Finance.

Councilwoman Lenz: Very good.

Mrs. Grubiss: Thank you.

Vice President Plecnik: Madam President. In response to Ms. Fulton's question, I believe, that it's my understanding that Mr. Scheel has actually purchased the property that encompasses Marcs, so it's not that he's interested, he is the new owner. And while I'm not in position to give legal advice to you or any one watching this Council meeting, generally, leases aren't broken simply because property is sold. Now, every lease is a contract and every contract is different, but if you purchase property that is already subject to a lease, typically the lease is still on the property and the new owner is subject to the lease just like the old owner was.

Resident Fulton: Can they change it?

Vice President Plecnik: It depends on the contract and I'll confess that I haven't seen it. Mostly, I mean, lease contracts are not public records by and large, and so unless if, even if the tenant or the landlord were to share it, I wouldn't be in a position to read it and I personally have not read the lease.

Mayor: I'll add to that. We met with Mr. Scheel and that was one of the points of discussion and it's still being discussed. So, it's.... Law Director can you...

Law Director: We did meet with Mr. Scheel and his folks and there's still a lot of discussion about the status of the project there as it pertains to the plasma center. The lease really wasn't clarified yet, that part, he acknowledged it, but he really hasn't seen it. There's a sublease that he wanted to take a look at. We met with him the day before the closing and we know that as of today, that actually did take place on February 1st. So, we really don't know the status of the discussion between the parties at this point. So, I know there were lots of things that they talked about but at this point, we're waiting to hear back from Mr. Scheel if there are any changes.

President Fellows: Moving on to Legislation.

LEGISLATION

ORDINANCE NO. 2019-10 – SECOND READING

1st Reading: January 24, 2019

AN ORDINANCE IN FURTHERANCE OF THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 3058-2 AND OHIO COUNCIL 8, AFL-CIO ON BEHALF OF THE EMPLOYEES WHO WORK IN THE CLASSIFICATION SET FORTH IN SERB CERTIFICATION NO. 2016-REP-06-0060; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-10.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Hallum to waive the 3-Reading Rule on Ordinance No. 2010-10. Is there any discussion on the motion?

Councilwoman Pizmoht: Madam President. As we discussed in the Rules and Legislation meeting on Monday, this is a provision in a contract that the City is obligated to abide by and hasn't been for the last year, year and a half and so it's very important the we get this passed as soon as possible to be in compliance with the law on that.

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

Motion PASSED.

President Fellows: The 3-Reading Rule on Ordinance No. 2019-10 has been waived.

Councilwoman Pizmoht: Madam President. Motion to adopt Ordinance No. 2019-10.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Hallum to adopt Ordinance No. 2019-10. Is there any discussion on the motion?

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

Motion PASSED.

President Fellows: Ordinance No. 2019-10 has been adopted.

ORDINANCE NO. 2019-11

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT AND DECLARING AN EMERGENCY.

Councilman Fiebig: Madam President. Move to waive the 3-Readings for Ordinance No. 2019-11.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilman Hallum to waive the 3-Reading Rule on Ordinance No. 2019-11. Is there any discussion on the motion?

Councilman Fiebig: The reason for the waiving of the readings is because this is simply to accept a grant. This is in part and parcel with some other grants that were accepted by NOPEC and everything does look in order on this.

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-11 has been waived.

Councilman Fiebig: Motion to adopt Ordinance No. 2019-11.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilman Hallum to adopt Ordinance No. 2019-11. Is there any discussion on the motion?

Councilman Fiebig: Madam President. As a side note, the NOPEC organization has also offered a \$1500 grant to us that we were just informed through the Administration this afternoon and I believe the plans for that were to use it for the Halloween Party that will be coming up later this year.

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

President Fellows: Ordinance No. 2019-11 has been adopted.

ORDINANCE NO. 2019-12

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR PROFESSIONAL SERVICES PROVIDED BY RICHARD L. BOWEN + ASSOCIATES INC. FOR DESIGN COORDINATION OF 2019 PAVEMENT MARKINGS PROGRAM AND DECLARING AN EMERGENCY.

Councilman Hallum: Madam President. Move that we waive the 3-Reading Rule for Ordinance 2019-12.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilman Hallum and a second from Councilwoman Pizmoht to waive the 3-Reading Rule for Ordinance No. 2019-12. Any discussion on the motion?

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

President Fellows: The 3-Reading Rule for Ordinance No. 2019-12 has been waived.

Councilman Hallum: Madam President. I move that we adopt Ordinance No. 2019-12.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilman Hallum and a second from Councilwoman Pizmoht to adopt Ordinance No. 2019-12. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2019-12 has been adopted.

ORDINANCE NO. 2019-13

AN ORDINANCE ACCEPTING THE BID OF HASTINGS AIR ENERGY CONTROL, INC. FOR THE INSTALLATION OF AN EXHAUST REMOVAL SYSTEM FOR THE WILLOUGHBY HILLS FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule for Ordinance No. 2019-13.

Councilman Fiebig: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Fiebig to waive the 3-Reading Rule for Ordinance No. 2019-13. Is there any discussion on the motion?

Councilwoman Pizmoht: Madam President. As with Ordinance No. 2019-11, this is accepting a grant for important equipment for our Fire Department, so there's really no need to wait to accept that money.

Councilman Fiebig: Madam President. I concur that waiving this is to accept the grant, we discussed this in safety many, many months ago, and the grant application has already been submitted.

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-13 has been waived.

Councilman Fiebig: Move to adopt Ordinance No. 2019-13.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Majka to adopt Ordinance No. 2019-13. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2019-13 has been adopted. The question has come to me, have we received the grant already?

Mayor: Yes.

ORDINANCE NO. 2019-14

AN ORDINANCE TO ACCEPT THE PROPOSAL PROVIDED BY RICHARD L. BOWEN + ASSOCIATES INC. FOR THE BIDDING AND CONSTRUCTION ADMINISTRATION OF THE DODD ROAD BANK STABILIZATION PROJECT AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule for Ordinance No. 2019-14.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Hallum to waive the 3-Reading Rule for Ordinance No. 2019-14. Is there any discussion on the motion?

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

Councilwoman Pizmoht: Madam President. Motion to adopt Ordinance No. 2019-14.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Vice President Plecnik to adopt Ordinance No. 2019-14. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2019-14 has been adopted.

RESOLUTION NO. 2019-2

A RESOLUTION IN SUPPORT OF OBTAINING A GRANT THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PURCHASE OF 22 NEW SELF-CONTAINED BREATHING APPARATUS AND DECLARING AN EMERGENCY.

President Fellows: 1st Reading. We'll leave it on 1st Reading.

Councilman Fiebig: Madam President. There was, we did talk about leaving it on 1st Reading. Since Monday, since that time, there was an email, I don't know if all of Council has had a chance to read it, that did explain where those facts and figures came from. I reviewed it, it did seem to make sense, but if you want to leave it on 1st Reading, there's not urgency.

President Fellows: The grant won't be awarded until anyway from April and August...

Councilman Fiebig: There's no urgency to do it at this time, so we can certainly leave it, but urged everybody to review the document that was sent to us earlier today.

RESOLUTION NO. 2019-3

A RESOLUTION CONGRATULATING GINO COVELLI ON ATTAINING THE PRESTIGIOUS RANK OF EAGLE SCOUT AWARDED BY THE NATIONAL BOY SCOUTS OF AMERICA.

Councilman Fiebig: Madam President. Move to waive the 3-Reading Rule for Resolution No. 2019-3.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Lenz to waive the 3-Reading Rule on Resolution No. 2019-3.

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

Councilman Fiebig: Madam President. Move to adopt Resolution No. 2019-3.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilman Hallum to adopt Resolution No. 2019-3. Is there any discussion on the motion?

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

President Fellows: Resolution No. 2019-3 has been adopted.

Councilman Hallum: Madam President. Move...oh, that was an adoption. I thought it was a waive.

President Fellows: That was the adoption.

Councilman Hallum: Okay.

President Fellows: The first one was Councilman Fiebig and Councilwoman Lenz

Councilman Hallum: Okay. I just lost track.

President Fellows: Me too, sometimes.

RESOLUTION NO. 2019-4

A RESOLUTION COMMENDING POLICE OFFICER CRAIG ANDERSON FOR 30 YEARS OF DEDICATED SERVICE TO THE CITY OF WILLOUGHBY HILLS.

Vice President Plecnik: Madam President. Motion to waive the 3-Reading Rule on Resolution No. 2019-4.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to waive the 3-Reading Rule on Resolution No. 2019-4. Is there any discussion on the motion?

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

Councilwoman Pizmoht: Madam President. Motion to adopt Resolution No. 2019-4.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Hallum to adopt Resolution No. 2019-4. Is there any discussion on the motion?

Councilman Hallum: Madam President. I just want to point out that Officer Anderson has been probably the longest standing member, I believe, of our police force. Pretty close, if not, he is badge one.

Mayor: Yeah.

Councilman Hallum: So, he must have been here for a long time. And obviously, he was one of the officers that was shot at our, at the recent, last year, the shooting at Classic and was quite the hero there. He saved many lives that could have been taken, residents or people at the auto dealership that could have been injured and he's a hero in my book. He'll be sorely missed as one of our fulltime officers.

Councilman Fiebig: Madam President. Likewise, kudos to him. As I talk to members in the community, his name often comes up as one that residents have interacted with over the years and they have nothing but positive things to say about him, so certainly we wish him well in his retirement, but as I understand, he's going to stay

with us a little bit longer to help the transition into retirement. So, that's good to hear for the community to have an officer of his caliber here with us.

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

President Fellows: Resolution No. 2019-4 has been adopted.

NEW BUSINESS

Councilman Fiebig: Madam President. I'd like to make a motion for the Mayor to seek bids for the 2019 Pavement Markings Program.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Majka to authorize the Mayor to seek bids for the 2019 Pavement Markings Program. Is there any discussion on the motion?

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

President Fellows: The motion to authorized the Mayor to seek bids for the 2019 Pavement Markings Program has been adopted.

Councilwoman Pizmoht: Madam President. Motion to adjourn into Executive Session to discuss personnel issues.

President Fellows: It needs to be more described than that.

Councilwoman Pizmoht: Personnel related to discipline and firing of an employee.

Councilman Hallum: To be done when?

Councilwoman Pizmoht: Half an hour.

Councilman Hallum: After for the Good of the Order?

Councilwoman Pizmoht: Yes, thank you. Yes, before adjournment, thank you. Inviting all of Council, the Mayor and the Law Director.

Councilman Hallum: Second.

Councilman Fiebig: Finance...

Councilwoman Pizmoht: Excusing the City Engineer and the Finance Director. Thank you very much everyone for all your help.

President Fellows: I have a motion from Councilwoman Pizmoht for Council to adjourn into Executive Session to discuss personnel matters concerning discipline and hiring, firing of employees, inviting all of Council including the Law Director and the Mayor, excusing the Finance Director and the City Engineer for after the Good of the Community.

Councilman Hallum: Not to last longer than 30 minutes.

President Fellows: Not to last longer than 30 minutes.

Council Clerk: Who seconded it?

President Fellows: We don't have a second.

Councilman Hallum: Yeah, I did.

President Fellows: Councilman Hallum, okay. Any discussion on that?

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

President Fellows: We will go into Executive Session after for the Good of the Community.

FOR THE GOOD OF THE ORDER/FOR THE COMMUNITY

Vice President Plecnik: Madam President. Following off the Mayor's report, for those who we have lost, he mentioned Ann Zakelj. I know that many of you knew her as "Anka" Zakelj, the Slovenian pronunciation of her first name. I served with her on the Board of the Slovenian American Times newspaper for many years and there's very few people in Willoughby Hills in the Slovenian community that don't know Anka or haven't read her columns, her work. I'm at a lost of words to describe the lost to everyone from her passing, but I would like to read the announcement that St. Vitus Church which was her parish and mine, shared with people the morning of her decease: It is with great sadness that I inform you that our good friend Ann Zakelj has passed away. Ann had a courageous battle with cancer but God has now called her home. Ann was the spouse of John and the mother of Rebecca and Chris; sibling of Emily (Vid, deceased) and the late Godfrey. Ann was a life-long parishioner of St. Vitus Parish. She was involved in the parish choir(s), including the Christmas choir, the mix-singing chorus KOROTAN, a member of Slovenska Pristava, dedicated volunteer for the annual parish summer picnic with her creative Chinese Raffle and contributing writer for the monthly bilingual Slovenian American times. She was a person who was a good listener and a good friend to one and all. She loved to travel and had a great curiosity about different cultures, people and languages. She was devoted to the Catholic faith and her Slovenian heritage. No other details are provided as of this time with funeral arrangements pending. Keep her and all our faithfully departed in your prayers. May she rest in peace. Naj pocivaj v miru!

Councilman Hallum: Madam President. On a lighter note, the Recreation, just so everyone knows what's coming, there's two events in the near future, on March 10th is the Willoughby Hills Pancake Breakfast, that starts at 8:30 in the morning and if you're interested in tickets, please contact the City's Recreation Department. And also, on April 13th, is the Willoughby Hills Eggstravaganza that we spoke about earlier. So, please put that on your schedule and once more, if you have plastic eggs or candy that you'd like to donate, please do that. Thank you. Oh, we're good on eggs, we need candy. Thank you.

Councilman Fiebig: I was going to reiterate the candy. I got my arm twisted in the hallway, saying you better say something about candy. We need 400 pounds of candy or something. Also, they are looking for donation sponsors. Money helps to put that event on. So, if anybody would like to sponsor, you know, \$50, \$100, \$250 sponsorships for the Eggstravaganza. Quite a few people attend that, quite a few families attend that. It might be a good opportunity for the businesses to step up and/or individual sponsorships. But candy donations can be dropped off here or at the Community Center and no nuts.

All right, I wanted to point out a couple, I got three things. St. Noel's Church, across the street, offers free, or at that, St. Noel's Church, they offer free individual tutoring for adults wanting to get their GED certificate. The

Adult Education Resource Center (AERC). They offer help with Math and English tutoring, so if you know anybody that wants to improve their reading, spelling or math skills, St. Noel's AERC can help with that, there are sessions available on Monday or Thursday from 6 to 8pm at the church which is right across the street, 35200 Chardon Road, and transportation is available. The phone number is 440-946-0887 or you can email: aeresource@stnoel.org.

Willoughby Hills Community Center is having the American Red Cross Blood Drive, Thursday, March 14th, from 1 to 6:00pm, at our Community Center. So, you can call the Red Cross, it's 1-800-Red-Cross to schedule your appointment or you can go online and if you do search that, you can use the code Willoughby Hills.

There's an interesting event coming up some months from now, May 18th, Saturday, May 18th. The Aquarius Water Treatment Plant is having an open House. This is free, it's a family friendly event from 10 to 2:00pm. And this is an opportunity to learn how drinking water is collected from Lake Erie, it's treated and distributed by the Aquarius Water Treatment Plant. So, this has educational tours, equipment demonstrations, and a Touch-a-Truck and that's at 38265 Aquarius Parkway. So, you can check the website or social media for the lakecountyohio.gov/utilities. This is put on by the Lake County Department of Utilities. So, kind of an interesting thing and a way for bringing the family out and learning a little about our water and the beautiful resource that we call Lake Erie. Thank you.

EXECUTIVE SESSION

President Fellows: We will move to Executive Session at 7:54pm.

RECONVENE

President Fellows: Council is reconvening at 8:28pm. (Note: Councilman Fiebig, Councilman Hallum, Councilwoman Lenz, Councilwoman Majka, Councilwoman Pizmoht, Vice President Plecnik were present as well as the Mayor and the Law Director).

ADJOURNMENT

Councilman Fiebig: Madam President. Move to adjourn.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Pizmoht to adjourn. There is no discussion on an adjournment.

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

The Regular Council Meeting of February 14, 2019 was adjourned at 8:29pm.

APPROVED: February 24, 2019
Date

Nancy E. Fellows
Nancy E. Fellows
President of Council

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