

City of Willoughby Hills

Regular Council Meeting Minutes of July 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, July 11, 2019 at 7:01pm in Council Chambers. President Fellows presided.

Pledge of Allegiance

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

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

President Fellows: Just to share, Councilman Hallum has an appointment so he will be leaving the meeting in a little while. Before we start our business, I would like to introduce Pastor Dan from the Calvary Assembly of God Church. He has jointed us this evening to start our meeting with a prayer.

INVOCATION/POSITIVE MESSAGE

Pastor Dan: Mayor, Council President and Council, I just want to say it is an honor to serve the community with you and I would just like to say that I pray for you all often. And my prayer for you, as I pray with you tonight, is for wisdom. The word of God says that wisdom is a good thing to be had, build upon it and make great decisions out of it. Through our Lord, wisdom is what we need. So, I'd like to pray for you: Heavenly Father, we thank you for the opportunity tonight to serve our nation, serve our community, serve you and we do that in humility God. I thank you for those who serve, those who have been elected, those who volunteer. And God as we consider the great privilege and also the great honor tonight of serving our community. We recognize the need of your guidance, for your grace. So, heavenly father, I do ask Lord, for those who serve that they would serve in humility, that tonight again as we recall the words scripture that respective of the fear of the Lord is the beginning of wisdom and all those who need wisdom can ask, James tells us and you give generously. So, I do pray God that you'll grant the wisdom we need as we, I'm sure tonight, reflect on some of the wonderful faithfulness you provided this community in the recent past and grace we need as we consider finances and opportunities and room for improvement and growth as we look forward. So, in all humility, God we ask that you grant us wisdom. We pray these things in the name of the father, the son and the holy spirit. Amen.

President Fellows: Thank you. Thank you, Pastor Dan, very much.

MOTION TO AMEND THE AGENDA

Vice President Plecnik: Madam President. I would like to make a motion to amend tonight's Council meeting agenda to include a presentation by Willoughby Hills' resident and President Robin Rowell of UH Richmond

Heights Hospital for the donation of 21 bleeding kits for the Willoughby Hills Police and Fire Departments to help prepare them to respond to a single or a mass shooting or any other traumatic incidents.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to amend tonight's meeting agenda to include a presentation by Robin Rowell, President of UH Hospital for donating 21 bleeding kits to the Willoughby Hills Police and Fire Departments to help prepare those to respond to a single or mass shooting or traumatic accidents. Is there any discussion on the motion?

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

President Fellows: Tonight's agenda has been amended. So, Chiefs if you want to come up and Robin, that would be wonderful.

PRESENTATION

Robin Rowell: Thank you for allowing me to be here tonight with Dan Ellenberger, he is our Director of Emergency Services. We are so fortunate to be in this region. When I took the position recently, I was so proud to be over a hospital that actually is in a community in which I live and I can make an impact. So, with Dan's help and the support of your leadership, I am glad to be here tonight, thank you.

Dan Ellenberger: Stop the Bleeding was put together by the Department of Defense and actually with the ACS, the American College of Surgeons. University Hospital, about two or three years ago, started to really embark on a journey to work with the Law Enforcement, Fire and also Schools with Stop the Bleed. So, Stop the Bleed is basically tourniquets. So, if you remember the Las Vegas shooting, probably the last one, a lot of lives were saved by tourniquets. Most of you folks have a tourniquet on yourselves, you have a belt. But when we have the law enforcement officers on Route 91, a single traffic stop, and if something happens to one of them, God forbid, we want them to be able to provide a tourniquet for themselves because they have between 30 to 60 seconds if they are shot in the leg to live or die. So, it is really about self-help with them. So, these kits are set that they can actually be in the cruisers but also the Fire Department and paramedics when they need to make a rapid entry, they need to have these devices on board themselves so that they can render care and keep moving. So, we met a couple of weeks ago, and thought this was a good thing to do here especially with Robin being the new President and a resident, to protect our own. So that is where all this sort of came from. So, it is part of our Building Life Saving for our Communities. UH was one of the top 10 innovations in EMS last year and it was on the Stop the Bleed Program. In the schools, we are actually putting Stop the Bleed tourniquets and also in churches. Unfortunately, we even have acts of violence in the churches. We are actually putting Stop the Bleed in every class room in Lake County, Cuyahoga County, that is part of our Committee Health Needs Assessment. But we are looking at providing this to the community as well because all of you are first responders as well when it comes to CPR. How many are trained in CPR? Hands high, be proud, and if you're not, please get with the Chief later and you'll have to stay after Council to learn CPR. But, no, seriously, the only way the Police or Fire Departments can save lives is with your help. So, if some one is bleeding in a car accident and you are the first one there, you helping to stop the bleed may save their life. Cardiac arrest, we can't do a great job in the hospital with cardiac interventions without somebody starting CPR. And so, that is what we are here for. So, if there are community area events, please call the hospital and let us know, get a hold of the Chief, we'll be out here to help you with anything that you need, including the church. Everyone have a great evening, be safe.

ORDINANCE NO. 2019-49

AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2020 FOR THE CITY OF WILLOUGHBY HILLS.

President Fellows: This particular ordinance requires that we have a Public Hearing, I am going to open the Public Hearing at 7:10pm. Anyone from the public is welcome to come forward. This Public Hearing is only in reference to the Tax Budget for the fiscal year and we do this every year. So, if you have any questions or concerns and you would like to voice them, this is your opportunity to do that now. With no one coming forward, I will close the Public Hearing at 7:10pm.

DISPOSITION OF THE JOURNAL

Vice President Plecnik: Madam President. Motion to adopt the Regular Council Meeting Minutes of June 27, 2019.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second by Councilwoman Majka to adopt the Regular Council Meeting Minutes of June 27, 2019. Any discussion on the motion?

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

President Fellows: The Regular Council Meeting Minutes of June 27, 2019 have been adopted.

ADMINISTRATION REPORTS & COMMUNICATIONS

MAYOR’S REPORT: Thank you. Special thanks to UH President Robin Rowell and University Hospitals for the donation of the “Stop the Bleed” kits. They will be put to good use by our Police and Fire Departments.

In other Police and Fire news updates, our Civil Service Commission administered the Police Department’s Promotional Examination on July 1. All six candidates passed the exam and will now be interviewed for the sergeant position to replace Sgt. Brian Jackson, who retired earlier this year. Best of luck to all candidates as they complete this process.

Civil Service Commission has also planned to administer police and fire exams in September to seek full-time candidates. Notification will be going out on this in the near future.

The Police Substation continues to prepare for a ribbon cutting and anticipates that to be very soon, hopefully, by the end of July. We are waiting for some phone service, that seems to be the hang-up.

The resurfacing of the streets in the Glen, specifically, Trailard, Mayfrairs and Glengate has begun today and if you remember last year, what they do is, they go and recycle all the old asphalt on the streets. Once that’s done, it has got to settle for about 10 days or more and then they put the final coat of asphalt on it. So, don’t think it’s done when they are done recycling.

Recycle magnets are expected to be mailed out next week, along with a recycle pamphlet and a letter from Republic regarding the current rate increase, which I also have, by the way, it’s on the agenda for night, as “second reading.”

With the recent water main break on Worrell Road, the Water Department will be closing Worrell Road from Route 6 to Kelsey Court this Friday, tomorrow, for a period of approximately 3 to 5 hours. They will turn the water back on once it's repaired, but the streets affected are: Worrell, Chimney Ridge, Hemlock, Hunter's Woods, Kelsey Court, Mill Gate, Rogers Road, Sherbrooke Valley, Sleepy Hollow Drive, Valley Brook Drive and Windy Hill Drive. This is quite a bit of people, they thought they would wait until 9:00am and they will commence work then. Residents have been advised to follow the Water Department's instructions for preparing for this outage, as well as the instructions once water service is restored.

On June 20, 2019, the City underwent a site visit by our insurance carrier, Public Entities Pool of Ohio, or PEP. The individual had only 4 recommendations after spending the day at our facility:

1. Enhance safety in shared parking area near Campbell Park. Superintendent Grubiss is working on developing a plan that will reduce liability in this area. We were also advised to ensure that our parking lot is free of potholes and cracks, stating that "a slight imperfection in a parking lot or sidewalk can create a tripping hazard and open up the City to a potential lawsuit."
2. Bollards are suggested at the corners of the Fire Station Doors. Superintendent Grubiss is working with Chief Gandee to facilitate this enhancement which will protect the vehicles and the building.
3. "Minimum fine" plaques required to accompany all handicap reserved parking signs. The signs will be ordered and installed by Superintendent Grubiss.
4. An Employee Handbook should be developed or enhanced. Public Entities Pool provides a FREE tool to get the handbook created from start to finish, using an excellent online resource library that is approved by the insurance company. Because we are provided this free tool, I once again will advise Council that I am not supporting Ordinance No. 2019-54 which would have the City allocate over \$6000 to have a company create a handbook. I understand the importance of this, as the Law Director has pointed out; however, I am not willing to spend resident tax dollars for something that we can get for free. I don't believe it is cost effective when we have been given a free tool from our insurance carrier to provide a handbook. No lawsuit brought against the City to date would have been alleviated by this handbook. I will not support 2019-54 and encourage Council to table it at this time.

Ge well wishes to Finance Assistant Sharen Michney as she is recovering from surgery.

Sympathy to the family of resident Nancy Turo who passed away last month.

Finally, congratulations are in order for Councilman Chris Hallum, Finance Director Frank Brichacek and Executive Assistant Gloria Majeski, and the residents of Willoughby Hills as I received notification from the State Auditor's Special Investigative Unit that their investigation of the WHISPER Program and all other cases involving the City of Willoughby Hills have been concluded. Further, the Auditor's Special Investigative Unit states "Please be advised that on June 20, 2019, the investigation by the SIU was closed, and the complaint was unfounded." This means that the Auditor's Special Investigative Unit has taken the time (which was 9 months) to review every receipt paid out and every time sheet filled out by the accused individuals, and found nothing to substantiate the complaint against these individuals or our Senior Program. This now concludes the criminal investigation, which also included reports from the Lake County Prosecutor, Ohio Job of Family Services Adult Protective Agency and the Bureau of Criminal Investigation, all who have come back to deny any criminal activity. It is now time to open the WHISPER Program once again to our residents; however, I will no longer have one person open to take service requests or denials. I would have a committee of three or four individuals, to which Police Chief Collins has already volunteered to be a part of, as we reopen the program. If Council decides, NOT to re-open the program, I will hereby direct the Finance Director to return all funds paid into the WHISPER account to those who donated those funds. They are not permitted to be used in any other manner or to any other newly-established program. I would ask Council's prompt action as there are many seniors who have been denied assistance since February 22, 2018 when Ordinance No. 2018-11 to suspend the WHISPER program was passed by Council. Now that it has been fully investigated, it is time to move on and take care of our seniors. Again, congratulations to Chris, Frank, Gloria and the residents of Willoughby Hills on this great news from the Auditor.

In closing, I will announce the following upcoming events:

First Covenant Car Show – Saturday, July 27th from 9 to 3pm.

Garage Sale Day – Saturday, August 3 – remember to register to get your name on the master list.

President Fellows: Thank you, Mr. Mayor, you had a lot to share. Are there any questions for the Mayor this evening?

Councilman Fiebig: Mayor, do you have any suggestions as to the WHISPER Program, as to the four people or how you would like to see that proceed? Have you thought of it that far ahead yet?

Mayor: Well, I would have the Chief and two or three other volunteers from the community to serve on that.

Councilman Fiebig: Has anyone stepped up that perhaps has a senior citizen involvement or that sort of thing that...

Mayor: Not yet. We just started to research the deal.

Council Fiebig: Okay, thank you.

President Fellows: Mr. President, so recently in my mailbox, I don't if anybody else had it, I think Councilwoman Majka has one, I believe it was an article or either a website article about Perry Village. Two of their Council members had come and spent considerable amount of time with your secretary to discuss the WHISPER Program of Willoughby Hills. I wasn't there, but I would assume, you know, how things went, where you could improve, things like that, but what was interesting is that Perry Village came back, so they are investigating in their own Village to begin a community assistance program as well and they are starting with a committee. And they are also having a Council representative on their committee as well. And it is not going to be just for seniors. It would be for any adult that might need assistance but they are also going to develop an eligibility criteria list so that they have some guidelines to work with when people come forward asking for help or for needs. So, I found the article really good and I am glad that they came and discussed things with Gloria so that they can get some ideas as well. I am sure that it was very helpful as they move forward with their program. But I was glad to see that they were also going to start with a committee, so I'm glad that you are moving in that direction as well.

Mayor: Thank you.

Councilwoman Lenz: Mayor Weger, I would like to be on the committee.

Mayor: Okay.

Councilman Fiebig: Madam President. Can I ask someone from the back, may be Anthony, could you open the council door so that we could not only get airflow, but it seems like it is shutoff from people. Thank you, Anthony.

President Fellows: Thank you. The next is our Law Director's report, Mr. O'Leary.

LAW DIRECTOR'S REPORT: Thank you, Madam President. I just have a couple of things. Since the last time that we had met, most of my time has been spent on the Police Prosecutor Position. Mike Germano finished up last week, so I met with him and Jim Ours and went through the 25 or so pending files in order to familiarize myself with it. This Wednesday, did the prosecution for the cases we had; fortunately, there was only, I think 10 or 12 but they were involved cases, unfortunately, including a preliminary hearing on a felony and so, it took the better part of the day which is not usual for the Police Prosecutor. You do have a resolution before you tonight to approve Todd Cipollo, I am recommending that you do that. I will be there to help walk

him through everything. He is obviously an experienced attorney but it is helpful to have somebody that has been in Willoughby Municipal Court for the last, I don't know how many years I've been there with Kirtland Hills Village, and between us we will be able to take care of the prosecution of the cases and the Mayor's Court. So, I encourage that you do proceed with that. I did also send to Council, requested that we approve an agreement with Clemens, Nelson as it pertains to the employee handbook. I know that the Mayor and I have a little bit of a disagreement about it only because I like the idea of bringing in a professional even if you have to pay for it in order to make sure that you have everything in order and be assured that when it is done they stand behind it, for I think, a year to come back and make any revisions that need to be. The way I like to look at it is I can do plumbing, but I don't always like the results and so that is why I call a plumber and that is how I feel about this situation. So, that is my report for tonight.

President Fellows: Thank you, Mr. O'Leary. Are there any questions for the Law Director this evening?

Councilwoman Pizmoht: Madam President. I would just like to say that I had the pleasure of speaking with our Municipal Court Judge who assured me that Mr. O'Leary and Mr. Cipollo will do a fine job and will be able to handle the cases going forward for our City. So, I think that is a nice vote of confidence for this arrangement.

President Fellows: Thank you.

Councilman Fiebig: Mr. O'Leary.

President Fellows: Madam President.

Councilman Fiebig: Madam President. Mr. O'Leary, did you have a chance to review the draft version of the employee handbook at this time.

Law Director: I have not received it.

Councilman Fiebig: Okay. I requested it since we've been taking about it, as to what we have so far. So, there is some draft available and I understand it is...

Mayor: You have the only copy.

Councilman Fiebig: Okay. It's available electronically, so...

Mayor: Yeah.

Councilman Fiebig: So, you could review it. And you are working on it and it's, PEP who are professionals on this, have offered their assistance to the City for free and their input is, also coincides with our existing union contracts which rule over most other policies that you might put into place, so we actually already have existing state law, federal law and union contracts. So, my question, who else are we talking about here that...

Mayor: It's basically about six people that are nonunion.

Councilman Fiebig: That's what I thought...

Mayor: And over the last 15 years, we haven't had any problems but that's not to say that we will or we won't but it's a good thing to have and right now the copy you have is the copy we had originally. We're trying to incorporate some of the Police Department policies and the Fire Department policies within it.

Councilman Fiebig: There is an extensive Police and Fire Department Policy and Procedure section that equals just about what is already in here...

Mayor: Right.

Councilman Fiebig: We're incorporating these two, it would be substantial. So, there's quite a bit there already that is in place from what I've read.

Mayor: Yeah, but a lot of them don't apply to regular employees because they don't have the excessive use of force and things like that so...

Councilman Fiebig: Right. Wearing jeans on a Friday doesn't apply to a Police Officer or Firefighter, so...

Mayor: Right.

Councilman Fiebig: You know, those are some of the things that are in the handbook, it's a policy of the City to have a casual Friday, but there are some parameters to...

Mayor: Right.

Councilman Fiebig: Okay.

Councilwoman Majka: Madam President. As long as we are weighing in on this, I just want to say that I like the idea of bringing an outside vendor in and not only because of the things that have already been stated but because when the gentleman came here to do his presentation, he, himself or he has on staff SERB trained employees which I think is a very valuable asset. Had we had that kind of resource in the last couple of years, we would have gotten our monies worth and I think that \$6,000 is a very nominal amount to get not only a very quality handbook together but to have these attorneys' services for union negotiations and union matters.

Councilwoman Pizmoht: Madam President. And also, who, do we have employees here in Willoughby Hills working on this draft of a manual.

Mayor: Yes.

Councilwoman Pizmoht: So, I think it's important that we understand, that it is not free, our tax payers are paying for those employees, for their time and anytime they are spending on that, they are not spending time providing services to the residents. So, while we might think, or it's fair to say, or argue that, that's an acceptable expense of paying for their time to do that, it might be something that we can argue, but it is not free. So, I think it is important to understand that.

Councilman Fiebig: Madam President. I certainly didn't mean to insinuate that it was free what the employee has already done, from what I gather it was about 30 hours so far, to contribute that, but that is the position of HR in our City to do something like that. It falls exactly under the purview of what we pay that person for.

Vice President Plecnik: Madam President. I would just disagree. I think Dawn is a very hard worker and very valued member of our team but she is certainly not a lawyer and she has expressed to me and others at some point, that she sometimes feels over her head. So, to give her a task that she has never done before, dealing with the issue you, yourself said, federal, state, local law as well as union contracts, I don't think it would be fair to expect that of Dawn. I am sure that she will do whatever she is asked to the best of her ability but to expect her to have the competency of a labor attorney would not be a fair expectation. I think that she does a wonderful job in HR. I'm very grateful for her help but I wouldn't want to impose on her the abilities of an astronaut, a lawyer, or a brain surgeon, none of us are capable of doing everything.

Councilman Fiebig: Madam President. Final thought is yes, I agree, she might not be the expert, she certainly is not a lawyer but we do have a lawyer on our staff who is able to reach out to others at any time to ask for advise on certain areas that he doesn't feel comfortable with.

Councilwoman Pizmoht: Madam President. That is precisely what Mr. O'Leary is suggesting that we do, is hire help for him in this regard. Also, I think it is important to understand that the employee manual needs to both represent the needs of our employees and our staff of course, but also needs to represent the interests of the employer which is our taxpayers. So, it is very important that the manual reflects all of the interests of our residents and taxpayers as well as the employees and everyone in our City.

Law Director O'Leary: The idea of bringing in an outside group doesn't mean that they are just going to come in and they are going to hand us a handbook and we've got to live by it. The idea is that they are going to come in, meet with the employees, go over what we already have in place, incorporate what we have in order to have one cohesive document. You already admitted tonight, Councilman Fiebig, you've got policies and procedures from police and you've got the employee manual as written, and somehow those have got to be melted together. I can tell you; I've tried to put contracts from two different places together and it's very difficult to do so, and to make sure that even the language is common from one to the other. That's why you bring in an outside group. So, again it was my recommendation. I've been making this recommendation, I think since February, I just think it's time for Willoughby Hills to get this put to bed.

President Fellows: Thank you. Let's move on, otherwise we're going to take this topic and put it into a committee.

Councilman Fiebig: Which isn't a bad idea to talk about this a little more. There are obviously things to debate about this. So, I hope that we would. Thank you.

President Fellows: Finance Director's report, Mr. Brichacek.

FINANCE DIRECTOR'S REPORT: I would request that Ordinance No. 2019-49 adopting the City's tax budget for the year 2020 be adopted at tonight's meeting. By state law, the tax budget has to be adopted by no later than July 15th. Probably the single most important item in the information for the tax budget is the reminder that the road levy expires in 2020 and is a five-year road levy. The decision will need to be made to either allow the levy to expire or to renew the levy or to let the levy expire and propose a new levy to the voters. Without that action, the road levy funding will cease in 2021. Also, we received the first bill from the municipal court our share for this year increased up to approximately 17% of the excess of the operating cost of the court. Fortunately, municipal court had a good first half to its ALCO costs was lower than what I would have anticipated. The representatives of the member communities met with the clerk of courts. Myself and the Mayor attended in which we all expressed our concerns to the clerk regarding the operating costs of the court as it continues to rise. We requested additional information from the court to attempt to get a better estimate of what the second half of expenses are going be because based on the remaining budget, the second half, the first charge half back was \$13,000. The second half charge back based on the budget which I don't believe will come out to this number, but potentially could be \$107,000 for our share. So, we've requested more information from the court to try to clarify that. I believe that number to actually be too high because I believe that the court's revenue estimates are too low and I know that they have not fill all of the positions that the City of Willoughby authorized them to man during the first 6 months of the year, so that money will not be spent in the second 6 months. It's good that we expressed our concern to the court. And I have nothing else to report.

President Fellows: Thank you, Mr. Brichacek. Any questions for the Finance Director this evening?

Councilwoman Pizmoht: Madam President. Finance Director Brickacek would you mind giving a brief explanation of the tax budget so that, just for the residents to understand. It's a nice thing to do.

Finance Director Brichacek: Sure, I'd be glad to. If you pay attention to Council meetings right now, if you happen to watch the community access channel, virtually every city in the state, this time of the year is going through this process. The tax budget is the first step in the budgetary process. And its primary purpose is for the communities to demonstrate to the County Budget Commissions the need for their property tax levies. In terms of the budget, the numbers in the tax budget are based upon the 2019 budget. And I should have noted that there is no change in the proposed tax property rates. We will continue at the same rate we have since 2006. As I had mentioned, the only potential change in the property levy would be really coming next year, that I had mentioned is the decision regarding the road levy. The road levy is a voted levy, by law is limited to 5 years. Five years ago, the City passed a levy to fund, 2.5 mills, I'm sorry to renew the levy, 2.5 mills for purposes of road maintenance and that is what goes into our fund #270. It generates about \$600,000 a year. And as I said, the decision is for the City to either allow the levy to expire which I think is unrealistic because it would virtually leave us with no road program. One option that the City would have is to renew the existing levy and what that does for the property tax for homeowners, it protects the rollbacks that they receive, that the homeowners receive from the State of Ohio. The State of Ohio prior to five years ago, reimburses the City 12.50% of the property tax levy. So, when the City levies \$1.00 of property tax, the State would give the homeowner credit of 12.50%, a residential homeowner, a commercial homeowner would receive a 105 credit. In the State's budgetary process, a few years ago, the State eliminated the rollback credits and reimbursements on new levies. So, if this levy is renewed, the rollback credits would continue. If the levy is allowed to expire, and replaced by a new levy, then that new levy would not have the 12.50% credit that the property taxpayers received, that would be lost. So, it's really a critical thing. My suggestion, I'm sorry, when an existing levy is renewed, when you look at a property tax levy on the ballot, when you are voting on it, whether it is the City's or the school's, it will specify a millage. But levies under State House Bill 920, you are not really voting on, you are voting on the millage but it's a little more complicated than that. What actually goes in place is the amount of revenue that would be generated by that millage at the time that it is voted on. So, when a property tax levy is renewed, currently the road levy, the last time around, it was renewed and so the road levy is based upon the 2007 property tax duplicate. So, while the road levy, the gross rate is 2.5 mills the effective rate is about 2.3 mills. So, what it does is that the property tax levy can't generate any more money than it would generate when it was voted on. So, that is what happens in a renewal. If a new levy would come in, for example, if this was a new levy coming on in the next tax bill it would come on as 2.5 mills. Not the individual property, but the total tax duplicate for the City of Willoughby Hills as it rises in value, the effective millage would go down. So, if you look at your, almost all school levies are affected this way. So, if you look at your property tax bill it will show a gross levy and it will show an affected levy. I'm sorry, gross millage and gross affected millage. And the affected millage is what the tax payers pay. And then the credits that the State applies to the tax bill are based on that affected millage. This is an important step because property taxes are our second largest source revenue. It is a relatively steady, stable revenue source for the City. It doesn't fluctuate as widely as income tax can.

Councilwoman Pizmoht: Thank you.

Mayor: And the decision, you can have this in committee, you can go with a renewal, a new or a combination of both so you don't lose the credit that the resident gets. So, whatever it produces this year, if you need an increase, you still retain that one and put another mill on it or so.

Finance Director: If we want to generate more money for the road levy, that is what I would recommend. Is to renew the existing levy and have an additional levy to generate the additional dollars. One thing I should have probably mentioned, when you pay your property tax you pay it one year in the rear. So, the property tax bill that you are paying this year in 2019 is really for 2018. The next step in this tax budget process will be in November once the County Auditor settles the final evaluation of the duplicate. There are some changes in the duplicate from either people appealing their value, demolition of property or construction of new property. Once those final figures are known the next step will be the County will certify to the City the property tax rate and then the City then has to adopt that property tax rate. That is the actual levying of the taxes. So, this will be in November we will certify the 2019 rate for collection in 2020. So, if you have ever sold a home, you would

realize that when you go to settle, your proceeds are reduced by the estimated property taxes from January 1st the year you are selling it up to the date of the sale and that is the reason why because like I said, they are one year in the rears and they are based upon the value of the property January 1st of that year.

Councilman Fiebig: Madam President. Mr. Brichacek, the January 10th, just about five years ago, so July 10th of 2014 is when Council voted to submit this. So, timing wise, does this expire at the end of 2019? Or does this expire at the end of 2020?

Finance Director: It expires in tax year 19, in 2020 will be the last year that this levy that was authorized in 2014 will be collected.

Councilman Fiebig: So, for timing and if Council chooses to pass this would be and then of course this goes to the vote of the people because the people decide but this November there is an election. There is a primary election next year and then is the general election next. So, we have three opportunities without having a Special Election, of course. Is that correct?

Finance Director: That's right and that would be, if you decided to put it on the ballot in November of this year that would be the 2020 tax rate for collection in 2021.

Councilman Fiebig: And we would have to do that probably by the next meeting, I would think.

Finance Director: I'm not sure what...

Councilman Fiebig: Timing wise...

Finance Director: I think the...

Mayor: The 7th of August. So, right now, realistically you would have two dates, the primary and the general next year. Unlike the school system is putting on a special election for their levy and it costs \$55,000 for them to do. So, what would be best, if you do it in the primary, get it passed and forget about it.

Finance Director: Just so everyone knows, all the governments are assessed the cost of elections by the county. So, if you could put any issue on a regularly schedule election is always the least expensive. But as the Mayor said, if you do a special election unless somebody else will join you and put levies on the special election, you are billed back the full cost of the election.

President Fellows: So, just to share, the Mayor and I had a conversation about this today, and I also had shared with him that I had called the Board of Elections so that I could understand the process and the elections when we would have the opportunity to put the levy on. Which of course, the first one is in November which we are fast coming to which is almost not realistic and doesn't have to be because we have the option to do it at the primary. But absolutely by next year's November election. So, just to help myself to be clear about it and after having a discussion with the Mayor and the Board of Elections today, I have a better understanding of the process.

Councilman Fiebig: Final point, the primary for this next year is that going to be March?

President Fellows: It is in March. I don't know the date, but it is in March.

Councilman Fiebig: The filing dateline for that would be December of this year, I think.

President Fellows: Well, that would be a good question for the Board of Elections, instead of, I think.

Councilman Fiebig: So, we would still have to do that because we would have to act on it this year. If we wanted to...

President Fellows: It is a two-step process as the Finance Director had said. We would have a resolution so that it could go to the auditor's office that would determine what the property tax value is for the City of Willoughby Hills. Once that is received then the ordinance can be drawn up with the ballot language to determine how we want to do it whether it is a renewal and another millage and those would be good discussions to have, you know, in a couple of months.

Thank you, Frank. City Engineer's report, Mr. DiFranco.

CITY ENGINEER'S REPORT: Thank you, Madam President. The Dodd Bank Stabilization Project is proceeding on schedule. They have all the drilled piers installed and the bank stabilized with rock. They are working on forming and pouring the walls which are above grade and they anticipate being complete within a month. In addition to the Street Program, which started construction today, we are trying to get the 2019 Sewer Project going. We are trying to get the contract signed and schedule a pre-con meeting with the contractor. On the agenda this evening, is Ordinance No. 2019-53. This is to enter into an agreement with the Ohio Public Works Commission (OPWC) for financing of the Dodd Road Resurfacing Project. I would request that you waive the 3-Reading Rule and adopt with an emergency clause. We would like to get that contract or that agreement signed by the end of July so we can enter into an agreement with the contractor. We are accepting bids for that project this coming Tuesday, July 16th. So, it would be nice to start the resurfacing project soon after the Bank Stabilization Project since the road is getting torn up. And that completes my report.

President Fellows: Thank you. Are there any questions for the City Engineer this evening?

Councilwoman Pizmoht: Madam President. Mr. Di Franco, so you said that the Dodd Road Bank Stabilization Project should be done in about a month, so that would make it a couple months behind schedule. Then after when do we think the resurfacing project will begin.

City Engineer: Maybe by the end of September.

Councilwoman Pizmoht: It will start by the end of September?

City Engineer: It depends on the contractor's schedule, but that is our intent.

Councilwoman Pizmoht: So, we should have a month or so, when there is nothing going on. We can drive, I can see the Mayor again, I miss him. I haven't seen him drive by in a long time. We can go down there and see the river again.

City Engineer: Yeah. And the road should be open for the most part during the resurfacing.

Councilwoman Pizmoht: Great. And do you know when pedestrian traffic will be opened back up before the end of this project or is it going to be closed until the middle of August or so.

City Engineer: It will probably be closed until the middle of August.

Councilwoman Pizmoht: Okay. Great. Thank you.

Vice President Plecnik: Madam President. Mr. Di Franco, as you know, I've been going back and forth with you for a while about the potholes on Camelot. We've had a number of residents complaining and I know that you have been working with our Road Superintendent to address it. Do we have a sense of when we might have the service crew out there to do a little pothole filling?

City Engineer: Yeah. Mark said that he is currently working on Oakwood, I believe and he moved to Camelot right after that. So, I would suspect within about a month

President Fellows: Anyone else? Thank you, Pete.

Just for the record, I will excuse Councilman Hallum at 7:27pm.

The next is Council Committee Reports. Are there any Council Chairs that would like to share anything about their respective committees? Any other Council Representative reports, Vice President Plecnik.

COUNCIL COMMITTEE REPORTS/ OTHER COUNCIL REPRESENTATIVE REPORTS

Vice President Plecnik: Madam President. Once again, the quarterly meeting of the Cuyahoga County Airport Noise Abatement Council occurred at 10am this morning and as our Willoughby Hills representative I wanted to briefly share a couple of highlights from the meeting. First, there were 15 aircraft complaints this quarter, down by 1 from last year, so we're pretty steady, 12 of which were from Willoughby. A lot of those complaints stem from the infamous 1941 Boeing Stearman bi-plane, bight red. It was flying mostly over Kirtland airspace but using the Cuyahoga County Airport as its base of operations to practice "wing walking". It is now done, the plane, I'm told, is now heading up to Niagara for its first airshow and it will not be back this year. I inquired if it was likely to come back next year, are we going to expect this as the usually and I was informed that they use different airports and the last time they were here other than this year was 12 years ago. So, you might see them again in a decade but they are not likely to be back next year.

I should also note that aircraft operations were actually up pretty substantially for the second quarter of this year compared to the second quarter of last year. Almost a thousand more operations at a total of 6,288 and the Airport Manager Robert Hartigan thought this was because now that airport construction is largely finished the runway is no longer being closed, so with the airport open more you are going to have a lot more operations as a result. You might recall that the Noise Abatement Council of which Willoughby Hills is a member was actually formed a little over 40 years ago with a Joint Statement that our City signs with Cuyahoga County, Richmond Heights, Highland Heights and the tenants of the Airport. Everyone has signed, Willoughby Hills has signed, except once again for Five Star Aviation and Eaton Corporation and we're told that they only want to sign when the aircraft or the airport reconstruction is absolutely complete. Apparently, there is one last detail in our construction report we learned that in addition to a little bit of regrading and a final clean up that is going to happen with work crews starting the week of July 22nd. The AWOS or the Automatic Weather Operations System has not been commissioned or certified yet by the FAA. There is a little bit of interference between the radio signal of the AWOS that is sending out automatic weather updates and the radio signal from the Control Tower and obviously it is not a good thing if you are having a conflict between the signals of the Control Tower and the Automatic Weather System. So, the plan to fix that is to take all the equipment, the radio tower, the computers that broadcast the automatic weather updates out of the Control Tower itself, they believe that is the design flaw, having the antenna right next to the other antenna, probably not a good idea and move it over to the airport building and that distance should deal with the interference. So, hopefully the other tenants will sign on soon but if they don't, we can always pound them into submission with corny jokes. I mean Eaton and Five Star; I think that we could be eaten some 5-star hotdogs if they don't sign the agreement but hopefully, they will sign on soon.

In general discussion, there were two important items, the Airport Manager first wanted to share that many municipal building departments and contractors are not aware that there are special notification and permitting requirements for any proposed construction near public use airports and heliports like the Cuyahoga County Airport and these requirements are largely geared towards preventing obstructions that are too high so they interfere with the flight paths and the landings. And so, there are both federal and state requirements. Although, Ohio Law largely tracts federal law and if you pull the permit through the FAA, you generally comply with the Ohio Airport Protection Act. Nonetheless, the Airport Manager insisted that I give our City

Building Department a little brochure on the rules because apparently a lot of crane operators have been violating the rules recently. Sometimes you'll hire a crane to put an air-condition on your roof, as close as we are to the Cuyahoga County Airport, apparently many of us are subject to these rules, so as an FYI, the Airport Manager wanted all the City representatives to give their Building Departments a little reminder because these are ultimately for safety. We don't want a plane and a crane having an unfortunate altercation.

Speaking of safety and airplanes, many of you many have seen the newspapers reporting that the President Donald Trump was going to be visiting Northeast Ohio. He actually wanted to land at the Cuyahoga County Airport but apparently his plane was too huge. It was too big for the weight limits on the runway and so they denied his request. As a result, Mr. Trump is landing in Hopkins but will be using a helicopter apparently to fly to his destination, hopscotching along. As a result, apparently wherever Airforce One or its equivalent, wherever the President's aircraft is located, there is both a 10- and 30-mile radius of where there are varying restrictions. They call them TFRs or temporary flight restrictions based on VIP transport. And as a result, you might actually have a quiet Thursday and Friday at the airport because he is going to be close enough that we are going to be in that 10 mile super restricted area for quite a while and unless you have a flight plan and meet fairly rigorous standards, you are not allowed to fly through those areas, so amateur or training flight simply won't be permitted because they don't have detailed enough flight plans. So, you may actually have a quiet Thursday and Friday as a result of Mr. Trump's visit.

The last part of my update, is that our next meeting will be October 10th, once again 10am at the Airport. These meetings are open to the public and we have a public portion so we encourage you to join us.

President Fellows: Thank you, Vice President Plecnik. Any questions?

PUBLIC PORTION

President Fellows: Our next order of business is Public Portion and this is an opportunity for the public to come forward. We ask that you state your name and address for the record. Please keep your comments to three minutes. I will open Public Portion at 7:57pm.

Doris Dodge – 37881 Milann Drive. I missed a Council meeting several weeks ago but was able to watch some of it on the government access channel. I had forgotten how poor the quality was of the audio-visual broadcast. About eighteen months ago, I had asked if something could be done to improve or upgrade this service. Dave, you had volunteered at that time to look into it, so I would like to know what you had accomplished or the status of this matter. And also, I just wanted to say how really pleased I am that there is so much positive stuff going on in our City, especially about the news of Produce Packaging and bring 300 jobs to our City. From attending the Council meetings, I know that the owner had said that he needed Jobs Ohio's support to come to our City, so I'd like to know which of our public officials went to the meetings with Jobs Ohio at Sam's Club to bring this opportunity to Willoughby Hills so that they can be recognized and thanked for all of the negotiations that they did. Again, it's great having good news about our City. And on that point, the newspaper had said that we have a rent-free lease for 10 years for our new Police Substation. This was a very substantial negotiation and again I would like to recognize and thank those who were involved in this matter as well. This is an enormous improvement for our area. And lastly, on a personal note, I would like to thank the Willoughby Hills Fire Department. We had a very unusual alarm from our First Alert carbon monoxide detector. We contacted the manufacture who advised us to call the Fire Department just to be safe. We called on a nonemergency line to ask for assistance and shortly after that two firemen came to investigate and found our home to be safe. I appreciate their prompt response, professionalism and concern for us. Thank you to all who serve on our safety forces.

Jenna Bing – 36951 Beech Hills Drive. Three topics. Bring back WHISPER, I would be interested Mayor if you spoke to the insurance company about the liability that the City would have in regards to having a service like that and how it would be covered. I ran across an old volunteer form that said volunteering can be

dangerous and I'm sure that's like mowing a lawn and yes, technically it can be dangerous and the volunteers were signing off saying I will not hold the City in anyway accountable for this, no liability. But who is going to cover the liability when you help a senior and then gets really mad and sues the City? That's the problem with WHISPER, I want to make sure, yes how it gets managed is good, but also how we handle the liabilities, how do we make sure that this is really set up in a way that we aren't opening ourselves up as a city to some kind of liability in the future. And I expect our insurance company would have a lot to say about that because they have to cover it. The Employee handbook, I definitely endorse using outside help on this because an employee shouldn't be writing it because then they are the one that everybody is going to go to also and say what's wrong, I don't understand why this is the law, this is why our handbook says it this way. It puts a really bad situation out there versus having somebody with a little bit more distance, a little bit more explanation about why you have a handbook written in a certain way to satisfy and make all the employees happy. So, I truly endorse spending that amount of money. I also saw in the cost, a minimal amount for consulting next year incase questions came up that were unforeseen through the process. And so, I think that itself is a very valuable aspect of having somebody outside deal with it from that standpoint. The thing that I was really going to speak about, I'll talk real fast, is Mr. Brichacek's legislation is on second reading for a pay raise. I am really struggling with this sounds like we just gave the unions 2%, we're going to give everybody else 2% whether they deserve it or not. Mr. Brichacek has really not done things that are required by law. He was late in getting the budget to you all, for approval even though they had said that they would get it to you early, it didn't even make the 30 days which is in the Charter. And he also was in violation of the Charter all through the year by not providing monthly reports which are part of the Charter and a requirement of his job. So, I don't quite understand why we're going to give a raise to somebody who has not been doing their job at what I would consider at a minimal level. And there has been no kind of, the only thing was, we've been really busy and there was a lot of stuff going on. I'm sorry, it's your job and if you can't do your job, that doesn't mean you should get a 2% raise just because everybody else is getting a 2% raise. I think that it would be very valuable to look back and see particularly because this is retroactive for two years. This is a senior level position and I have concerns about that. I don't have concerns when it is in regards to even the assistant, and for the part-time police and fire and all of those, there is rational for those. Those are all lower level jobs; this is a senior level job and I do not necessarily understand. So, this is a good thing that it is only on second reading and I hope that it doesn't get approved tonight. Thank you.

Anthony Camino – 2972 Lynn Drive. I noticed the ordinance regarding part-time Recreation Coordinator, I would suggest that as we move forward that. When trying to obtaining quality people, really you ought to think about a full-time position there that would perhaps also involve senior programing. Our City is getting older, so while recreation is important for the young people it certainly is important for the old people and I think it would be a challenge to find a part-time person who can address all the needs of the City moving forward. I'm not sure how that would affect hiring someone right now, but I think envisioning for the future, that a Rec position really could be full-time in our City, I mean, if we had the ability to do that. I also would like to say things have been a little chaotic at times with lawsuits and things and I'm not sure of everything that you need to do, Mr. Brichacek, but it is difficult when the City is not running smoothly as it is right now, it hasn't always been that way. So, if the people who run the City believe that you have done the best you could, people desire to be compensated well for their jobs. So, if we deem that appropriate, I would support that on the part of the Council.

President Fellows: Thank you. Anyone else this evening? I will close Public Portion at 8:05pm.

UNFINISHED BUSINESS

President Fellows: Doris inquired about the upgrading the service of the government access channel which I believe was supposed to be at some point in Communication Ad-hoc Committee. Councilman Fiebig, she specifically asked if you had any comments.

Councilman Fiebig: Madam President and Ms. Dodge. That was discussed at great length and we had meetings here and physically looked at the facilities here and came to the conclusion that approximately \$25,000 was needed to make that a better system and I requested that to be in the budget and it was not put in the last budget nor this current one. So, if the wishes of Council make that a priority, then absolutely we can move forward with it.

President Fellows: Jobs Ohio and the Sam's Club meeting, I was not part of that, so I don't know.

Vice President Plecnik: Madam President. I can share. There was one and ultimate meeting with Jobs Ohio at the Sam's Club building that happened last year. The owner and his representatives personally reached out to the Mayor and I, the Mayor was unable to attend, I did go and I asked our Councilwoman Laura Pizmoht to attend as well because in her prior employment with Sherwin Williams she was actually responsible for negotiating tax abatements and dealing with economic development issues for the employer, on the company's side and I thought it would be very helpful to have her there and I think that we're also very lucky, since you asked broadly about public officials that the Lake County Port Authority sent their Director of Coastal Development who is as luck would have it, was my former student, Peter Zahirsky. And I think with the three of us advocating hard for the City, we were able to answer the questions that Jobs Ohio had about Planning and Zoning, the City's intended support of the project and our personal commitment to making Produce Packaging happen for our residents and we were very excited when Jobs Ohio decided to support the project. So, I would definitely, if you are going to extend thanks, extend them to Councilwoman Pizmoht for stepping up and helping us to close the deal, as well as Peter Zahirsky who, while young, has already accomplished a lot in terms of economic development for our county.

President Fellows: Thank you.

Councilman Fiebig: Madam President. Prior to the Jobs Ohio meeting that Councilman Plecnik referred to, Mayor Weger and I back on September 11, 2018, in response to a phone call, that I received from a resident here who had a friend who was the consultant for this Produce Packaging Company, so I arranged that meeting to happen with the six of us. And then there was a subsequent meeting during both of those meetings and numerous phone calls, we did discuss Jobs Ohio and we told them to contact them and to get them involved as well as negotiating all of the other various things that went on from Planning and Zoning to our economic package that we would offer, to everything else that had to be discussed. So, that was two subsequent meetings, two meetings personally here in the Council conference room and also multiple phone calls prior to that.

The Police Substation was another question that you had asked. Now, officially, back in 2017, in a Safety Committee meeting we formally discussed it but I believe it has been a conversation that's been had, I wouldn't say that's the first time it was ever talked about, but the opportunity came to the Mayor, as I understood it from the business owner down there, to offer the place that they are currently in for free. So, because of that, it became more urgent. Now, when we were in the EOC, I remember sitting down with you and Chief Collins, and we talked about that as, maybe that was the first time the 3 of us sit down; we were talking about the Dispatch Center and that move saved us thousands of dollars but we also talked seriously about how that would look and how would that work, so I think at that time, we got pretty much on board, the 3 of us had agreed and that's when we presented it to Council.

Vice President Plecnik: Madam President. If I could add, I remember when Ray Somich, our Council President in the past, as well as the owner, had approached actually, Council President Fellows and I and she had asked or I should say, they had asked her why aren't we seeing any motion. We've talked a little bit with Councilman Fiebig and the Mayor, but we haven't seen any motion on this. And I hadn't personally been talked to at that point, with respect to the issue of the lease but from what I had seen, the offer was 5 years rent free and then 5 years at a pretty substantial cost to the City and my response to Mr. Fritz and our friend Mr. Somich, was I really think for the City to make a commitment to establish a Police Substation which is going to require us to put a lot of resources on the westside to really change the way we do business we really need to see a 10 year

rent free lease. And Council President Fellows and I ultimately met with them and they agreed to our counter proposal. So, the initial offer on the table which the owner brought to the Mayor, very generously was 5 years rent free, 5 years paid by the City but Council President Fellows and I felt very strongly for us to make that investment, we really needed to see 10 years. And we were very grateful that J. Scott Scheel immediately came back, the new owner of the plaza and said absolutely, we want to be a good partner and we will do it. So, very quickly we were able to reach an agreement that really improved the deal for the City. And Mr. Scheel also is very generously paying for the renovations for the building. We've only paid for the signs; I think and we will be paying for the utilities as they come in. So, I think that everyone at this dais agrees that it is a really great step forward. But I have to say, my personal thanks go to our Council President for cutting that final deal and getting us not 5 but 10 years rent free because that's twice as good from the perspective of a taxpayer.

Councilwoman Majka: Madam President. I just want to throw in too, let's not forget our Chief Collins, he has expressed to us that he has been wanting a substation up there for probably 17-18 years. So, that's a really good example of him sitting, patiently waiting, not giving up on that idea until all these things came together and made it possible. So, he is just very, very excited as we are also.

President Fellows: Thank you. Any more Unfinished Business for the evening? Moving forward, Legislation.

LEGISLATION

ORDINANCE NO. 2019-45 – THIRD READING

1st Reading: May 23, 2019

2nd Reading: June 27, 2019

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT ACT AGREEMENT BY AND BETWEEN THE CITY OF WILLOUGHBY HILLS AND 27853 CHARDON ROAD LLC (PROPERTY OWNER), PRODUCE PACKAGING, INC. (OPERATOR) AND DECLARING AN EMERGENCY.

Vice President Plecnik: Madam President. Motion to adopt Ordinance No. 2019-45.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to adopt Ordinance No. 2019-45. Is there any discussion on the motion?

Vice President Plecnik: Madam President. I would just say that this is the culmination of not just the biggest economic development moment in Willoughby Hills, but the entire westside of Lake County in the last 20 years. And everyone from our Police and Fire Chiefs who worked with Produce Packaging to try to make this as seamless transition as possible, to our elected officials who all have put in an enormous amount of time and effort to make the best deal for the taxpayer, really should be commended for this effort. This is the biggest one, I mean, 150,000 sq. feet, the biggest building in Willoughby Hills, the old Sam's Club Building. If there is one conversation I've had once, it's a million times in this City is that we need to fill the old Sam's Club, we need a new anchor for the Shoppes of Willoughby Hills and I think that is really a new start to a new era there because you are going to see 3 shifts, 24 hours a day, workers in that plaza. So, a lot of issues perceived with crime go away not only because we have a Police Substation for the safety of our neighborhood but we have hardworking people who are going to be in and out of that plaza all of the time and I'm willing to take a bet with anyone here that we're going to see those restaurants filled very quickly because that is a captive audience who are going to have to as they work, eat and pay into our community and our coffers as well so, Produce Packaging isn't the end of our job. No one is saying mission accomplished but it is a heck of a first step and we really should be proud as a community.

President Fellows: I'd like to share too. So, this morning, I had discussions with the owner of Produce Packaging and also with a representative from Incentive which is the company that manages securing the tax credits and then the Mayor and I talked earlier this afternoon and he assured me that the School Board notification has been filed. So, all the pieces and parts have been put together and so for our 3-Readings we needed that amount of time to get all the pieces of the puzzle put together, so I appreciate that.

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

President Fellows: Ordinance No. 2019-45 has been adopted.

ORDINANCE NO. 2019-49 – SECOND READING

1st Reading: June 27, 2019

AN ORDINANCE ADOPTING A TAX BUDGET FOR THE FISCAL YEAR 2020 FOR THE CITY OF WILLOUGHBY HILLS.

President Fellows: We had a Public Hearing this evening on this. We had commentary from the Finance Director. This needs to be submitted on or before July 15th. This was 2nd Reading. I look for a motion to waive and to adopt.

Councilman Fiebig: Madam President. Motion to waive the 3 Readings of Ordinance No. 2019-49.

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 Ordinance No. 2019-49. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-49 has been waived.

Councilman Fiebig: Madam President. Motion to adopt Ordinance No. 2019-49.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Lenz to adopt Ordinance No. 2019-49. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2019-49 has been adopted.

ORDINANCE NO. 2019-53

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

Councilwoman Pizmoht: Madam President. Move to waive the 2-Day Notification Rule for Ordinance No. 2019-53.

Councilwoman Majka: Second.

President Fellows: 3-Reading.

Councilwoman Pizmoht: Is it 3-Reading first and the 2-Day Notification second? I thought that this had been changed from what was on the agenda.

President Fellows: It was for clarification, there were no substantive changes.

Law Director: No substantial changes.

Councilwoman Pizmoht: I change my motion to waiving the 3-Reading Rule then.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Fiebig and a second from Councilwoman Majka to waive the 3 Reading Rule on Ordinance No. 2019-53. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-53 has been waived.

Councilwoman Pizmoht: Madam President. Motion to adopt Ordinance No. 2019-53.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to adopt Ordinance No. 2019-53. Is there any discussion on the motion?

Councilwoman Pizmoht: Madam President. I just want to clarify that the way that the dollar amount was listed didn't break it down between having a grant and an interest free loan which is the amount that the county is chipping in for this project. So, our City Engineer asked that we break it out to show the amount of the grant and the amount of the interest free loan. So, that is the change that was made between the time it was put on the agenda and until tonight.

Councilman Fiebig: Madam President. And a question for the Law Director did you thoroughly review the exhibit, the contract?

Law Director: I did have a chance to review it and from my perspective the only thing that we did was to clarify how the dollars were broken down, so that is why I saw it as more of a clarification rather than a change.

Councilman Fiebig: Very good. Thank you.

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

President Fellows: Ordinance No. 2019-53 has been adopted.

ORDINANCE NO. 2019-54

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS, OHIO AND CLEMANS, NELSON & ASSOCIATES, INC. TO ASSIST IN THE DEVELOPMENT OF AN EMPLOYEE HANDBOOK AND DECLARING AN EMERGENCY.

President Fellows: This Ordinance will stay on First Reading.

ORDINANCE NO. 2019-55

AN ORDINANCE CONFIRMING THE APPOINTMENT OF AND FIXING THE COMPENSATION FOR THE POSITION OF PART-TIME RECREATION COORDINATOR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilman Fiebig: Madam President. Move to waive the 3-Readings of Ordinance No. 2019-55.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Majka to waive the 3-Reading Rule for Ordinance No. 2019-55. Is there any discussion on the motion?

Councilman Fiebig: Madam President. I had a chance to review thoroughly the Employment Applicant and all the attachments and I hope that you all did too. Mayor, did you want to weigh in the hiring of this person?

Mayor: She is on a cruise right now. She gets back tonight and last time we had an ordinance for this we waited too long and she took another job. So, I would hope that we would move quickly on this to facilitate getting someone over there.

Councilman Fiebig: I also believe, Madam President that there was some issue about doing some training and that Kyle was available but limited availability, so the longer we possible have her to help train I think would be very important.

Mayor: Kyle and Denise will be training her. Denise in the Building Department, she previously held that job, so she can help train.

President Fellows: So, the information about Kyle assisting has been that she is available until the end of May only. Then it was that she was only available until the end of June only. And then it became that she was available until the end of July only. And I know that she has been paid consultation fees. So, hopefully with this hire and her help along with Denise Edwards we can move forward on this.

Vice President Plecnik: Madam President. I would just ask the Mayor one simple question; do you fully recommend this person for the job?

Mayor: Yes.

Vice President Plecnik: Thank you.

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

Motion PASSED.

President Fellows: The 3-Reading Rule has been waived on Ordinance No. 2019-55.

Councilwoman Pizmoht: Madam President. Motion to adopt Ordinance No. 2019-55.

Councilman Fiebig: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Fiebig to adopt Ordinance No. 2019-55. Is there any discussion on the motion?

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

Motion PASSED.

President Fellows: Ordinance No. 2019-55 has been adopted.

ORDINANCE NO. 2019-56

AN ORDINANCE ENGAGING THE LEGAL SERVICES OF TODD D. CIPOLLO CO., L.P.A. TO PERFORM PROSECUTION WORK AS CITY POLICE PROSECUTOR; FIXING COMPENSATION; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Move to waive the 3-Readings of Ordinance No. 2019-56.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to waive the 3-Reading Rule for Ordinance No. 2019-56. Is there any discussion on the motion?

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

Motion PASSED.

President Fellows: The 3-Reading Rule has been waived on Ordinance No. 2019-56.

Councilwoman Pizmoht: Madam President. Motion to adopt Ordinance No. 2019-56.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Lenz to adopt Ordinance No. 2019-56. Is there any discussion on the motion?

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

Motion PASSED.

President Fellows: Ordinance No. 2019-56 has been adopted.

ORDINANCE NO. 2019-PAY INCREASE FOR FINANCE DIRECTOR – 2ND READING

1st Reading: June 27, 2019

AN ORDINANCE FIXING THE COMPENSATION FOR THE PART-TIME FINANCE DIRECTOR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilman Fiebig: Madam President.

President Fellows: It was put into committee two weeks ago.

Councilman Fiebig: I was just wondering why there was no number on it.

President Fellows: Because it went into a committee and it can be numbered anytime. As the next which is Ordinance No. 2019-Pay Increase for Assistant Finance Director. And that will stay on 2nd Reading as well as it was put into a committee.

Councilman Fiebig: Madam President. May I ask when is that committee meeting to discuss this?

President Fellows: I have not been advised by the Chairs at this time.

Councilman Fiebig: Which committee?

President Fellows: Finance and/or Personnel Relations.

Councilman Fiebig: Can we ask the Chairs if they have any plans as of now?

President Fellows: I'm sure that they will let us know.

Councilman Fiebig: Madam President. May I ask the Chairs of Finance and Personnel Relations, do you have any plans to discuss these two issues?

Councilwoman Pizmoht: Madam President. Is that an acceptable question?

President Fellows: I've said that the Chairs are responsible for their committees, Mr. Fiebig and when they have an opportunity to call a meeting, they will poll their member for availability and they will announce a time to us.

Councilman Fiebig: It's just a question.

Councilwoman Pizmoht: Madam President. I don't mind to say that I have no meeting scheduled at this time.

Councilman Fiebig: Okay.

Vice President Plecnik: Madam President. While we are on the brief side topic of asking questions, I am curious why Mr. Fiebig voted no on Ordinance No. 2019-56 for the appointment of Todd Cipollo?

Councilman Fiebig: That's a personnel matter that I'd rather not discuss publicly.

Vice President Plecnik: Well, I would say that my vote was based on the Mayor, Police Chief, and the Law Director's recommendation. But I appreciate Mr. Fiebig's desire to keep his intentions or considerations confidential.

ORDINANCE NO. 2019-BFI CONTRACT AMENDMENT – 2ND READING

1st Reading: June 27, 2019

AN ORDINANCE AMENDING THE CONTRACT BETWEEN BROWNING-FERRIS INDUSTRIES OF OHIO, INC. (BFI) AND THE CITY OF WILLOUGHBY HILLS FOR CITYWIDE TRASH AND RECYCLING PROGRAM AND REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to table Ordinance No. 2019-BFI Contract Amendment – 2nd Reading.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to table Ordinance BFI Contract Amendment – 2nd Reading.

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

President Fellows: Ordinance BFI Contract Amendment – 2nd Reading has been tabled.

NEW BUSINESS

President Fellows: The next is New Business, is there any New Business to bring forth to Council this evening?

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

President Fellows: For the Good of the Order/For the Community?

Councilman Fiebig: The University Hospitals will be offering Family Health and Safety Days on, right next door to us in Richmond Heights at the UH Richmond Medical Center on Saturday on August 10th from 9 to 1pm. There are free health screenings, walkup health screenings for things like blood pressure, cholesterol and things like that. And there is also pre-registration available for other more intensive health screenings. For more information call 216-404-7958.

President Fellows: Thank you. Anyone else?

Councilwoman Pizmoht: Since our Recreation Representative is not here, I would like to remind anyone who is interested in going to Willoughby Hills Night at the Captain's Game. The game is on July 20th at 7:00pm but there is a parade beginning at 6:00pm of all the Willoughby Hills baseball and softball kids which is going to be very fine. I'll have to entrants in the parade. The deadline to register for tickets, anyone can go, is tomorrow July 12th and you can email your registration, fax it, or drop it off at the box office. Again, anyone with child who play softball or baseball for Willoughby Hills get one free ticket per kid who is a baseball or softball player in our City.

Vice President Plecnik: I have tickets to Willoughby Hills Day, but I also want to invite our many Slovenian residents to Slovenian Heritage Night at the Captains on August 26th. It actually SNPJ Farm in Kirtland is hosting the event. If you want to, you can get discount tickets through them for only \$7.00. And it is Buckeye Monday which means \$1.00 hotdogs. Just saying, whether you are Slovenian or just cheap as the rest of us, join us on Buckeye Monday, August 26th.

ADJOURNMENT

Councilwoman Pizmoht: Move to adjourn.

Vice President Plecnik: Second.

President Fellows: I have a motion by Councilwoman Pizmoht and a second by Vice President Plecnik to adjourn. There is no discussion on the motion.

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

The Regular Council Meeting of July 11, 2019 was adjourned at 8:30pm.

APPROVED: July 25, 2019
Date

ATTEST: [Signature]
Victoria Ann Savage, CMC
Clerk of Council

Nancy E. Fellows
Nancy E. Fellows
President of Council