

City of Milloughby Hills

Regular Council Meeting Minutes of June 14, 2018

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, June 14, 2018 at 7:01pm in Council Chambers. President Fellows presided.

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, Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. Di Franco, Clerk of Council Victoria Ann Savage

President Fellows: The first order of business is the Mayor's Report. Mr. Mayor.

ADMINISTRATION REPORTS & COMMUNICATIONS

MAYOR'S REPORT: Thank you. Ah, I support the following ordinances, 28, which is the EOC Dispatch Center; 29 which is Bowen's zoning approval; 30 which is the Bowen Stark or the Bowen Dodd Road stabilization contract for the expenditure of the engineering; 31 which is doing the same thing, but for Pete; 32 which is amending the ground lease for the cellphone tower at Miller Road.

In the Personnel Relations Meeting we noted that anybody losing their job because the committee, because of the EOC merge, they would be able to take their, they would be able to get paid for their vacation even through, if they earned it, they would be able to take it after August 1st. So, we'd pay them out in advan, in post, pay them after the so forth date that we commit to go to the Dispatch. I also recommend us going to bid for Kennelly Drive, Red Fox Pass, Somrack, Jenny Lane and Bates Lane to go out to bid in the, tomorrow, if it's approved tonight. That's all I have.

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

Councilman Fiebig: Madam President. Mr. Mayor, I believe that was the conversation from the Personnel Relations; I was here in the back of the room, and I believe it was that we would pay for vacation time as an incentive for the Dispatchers to stay through August 1st.

Mayor: Correct.

Councilman Fiebig: If assuming we're making this move and it's on tonight's agenda, to move the Dispatch Operations to Lake County for a savings of several hundred thousand dollars per year. But, a few of the Dispatchers will lose their jobs because of that of course. But, as an incentive to keep them here and to help them over the hump, we would pay for any accrued vacation time. Now, it's possible that the move would happen perhaps even sooner. Let's say, there was a motion tonight to approve it rather than wait two more weeks, this is the second reading of it. Because of the difficulties you have with keeping that staffed, if we were

to move it a little bit sooner, then perhaps the time would not even go till August 1st. So, we would have to make some arrangements to whether they're going to continue to get paid through August 1st or they can take their vacation time, if, let's say we have made the move on, let's say, July 2nd. Let's say, everything is in place and, you know what, people have said, we're ready to make that move. Now, that's being optimistic, of course, but I'm just hypothetically putting it out there, that we would be able to pay them through that time and make sure that they had their vacation time that they've accrued paid for. In other words, we're making sure that they're taken care of because they have dedicated some time and work here at the City of Willoughby Hills and we want to make sure that they are taken care of and that our staffing is covered through at least August 1st.

Mayor: I'll refer to you in helping me write the memo to Chief, okay.

Councilman Fiebig: Fine. Glad to help.

Councilwoman Pizmoht: Madam President. I would just like to add that I think it's important that whatever date we set, as the transfer date, that our Dispatchers know what that date is, if we choose to do this. So that we don't just cut their jobs short a month before they're expecting it because we're able to make the transfer sooner. So, whatever date we agree on, that needs to be the date that we pay them through and then they would get their vacation time after that fact.

President Fellows: Any other questions for the Mayor?

Mayor: I'll ask Laura and Dave to help me write that memo.

Councilwoman Pizmoht: Sure.

Mayor: Okay.

President Fellows: Thank you. The next is our Finance Director's Report, Mr. Brichacek.

FINANCE DIRECTOR'S REPORT: The only thing that I have to report tonight is that the Road Superintendent has advised me that the pricing has come in on the summer and winter salt and it's considerably above what we budgeted. The summer salt came in at \$60.65 per ton. Winter salt came in at \$44.39 per ton. We budgeted for 3,000 tons this year at about \$27.00 per ton which is the rate that we were paying last year. We've actually, against the budget, we've purchased 1,012 tons, that would be 22,000 tons in the budget. The winter salt contract is for 4,000 tons of salt and it's approximately \$61,000. At this point, we have about \$58,000 remaining in the salt budget. So, hopefully, we can get through on those purchases depending upon what December is like. You know, many years, we don't have to make a purchase on the winter contract until January. It just depends on when, you know, when the salt flies. We'll have to keep an eye on that. And the other thing that I would have is, in the next meeting, we'll present the Tax Budget.

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

Councilman Fiebig: Thank you, Madam President. But, Mr. Brichacek, I know that we had made a priority to purchase more salt than we did last year, so that we could put more on the roads and we prioritized roads, firefighters, paramedics, and to make sure that our Police Department is fully staffed. So, of those numbers, if there is more that you need in the budget to cover that, I'd like you to report that to us as soon as possible to make sure that we get those funds transferred into the appropriate funds so that we can make sure that we're definitely buying more road salt and we're spreading more salt on that. Also, I had a conversation with our Road Superintendent and we talked about a plan, and Mayor, maybe you've spoke with him too, about not only just doing what we've done since your Administration which is just the intersections and the hills, but also there's definitely some hot spots. For example, like Eddy Road off of Manakiki where wind just pushes snow right on to Eddy Road and cars driving on there, they slip. We ought to salt those certain sections or put up a

snow fence or both. But, I asked him to identify certain areas in the City that salt on the straight-a-ways would definitely help, so have you followed up on that with him or have you had that conversation? Okay, thank you.

President Fellows: Any other questions for the Finance Director this evening? Seeing none, next is the City Engineer's Report, Mr. Di Franco.

CITY ENGINEER'S REPORT: Thank you, Mr. President. I would just request passing Ordinance 30 and 31 regarding the Dodd Road Bank Stabilization Project under the suspension of the rules and an emergency so that we can start the engineering that is fully funded by the Lake County Stormwater Department. And then also, I would request a motion to go out to bid for the streets under "New Business". That completes my report.

President Fellows: Thank you, Pete. Any questions for the City Engineer, this evening?

City Engineer: One other thing.

President Fellows: Cell tower?

City Engineer: Yeah. I would support the cell tower also, extending the lease. And Meadowbrook Pump Station is nearing completion. The new pump station is operational. The old pump station has been demolished and covered up. So, they're just restoring the site and doing some pavement work now.

President Fellows: Thank you. All right, we will move on to Council Committee Reports this evening. Is there any Councilmember that wants to share information about their last Committee meetings? And I'll wait on Councilwoman Pizmoht's Personnel Relations until the next meeting.

COUNCIL COMMITTEE REPORTS

Utilities Committee Meeting of June 11, 2018

Councilwoman Majka: Madam President. The Utilities Committee met this past Monday, the 11th for the purpose of discussing Ordinance 2018-33 which is a rollback of Willoughby Hills sewer charges, rates to the 2014 level. The previous ordinance that was passed, and I misspoke at the meeting, if anybody took note of it, that I had said that it was 2016. It was, in fact, passed in 2017; the ordinance was 2017-6. This was also a reduction in our sewer fees and we discussed, briefly, the history, recent history of sewer rates, previously the goal was to accumulate \$1,000,000 in the Sewer Fund. This would include service for the sewer, anything that the sewer lines might need; it would be to pay people who work directly on the sewer, their wages. It would include any equipment, such as, the sewer truck which was just recently purchased, last year and is expected to last us 10 years. We discussed all those things and we have reached that goal in the Enterprise Fund which is what we call our Sewer Fund. And there was a discussion on, you know, should we hold it at that amount or just let it continue to accumulate. It was the feeling of the Committee that they would like to budget to give relief to the residents and pass along a reduction if we could. The new budget that was just passed in 2018, with this administrative adjustment, gave room for further reduction, according to our Committee. The rate would go from the current rate of \$47.26 down to the 2014 rate of \$40.26. We also discussed and reviewed how our water, sewer bills are comprised of three different charges. We have the Willoughby Hills Operating Rate; we have the Euclid Processing Fee because a portion, a large portion of the City that is on sewer systems has to transport their sewer all the way down to Euclid, and so, Euclid passes along their rates to us which go in combination and that's part of our billing. We also have, a small part of the bill, yet it is part of the bill, just for a billing charge and that's \$4.50 per quarter because our bills do come out quarterly. This has increased a \$1.00 since last year. Euclid has a multimillion dollar project going on. I'm not sure where they are in terms of completion, but it's

very, very, expensive and they're passing along their expenses, unfortunately, to us. They have regular increases slated and already decided all the way up to through the year 2024. Currently, their rates are roughly around \$39.00 and some change and by 2024, they're going to go up to \$59-\$60.00 and each year that's going to be reflected in what we have to pay on our water bills. Also, part of this reduction is to attract businesses to the Cit, especially, restaurants. Restaurants are under particular scrutiny because they have a lot of grease at times going down into the pipes and they have an environmental charge on top of the regular fees. So, Councilman Fiebig commented, and I thought that it was a really good quote, that we want to "build a bridge to businesses". So, I really like that, so, I'll use that with your permission. And, so, it is important, if it's just even a small savings to businesses, it is important. So, we want to be attractive in many different ways and yeah, it's not the most glamorous thing, but if we can be attractive in our sewer rates, that would be great to attract businesses. We also talked about the clarity of the billing message and the structure of the water/sewer bill itself. I would like to make it, my Committee's goal to be a little more detailed in the bills that we all receive. For example, when we receive our bills now, it's broken up into Willoughby Hills water, that's one charge and the Willoughby Hills sewer as another charge; kind of hidden between the lines, is what Euclid actually charges us. Euclid is noted on our water bills, that they have a role in it, but it's not, you can't look in there and see what portion that water bill is charged by Euclid. So, I'm all for it being more transparent and more user friendly in our bills and so, I'd like to work with Lake County Water Department or perhaps it would be also with the City of Euclid to get a little more breakdown on our bills. So, when you get your bill, it's very clear to you that, oh, Euclid's rates are the ones that went up, that's why my water bill is a little higher, like this. We don't want you to think that we're raising rates because we have not. In fact, again we're talking about and pushing legislation through to lower them as much as we can with our portion of the bill. We asked our City Engineer, Mr. Di Franco, his opinion on this sewer rate reduction. He told us that the actual sewer rates were a little out of his expertise, but he did recommend that we could hire an independent engineering firm to research because they would give us an outlook or a forecast on maintenance, and improvements that might be needed to the system; kind of give us a good look at the whole picture. We also talked about making some kind of study like that part of the Master Plan where it would not only be used for sewer, but it might be used for a City budget and concerns as a whole and that will be under further discussion down the line, that kind of study, Master Plan. The Mayor commented that we do have the 10 years on the sewer truck, so we're good on that expense, which was a very huge one, around \$400,000, I think. He felt that it would be sufficient if we carried a balance of from anywhere of \$800,000 to \$1,000,000 in our Sewer Fund account. And I believe he said, he thought that our current balance could weather another reduction. Councilwoman Pizmoht would like to see only cost related to the sewer and maintenance itself, not additional staff wages or additional insurance or things that would not be apparent if an engineering study had been done; things that we can control internally that might not be in the scope of an engineering study. The conclusion of the Committee is to waive the 3-Reading Rule and vote to pass this reduction tonight. Thank you.

President Fellows: Thank you, Councilwoman Majka. Are there any questions for her this evening? Very thorough report, thank you, so much.

Are there any other Committee Reports from Chair that want to say anything this evening?

Working Committee of Council Meeting of June 11, 2018

President Fellows: I'll report on the Working Committee of Council. We met this past Monday, June 11th. All the Members of Council were present. The topic of discussion was the future of the Grange and establishing a Landmark Commission. The Council Clerk took the minutes for this meeting and she will have them transcribed in the near future.

Moving on, the next order of business is Public Portion.

Councilman Fiebig: Madam President.

Councilman Hallum: Other Council Representative Reports.

OTHER COUNCIL REPRESENTATIVE REPORTS

President Fellows: I'm sorry. Thank you. Other Council Representative Reports.

Councilman Hallum: I just wanted to comment on a couple of things. One, the Administration updated the MOU for the Boys League. That has been sent to the Boys League for review, make sure that they're okay with it and once they've reviewed it and get it back to us, to let me know they're okay with it, assuming that they're okay with it, we'll bring it back to Council for us to consider un-tabling the ordinance that we tabled or creating a new one, depending on how we feel is the right thing to do with it. Also, the Recreation Commission had a Subcommittee Meeting for the Rock-N-Roll Day scheduled for July and they asked if we could make a motion tonight and I see that it's on the agenda, to make that a Public Purpose, so that we can have police there because they expect a crowd and we don't want anyone to get injured parking at City Hall and then walking across the street and so. All of the events, everything that's being done has been provided through grants and donations. That's all, thank you.

President Fellows: Thank you, Councilman Hallum. Are there any questions for him?

Councilwoman Majka: Councilman Hallum, can you explain a little more about the event since we're going to, since it's on the agenda?

Councilman Hallum: So, they are, Ricky and the Rockets will be playing at that event. There's plan to be a caterer there to serve food that will not be included, that would, if somebody wanted to buy food, that would cost extra. I believe, there will be, there's plans to, everything is not firmed up, by the way. But, there is plans to have inflatables for the kids, and some games, and some fun events like that. So, I also believe a DJ as well.

Councilwoman Majka: Okay, thanks.

Councilman Fiebig: Madam President. To follow up, is that a private event?

Councilman Hallum: No, it's being put on by a nonprofit and the Recreation Commission of Council. Sorry, Recreation Commission for the City.

Councilman Fiebig: And the nonprofit, who is that?

Councilman Hallum: The nonprofit is the Corn Fest.

Councilman Fiebig: Is that the same organization that we asked records for, that we never got?

Councilman Hallum: I have no idea to the effect, actually.

Councilman Fiebig: The one that was formed by the Mayor's former secretary?

Councilman Hallum: I don't know the history of that. Dave, you probably know that better than me. I think you were here when it was formed. You were part of that, weren't you, initially? That Commission? That nonprofit?

Councilman Fiebig: Do you know who's on the Board?

Councilman Hallum: I believe, Gloria Majeski is for one, I don't know who else is, to be honest with you.

Councilman Fiebig: She's currently suing the City regarding...

Councilman Hallum: I'm not here to discuss that, I'm talking about...

Councilman Fiebig: I'm just laying out the facts, that's all.

Councilman Hallum: Now, you're talking about stuff that makes no difference. The fact is that it's a community event, for the community to get together and to get to know each other better and have a good time with family and friends. That's all we're here to do. Thank you.

Councilman Fiebig: I see. Well, one of the things that we do is follow the money and it's one of our responsibilities. So, that's why...

Councilman Hallum: Well, it's all donated funds.

Councilman Fiebig: Excuse me, sir. It's one of the things that we do on Council is to follow the money and to make sure that the public dollars are being spent the right way.

Councilman Hallum: I know what you're doing, Councilman Fiebig. That's fine.

President Fellows: Chris.

Councilman Fiebig: You're out of order, sir.

Councilman Hallum: I know you're trying to do that.

President Fellows: All right, Chris.

Councilman Fiebig: One of our jobs is, is to be sure that the public dollars are being spent well. So, asking questions, such as, who's behind the organization; what funds are being expended; how much overtime is going to be paid to police officers at \$80.00 an hour to hold an event and who benefits for that, regardless if it's for the good of the community or not. These are important questions to ask and important questions for our Council members to have the answers for prior to approving the expenditure of public funds for a private event. Who's the, the follow up question to the other part of that, who's the lawyer who reviewed and wrote the contract for the Memorandum of Understanding with the nonprofit league regarding the Boys' League?

Councilman Hallum: You would have to ask the Administration, I don't know. I wasn't involved in that.

Councilman Fiebig: Is there a contract written between the Recreation Commission and the Corn Fest, LLC regarding this event that you're proposing?

Councilman Hallum: I'm not proposing, I'm just the Representative from Council on the Commission. So, I'm just passing along the information from the Commission. But, to answer one of your questions, the public funds that are being used are not public funds from the City, the public funds are coming from a nonprofit that is within the City and a grant that has been given to them from NOPEC, I believe. So, that's where the money is coming from. Now, there are no public funds, they're City funds that are being expended other than, as you had mentioned, if we create a Public Purpose, for the police and the fire personnel that would be available in case there was an issue during the community event.

Councilman Fiebig: Madam President. Well, thank you. We're looking for a full report of what those funds are and what they're requesting. So, we'll look for that...

Councilman Hallum: I've given you everything that I have.

Vice President Plecnik: Madam President. I wish that the conversation was a little bit more respectful, but I certainly do share Councilman Fiebig's concern that this is a company that is registered to or somehow controlled by a former employee of the City that's now engaged in litigation with the City, effectively suing the City through her union and that's certainly their right to do so. But, I think that a lot of the members of the public would be concerned to find that we would vote money toward an entity that was controlled by someone suing the City. And I will say that when Corn Fest transitioned from an annual fair to individual events, there was one year where we were given the numbers, self-reported by Corn Fest for how much it cost per person to put on these events. And I just literally took the number of people that had been reported as attending and the amount of money that was reported spent and divided and it came to about \$60.00 per person for roughly a two-hour concert where there wasn't free food, you actually had to pay and it sounds like that is the same situation here. And it's concerning to me that people would be reaching out for grants and donations really on behalf of the City. No one is going to give a private person who sets up an organization thousands of dollars in donations or grants. They would do it because they'd view it as a contribution to the City of Willoughby Hills and its residents. And I find it concerning that we would have that much resources being spent per person. I think if you ask a family of six, would you rather have a free X-Box with a game or listen to an 80's rock band for two hours? They'd probably say give me the X-Box. And even if it's a perfectly lovely event, that's not a good use of dollars that really was given with the intent of benefiting the City. And that's the only self-reporting numbers we have because I know there have been public records requests made to Corn Fest for what money they've received and how they've spent it on other events and that hasn't been turned over. The position was taken, well our lawyers, had said that they're not public records. You know, if you want to partner with the City, it shouldn't be, well the law in our view, doesn't require us to share information, you should, I think, be willing and a voluntary participant with the City and you would want to share those numbers so that we would be confident that this is a good value for our residents. But, I worry that approving this as a Public Purpose would encourage people to make further donations to this entity in the future. And if they're spending their money on a less than a productive way, I would rather that money be directly donated to the City for our Recreation Commission and the events that we already put on. And that way, if any residents have concerns as to how the money is spent, that is indeed a public record. I think that anyone of us could apply for it and ask for it and receive those numbers for free on a timely basis. I don't like the idea of running City events through private companies because people have a right to know how their money is spent. So, even if I wasn't concerned with who was running this entity or how they've run events in the past, I would be concerned that we'd run any City events through private companies because it obscures how the money is spent. And I think residents always have a right to know even if it's a coloring contest. We're the fiduciaries of their dollars and they have a right to know and I find it disappointing that the people who run Corn Fest, whoever their Board might, be don't feel the same.

Councilman Hallum: Madam President. Just one final comment. To the community, regardless of whether this Council makes this a Public Purpose, know that this event will still be taken place and enjoy yourself at the community event, getting to know your neighbors better and I hope that you will do that, thank you.

Councilwoman Majka: Madam President. Perhaps, for the benefit of the general public, and I know for my benefit because, since I'm a newer person, perhaps Councilwoman Lenz, can someone may be shed a little more clarity on what exactly this means when you're declaring an event Public Purpose. Like for example, one question I have, I'm assuming that means, as was stated, our safety forces and fire can be available as backup, but does it mean, is there a cap on this? Is it laid out before as a proposal like we're going to spend this much for this many hours, how does this thing work?

Vice President Plecnik: Madam Chair. If I could respond, I think that you generally have the right understanding, Councilwoman Majka. When we declare an event a Public Purpose, it allows us to use the City's resources to benefit that event. And that's chiefly police and fire resources, sometimes it involves the use of City grounds as well. There has not, historically, been a cap on the resources spent, not a particular amount

budgeted or limiting it. Obviously, that could be done, but it hasn't been done in the past. But, essentially declaring it a Public Purpose, is saying that this is within the public purpose of the City of Willoughby Hills and it's appropriate to spend tax dollar resources to facilitate the event. And usually it's police and fire, but sometimes it's the use of our grounds or possibly even the folding chairs in City Hall, depending on what's needed.

Councilwoman Majka: And it would also, I'm assuming, cover insurance if somebody, you know, hurt themselves at one of these events, it would, our City insurance would cover that?

Vice President Plecnik: I believe that they would.

Councilman Fiebig: Madam President.

Councilwoman Majka: Mayor, nodding yes.

Councilman Fiebig: Yes, I believe that it would. You know, the Color Run is an example of that, where, you know, we blocked off City roads and this was a private organization that came and they asked for it to be declared a public purpose and, you know, it brought in thousands of people, but it closed public roads and there was a lot of push back from the businesses in the community because it's a Saturday, and you closed public roads and people couldn't shop in their facilities. And to the point that I was making before, a private organization, I had asked them for the records then, how much money did you make at this and, I mean, it was a \$40.00 registration or some number like that, and there were may be like 5,000 people there. That's a lot of money. And they were supposed to have donated it to the churches that had provided volunteers and I had heard at one point that every volunteer was going to be awarded \$50.00 to their charity organization, but I had talked to some of the churches there and they said we didn't even know that was a thing and no, we never got any money for that. So, when you have a private organization that is not a public entity that's responsible for open records and responsible for public dollars and it has a body that's suppose to look at these things it really gets tenuous when you have those sorts of things. So, that's why we're cautious and that's why I raise these questions. It's an important thing that we do as fiduciaries of the City resources.

Councilwoman Pizmoht: Madam President. To that point, I know that Corn Fest, Inc. actually got thousands of dollars from the Color Runs as donations for volunteers and that there were City members of the Recreation Commission volunteering and that gave money to this private organization, so that is somewhat concerning. Also, this event wasn't on our calendar as of the beginning of the year when we were going through the budget. It's already June and this is going to be in August, that's not really a lot of time and I know that in 2016, the Recreation Commission looked to take over the community festival business in our City from Corn Fest and they put on an event called Unity Day. And when the only, I was able to get some financial records from Corn Fest and I found that the last year the City put it on ourselves, we spent almost \$60,000 on the event. But, then the Unity Day which had inflatables and food and all those kinds of things, when we were spending \$2,000 to \$3,000 on that event. So, I'm not really sure that it makes sense. We already have Unity Day on the calendar and I know that our Recreation Commission is having trouble getting people to events, and they're looking for ways to get more people out, I'm not sure that adding another community style event on the calendar at this late date, especially when we already have one that was supposed to be replacing Corn Fest already on the calendar that we know how much it costs and what City resources are being used for that. So, I'm not really sure that it makes sense in my mind, anyway.

Councilwoman Lenz: I agree.

President Fellows: So, I have an email from January 30, 2018 and I was going to wait until we had a discussion on this once the motion was brought to the floor, since we're at that point now, this email was to Gloria Majeski asking if the Willoughby Hills Corn Fest, do they, does the City declare this sponsored event as a public purpose? And Mrs. Majeski's response was they are not City events and we do not require public

purpose since we have been sanctioned and do not utilize the services of service, police or fire that would warrant the public purpose provision. So, I'm not, I mean, Councilman Hallum had asked because he represents Council for the Recreation Commission, he had asked that the motion be put on the agenda which it was. But, as you can see, there's been a lot of questions and concerns aligned with that or motion.

Councilwoman Pizmoht: Madam President. Just one more, do we let other groups use the grounds when they are sanctioned or do they just use a room in the Community Center?

Mayor: They can use the Gazebo and so forth. Parking lot, yeah.

Councilwoman Pizmoht: So, Roemisch field or whatever.

Mayor: If they rent everything, they can have everything.

Councilwoman Pizmoht: So, if you just wanted, so if say, a resident wanted to rent the parking lot for an event...

Mayor: The parking lot goes with the rooms. So, if they rent all the rooms they get the parking lot.

Councilwoman Pizmoht: Okay, so if you rent all the rooms, you can get the parking lot. Okay, thanks.

Vice President Plecnik: Madam Chair. One question I have along those lines is, as I do rent the Community Center from time to time, and I've been told that, in terms of outdoors, all I can do is put two signs out to let residents know that my, let people know here's the event, here's where you need to go. So, it's always good to have a sign out front so that people know they're in the right place, who hadn't been at the Community Center before. So, I know that, at least when individuals like myself, rent the Community Center, we're not allowed to take over the parking lot and have tents. One time I put out more than two signs and I was told, whoops, you might lose your deposit. You better take those extra signs down. So, is this a new policy that we're allowed to do whatever we want outside?

Mayor: No, it's not. It's two signs for the room. And, uh...

Vice President Plecnik: So, all they could do, for their event, would be to put two signs out and they'd have to stay inside?

Councilman Hallum: What he just said, if you were renting the whole facility, it was different.

Mayor: If you rent the whole building, you can put two signs out, still. And you have the Gazebo, and the parking lot and everything.

Vice President Plecnik: Now, with sanctioned groups, I've never seen a group get more than one room for free from the City. Has anyone else gotten more than one room?

Mayor: This is, I'm under the impression they paid for all the rooms. So...

President Fellows: If you're sanctioned, they don't pay.

Mayor: But, they did. I think, let me check that.

Vice President Plecnik: Okay.

President Fellows: That's the purpose, that's one of the purposes of being sanctioned, so that you don't have to pay for the room. One of the privileges of being a sanctioned group.

Mayor: Right, but...

President Fellows: The Recreation Commission is the organization that approves or not approves a group to be sanctioned.

Mayor: Right. I'll check.

Vice President Plecnik: But, I would say, if it really is our policy, if we rent all the rooms, you could literally have a fair outside the Community Center. I think that's something that we may want to revisit because that could be really intensive on our police and fire departments, if private residents just decided, let's, and you could imagine someone having a week long fair, it's not likely, but it is possible and that would be very resource intensive and I'm not sure that our current rental rates cover that, even as they are now. So, I think that's something for the Recreation Committee to revisit because I'm concerned that other people may decide that this is something that they would like to do and I'm not sure that we charge enough to cover the cost, frankly. And I think that it would be difficult too for people to get to the library and to utilize those resources if we're having events that take all the parking beyond just having people park there for a big event. But, actually using the outdoors as part of your event with tents and what have you. The Community Center parking lot really wasn't designed to do that. I mean, for a City event, I think it makes sense because we can really coordinate that. But, for private groups to be using our facilities, so that even the library which pays us 1/3 lease on the building, I think that really interferes with their ability to function. So...

Councilman Hallum: I don't think they're open during the event.

Vice President Plecnik: But, in theory they could be open during any event.

Councilman Hallum: But, they're not in this one.

Mayor: We'll look at it...

President Fellows: Any other information to be shared on Council Committee Reports or Other Council Representative Reports?

Councilman Fiebig: Madam President. There was a Planning and Zoning Commission meeting and I'm the representative of Council on that Commission, that met last Thursday and I do have a sense that there is a number of people here because of that meeting and because of a letter that I saw circulated through the community that this greatly impacts our residents here. To give a little bit of history on this proposal, I became aware, probably just several weeks ago, that the CSL blood plasma donation center, back, way back in April of 2017 was communicating with our then Building Commissioner and the Building Commissioner works with the Administration, gave the okay, that it looks like it would fit in the zoning code. And on May 23, 2017, our Engineer who was responding to that question, and I know that he had explained it and I'll give you (City Engineer Di Franco) an opportunity if you wish to further clarify. But, you had made a letter that said it would be both permitted uses in the B-3. So, they were operating under the impression, I believe, that they were going to be permitted to go ahead and put a blood plasma donation center in the old Lohemann's Plaza, the Shoppes of Willoughby Hills, owned by Donaldson Properties. That's the same building that Marc's and the LaSalle Furniture is in. Now, a blood plasma donation center is one that compensates people for the donation of their time while they take plasma from their bodies and then they take that plasma and then they sell it. So, while our zoning code does under Section B-3 which is what that is zoned, it does have the word "blood bank" in there. I found out after what we should have done, and we can still do now, is further define "blood bank" because the words "blood bank" typically would mean that's a donation center. There are further clarifications and many

definitions that a blood donation facility is a different type of a facility. For example, the Red Cross having a blood donation facility as a temporary use. But, a blood plasma center where they're specifically paid donors could be a different clarification. This is what I was arguing to our Commission. That this impacts traffic other nuisances like noise and interferes with the development of adjoining properties. It could perhaps devalue properties because I don't think that it's looked at as a positive addition to a business community that you have people who are coming, that are so strapped that they have to sell, you know, basically have to sell some of their body to get a few dollars to do whatever they can to get by. While it's always a noble pursuit, and I donation blood and I always encourage people, in fact, Thursday, July 12th, here across the street, we're going to have a donation from 1 to 5. But, this is a little bit different and this is what I was arguing to the Commission. This is what I said in our Committee of Council (Planning & Zoning Committee of Council), which I had asked that they refer it to, so that we could review the zoning codes, so that we could look at it further, but it is the decision of the body of the Commission which is the Mayor's appointed Commission, they have the ability to approve that. Now, we were operating under the idea that this was going to be voted on as a conditional use or a similar use in the B-3 zoning. I asked for, in fact, our Committee of Council, had made the recommendation that the Commission ask the Mayor for an attorney to get them help because the second time this group came they brought, call it, a high-priced attorney from a big law firm from Downtown, and I could tell that their posturing was that they were going to sue if we didn't approve this. But, we need to protect the City and protect the assets of our community and have the right to control our destiny and have the ability to freely think that we can vote on who and what types of businesses come into our community. For example, we've got legislation and we've got rules against massage parlors being in the City. We've got registration, we've got, you know, gambling is not allowed. There are certain things that we've put regulations on, but it does take an Administration that enforces those laws. So, when we asked for an attorney, and again, I had to take his, there was nothing done on this, the day of that meeting, I sent another email and I got a reply back from the Clerk, not from the Mayor, the Mayor has an attorney to provide legal advice to the Planning Commission regarding the application for the blood plasma donation center. That was at 3:32pm on Thursday, June 7th. I replied back, well, who is it? What's the phone number? When are we going to talk with this person? And I never got a reply to that. I walked in fifteen minutes prior to the meeting, Mike Germano, who is our City Prosecutor was there. We had a brief five-minute meeting where he explained to me, that he thought that it fits into our zoning code. I argued with him then as I did at the dais, that no, it doesn't. But, with his, so-called legal advice, I think that the rest of the Commission members voted to remove this from the agenda which is the actual thing that happened, is that they removed the conditional use, the similar use from the agenda. But, that took away the opportunity for a public hearing that would have been the next step if we would have approved the conditional or similar use, there would have been a public hearing. And I think that's what upset most people, it upsets me for sure and you know, I'm right in the thick of it, is that you need to have people to have a voice on this. We need to have an updated Master Plan, that's very clear in what the difference is between a blood bank, a donation facility and a blood plasma center that they donate, but yet, they get paid for it and other issues, like if they're getting paid for it, how are they getting paid for it and why isn't the City collecting income tax. If they're getting a gift card and then there's all sort of service fees on a gift card, is that fair to the person that's struggling to get their \$30 to \$40 and then they have to pay \$2.50 or \$5.00 to even get that \$30? I mean, that's not right. And as a community, I think we can do better. I tried to summarize it here as quickly as I can, and I welcome any other comments.

Vice President Plecnik: Madam President. Although, I don't serve on the Planning Commission in any capacity, I take a resident's perspective on this issue because I live a stone's throw again from Loehmann's and I was at the meeting as well and while I personally, don't believe a cash for plasma facility is a good fit for my neighborhood and I took the time to come to the last several Planning and Zoning meetings to express my concern that this isn't a good fit for the plaza, that the landlord who owns a majority of the plaza, the new owner agrees and doesn't feel that this is a good fit, I agree with Councilman Fiebig that my biggest concern is that our opportunity as a neighborhood to really comment on this was taken away. And there really was no notice to residents that there was suddenly going to be a shift in the process. And I do want to share at the previous meeting, the last meeting that the Commission held in May, there was a statement made, near the end of the meeting, and I'll quote the Chair of the Commission, "I will remind the Board and anyone else who is here, the

approval process that they (referring to the blood plasma center) have to go through. They applied for preliminary approval, the Board postpones that, they have to come before us again, to again request preliminary approval if the Board grants preliminary approval, it will then go to a public hearing, that public hearing will be advertised. Anyone who wishes to attend may and voice their support or disapproval of the applicant. Then on a separate meeting, the Board would hold final approval. And so, residents and myself included, were given misimpression that the Planning and Zoning Commission was going to give us time and opportunity to express our concerns and may be a lot of the people here and they think that a cash for plasma is a good thing for Loehmann's and I certainly respect all my neighbors' opinions and if they feel this is a good thing for our neighbor and for the old Loehmann's plaza, it's their right to share that, just as it's my right to say, I don't think that it's a good fit for my neighbor. But, that right in my view was taken away and I think that at a minimum, the Planning and Zoning Commission and the Mayor who heads it up, frankly, I think that you should have postponed taking a vote. And this was a vote to consider this, I remember the motion, it was a motion to consider this a permitted use and as such, take it off of the agenda. And a permitted use, for the record, means that you have a right to build it. For example, on residentially owned property, a permitted use is building a house. And you have a right to build a house as long as you have a least an acre of residentially zoned property in the City and the Planning and Zoning Commission doesn't get to vote no, we don't like you, so you can't build a house, you're just going to have to left it undeveloped. So, a use by right, a permitted use, is a very serious decision. And that vote was taken with no notice to residents. And there were very few people at the meeting, I think understandable so, because at the previous meeting, the immediate previous meeting, the Chair of the Commission shares with residents, well, don't worry because first we have to do this meeting and then we have to do that meeting and then we have to have a public hearing and that will be advertised and only after all that we'll have another meeting and then we'll have a vote. And I think that my neighbors rightly thought that there were going to be several months of process here where they would have an opportunity to share their concerns. So, for the record, I don't want this business in the plaza, I don't think that it's a good fit for my neighborhood, but even if you judge me wrong on that, I think that I had a right to share that opinion over the course of several meetings and I know that I have a lot of neighbors who feel that they were robbed of that opportunity. So, I just wanted to share that we were told on the record, at the Planning and Zoning Commission that this was the process that would be followed and I think that even if there was a decision that we were wrong on the law, and as a City we should go a different route, I believe that residents should have been given at least one other meeting to come forward and share their concerns.

Councilwoman Pizmoht: Madam President. Just along those similar lines, so as I think Councilman Fiebig had stated, there was an attorney who came for the plasma bank to the first Planning and Zoning meeting where that business appeared, or no, he came actually to the Planning and Zoning Committee of Council. And the attorney said that City officials made presentations to this business that they would be allowed to come into Willoughby Hills. And so, he said that there was a reliance by the business and that they would most likely sue us if the City didn't approve the business. Well, at the Planning and Zoning Commission meeting where the business first appeared, our Chair of the Planning and Zoning Commission, stated that this would take time, this is a long decision-making process, it would be over several meetings, all the people would have a chance to be heard, we would have hearings where we could find out the facts about this, how it would affect our safety forces, what effect it would have on our budget, what would it have , what effect would it have on the future of our economic development on that side of town. So, we never got that opportunity and so who is standing up for the people? This system is meant so that people have a voice on something like this. When this code was written, a blood bank was, you know, the Red Cross storing blood after it's donated. There is no cash for plasma business when the code was originally written. So, it's not the same. And so, what really upsets me, is that we have an attorney who represents himself as the City's attorney, as our attorney, the people's attorney, and he comes here and makes an argument in favor of the business, which is more in favor of the business then the business' own attorney. I can't even believe it. And not to mention, he's not even the City's attorney. He doesn't have authority to be the City's attorney. So, it's very upsetting as a resident, that our ability to speak on this issue was taken away. That our ability to learn the facts was taken away. I don't where I stand on whether that's the right thing or not. Maybe we would have gotten all the facts, heard from everyone and decided that it was the right thing for us. But, we never got that opportunity and now we're stuck with it and I think that a lot

of people are upset just about that and not necessarily the plasma bank itself. It's just taking our voice away from us.

Councilwoman Majka: Madam President. I echo my colleague's concerns. We were just really kind of stunned, hearing that this just passed through, like in one meeting and we didn't understand what was going on. The attorney representing the City, said that he had spent an entire three hours reviewing this. So, I think that kind of speaks for itself. We're, some of us are wondering, you know, is there something we're not hearing? Is there something, you know, that we didn't know? Was there discussion that we weren't privy too, in the way of committee, commission? It's disappointing to me as a resident of District 2, as many of you know, especially those of you in District 2, we have a problem on the westside with our vacant buildings. And we've been requesting, ever since I've been on this Council, the last 2-1/2 years, please let's get businesses. What can we do? How can we stimulate growth over here? And if we're just grabbing anything, like I was disappointed when cigarette stores came in. It's just been, like I believe, we should move forward with economic development, but we have to be cognizant of the quality that we're allowing over there too. We don't want to look like an intercity, urban environment. And we don't want problems that may or may not come along with certain kinds of businesses. So, you know, it's just very disappointing. It was my understanding that Planning and Zoning Commission exists for the purpose of monitoring the businesses that do come in. And that we can choose to approve or not approve a business. And that's what give us our home rule and our autonomy as a City. It's just very disappointing. If there's an alternative or something more that we can do, I would gladly help pursue that.

Councilman Fiebig: Madam President. Mayor, would you please share some of your thoughts on this process.

Mayor: Yes. The Planning Commission voted, you were there. I have one vote, you have one vote, and there's six other people on the Commission. They voted, it fit into two categories, it can either be medical or office building, and it fit both. And the attorney for the plaintiff or the blood plasma place, was going after the business definition. What you have to look at, you have to look at the code, B-3, then you have to look at the definitions. What business and then what medical is and it fit both and it was not conditional, it was permitted. So, we had no choice but to, I did, vote to permit the use.

Councilwoman Pizmoht: Madam...

Mayor: And everybody else had their own opinion.

Vice President Plecnik: Madam President.

President Fellows: Councilwoman Pizmoht.

Councilwoman Pizmoht: Madam President. The code didn't change from the first Planning and Zoning Commission meeting to this last one. So, everyone was operating along lines that it was a conditional use and it's at least arguable that it's a conditional use and as the City's attorney who is representing the City and the residents, that attorney should be representing the residents, not the plasma company. And should always take the position of what is best for the people. And so, here the people, and again, it doesn't mean that they're going to get denied. So, if you're worried that the City is going to get sued because it gets denied, that's down the road. That's down the road.

Mayor: Okay.

Councilwoman Pizmoht: At least, the process is there for a reason.

Mayor: The process is for a conditional use or a similar use. Pete, can you explain that a little further?

City Engineer: Yes. So, if it's a permitted use, the code says the Zoning Administrator shall issue a certificate. I can't delay the certificate, I can't postpone it, I can't deny it. It says that I must issue the certificate if it is a permitted use. When they first made their application, I was looking at it specifically as a blood plasma donation center. So, when I didn't see that in the table of permitted uses, that's when I wrote my letter, in my opinion, saying that it's a similar use. And our code for similar uses requires the public hearing, preliminary planning commission and a final planning commission. But once, after speaking with the legal representative and he showed me the definition, it was clear to me that it was a permitted use and that's when things changed.

Vice President Plecnik: Madam President. Couple of quick points. First, to clarify the membership of the Planning and Zoning Commission, the Mayor shared that the Council Representative has one vote, he has, as Mayor, one vote and there are six others. Actually, there's the Council Representative, who has one vote, the Mayor who has one vote and then there are five other members who are residents appointed by the Mayor to seven-year terms. So, while the Mayor doesn't literally have six votes, he certainly has, and it's appropriate that the City gives the Mayor primary jurisdiction over economic development and planning and zoning. Certainly, has an outsized voice on that Commission and you select the people who have not just a majority, but a super majority of the votes on that Commission. Second, I think that it's more than arguable that this is a similar use rather than a permitted use because frankly, the attorney for the blood plasma facility made the arguments in the alternative. They weren't sure that it was a slim-dunk permitted use and they have every incentive to take the strongest possible argument. Our City Engineer's initial position, yours Peter, was that it was a similar use and you've since changed your mind. But, I think that change shows that this is an arguable case either way. And it was very concerning to me that someone who held themselves out as the City's attorney was giving a statement very favorable to the business on the record. Let's say, for the sake of argument that the Planning and Zoning Commission had decided to do differently. Maybe they would take a vote to say no, we disagree, this isn't a permitted use, it's a similar use, it will stay in the process. Now, if they did choose to come back and sue the City, they could say we have an opinion on the record from the City's "attorney" that this is a permitted use and they have something now really powerful that they can bring into court as evidence. So, I thought that it was very irresponsible that we would have anyone held out as the City's attorney giving an opinion that's not favorable to the City before a vote was taken on the record. That is what client-attorney privilege is for and there could have been the opportunity for this attorney to advise our City Engineer privately or advise the Mayor or the Council Representative privately rather than have a public speech that could have disadvantaged the City and might still disadvantage the City in future negotiations with this business. But, lastly, even if we take everything that our City Engineer says is correct, and that this is absolutely clearly a permitted use and I respectively disagree, I don't think it's clear based on the many different opinions that we've heard. This is exactly why our City Charter says there needs to be a Master Plan to look at economic development and zoning every five years. When these provisions were initially written, blood supply banks or blood bank meant Red Cross and there was no such thing as any office building in the world where you came in to sell plasma or any other body parts. This wasn't envisioned by the code and I think that argument alone is pretty powerful to say, this doesn't follow as a permitted use because these types of businesses didn't even exist when the code was written. But, they do exist now and it should be easy for our City Engineer to go down that table and see permitted use versus similar use and if we had an updated plan years ago, as the Charter requires under Section 5.13, then presumably this issue would have been dealt with and we would have a clear answer. And I think that most of us sitting in this room would say this shouldn't be a use by right, where they can plop it in whenever they want to, this is one of those more sensitive uses where the City needs that extra discretion and should go through an approval process and may be at the end of the day, they say yes, they say no, but I don't think this is the type of business that any City would want to have as an automatic right, just a house is an automatic right. A blood plasma life facility is very, very different from building a residential house and I wouldn't think that a Committee or Commission reviewing this today would say this should be a use by right. But, we never had that review and I'd like to pose the question to the Mayor, why is it that the Planning and Zoning Commission that you appoint and serve on has not presented, as the Charter requires a Master Plan?

Mayor: They are working on it. It says in the Charter, start work on it, Section 1, 2 have already been approved and we're working on the rest.

Vice President Plecnik: Mr. Mayor, who approved any section of the plan?

Mayor: The Commission.

Councilwoman Pizmoht: In a meeting? In a public meeting?

Mayor: Yes.

Councilwoman Pizmoht: When was that?

Mayor: Months ago.

Councilwoman Pizmoht: I've been to many, have you seen that?

Councilman Fiebig: No. I would have known about it, I sit on the Commission.

Mayor: You do now. It was done previously when the five years expired.

President Fellows: With all do respect, that needs to come to Council, though.

Mayor: When it's complete.

Vice President Plecnik: The Charter requires that it be made and presented every five years, not that private discussions happen every five years. And I think that this just reflects the problems of not having an updated plan every five year. So, while I'm gratified to hear that the Planning and Zoning Commission that you serve and appointed, is working on this, I'm saddened that it hasn't finished the work years ago as scheduled because may be issues like this would have already been resolved in our residents favor if the work was done. I don't view the Charter personally as a suggestion, it is our constitution, it's our highest law, we have to follow it. And when we don't, this is the end result. So, I would say, I'd like to see whatever the Planning and Zoning Commission has now and I frankly think that they need to kick their work into high gear because Lehmann's plaza is vacant and our landlords and our residents and our business owners expect better than this.

President Fellows: I have a question for the Mayor. So, my, what I recall, what my understanding is that Mr. Smith, who sits on the Commission...

Mayor: He's the Chair.

President Fellows: He's the Chair, is having his company review the Master Plan. You had indicated that the Commission was reviewing the Master Plan.

Mayor: He's having his company review certain parts, for free, and bringing it back to the Commission.

President Fellows: Okay.

Councilman Fiebig: Madam President. That's the first I've heard of that and I've been on the Commission for six months now, and we've had not one discussion about the Master Plan. On three different occasions, I've taken the Chair aside and said, so what's going on with that and I've had, yes, I've worked on it. But I haven't, I just got too much on my plate right now. The reason for a Master Plan is that, and this has been argued in Supreme Courts everywhere and won on behalf of cities because we do have the right to propose that some

decisions for conditional use be denied if it's injurious to surrounding neighborhoods or harms the public, health, safety or welfare, as long as these decisions are not unreasonable or not contrary or capricious, the City's determination about these conditions will be upheld in court. So, we could have even said, no and probably argued that it's not the kind of business that we want there. And there's certainly is, I know that, I don't want to beat a dead horse, but there certainly was some intent when somebody says office business or professional, that paying somebody to be there to donate blood is not what the intent of the business or profession was meant in the B-3 zoning or in medical where you go and get services for a condition and you pay for those services and this is like the opposite of that. So, it's not the intent and that's the point that I was trying to make and I wish that we had more time to discuss it. But, the fact is, I had a two to five-minute meeting with Michael Germano and I don't know if he had meetings with others, but he seemed to indicate that he thought it was going to get taken off the agenda. So, he had prior knowledge, prior to when I walked in to the meeting. I don't know if he had individual meetings with members or not, I'd like to find out that answer. But, Mr. Plecnik raised a good point, is that, if you're out there in the public, now it's on the record that this so-called attorney for the City already made a determination, it kind of took away the vote. I mean, if we wanted to have a vote, a good discussion about this, he really put the City in a bad way by stating the opinion publicly. Um, so what's next, I think that, we should have finished the process. If you started it, Mr. Di Franco, Mr. Wyss had said it was a permitted and you had said, no, I think it's conditional, we should have followed it all the way through. And there should not have been this end-around and it looks bad for you Mr. Mayor, the community, it looks bad. This was not handled well at all. So, what do we do now? I think that's what we have to grapple with now. What can this body do and I'll just put it out there, you know, anytime there's these types of situations, you know, what can a legislative do? You can tax it, you can regulate it, those are primarily the things that we should do. We should look at all the avenues that we have at our disposal to do the best we can with this situation that we've been dealt with.

Councilwoman Pizmoht: Madam President. Just the last thing, I'm sorry to go with this too, but the attorney that came before the Planning and Zoning Commission is not the City's attorney for this matter. He's not engaged to be the City's attorney for that matter and he's not an expert in Planning and Zoning. He's word is as good as any of ours. So, he's not. So, it's just really unfortunate because I feel that people were pushed to make that decision when they might not have otherwise made that decision.

Mayor: He, basically, he is the planning and zoning attorney for Willoughby, for Kirtland...

Councilwoman Pizmoht: But not Willoughby Hills, our people and our City.

Mayor: He also checked with the attorney for Mentor, so where they have one of these places and he, they have the same code for zoning, the definitions in the zoning appeal, and he determined it was permitted.

Councilwoman Pizmoht: He's also not a Willoughby Hills attorney.

Mayor: He said, my opinion is just my opinion. You don't have to follow it. You don't have to do anything with it.

Councilwoman Pizmoht: Did he claim to be the City's attorney?

Mayor: No, he didn't.

Councilwoman Lenz: Madam President. Does this go on, on a yearly contract? Or, are they just permanently in there?

President Fellows: I think it's a year. I'm not sure.

Vice President Plecnik: Madam President. To answer the question, I believe that they have a three-year lease with the landlord. But, this approval is not a yearly or a renewable approval on the part of the City. It's as long as they continue to be in agreement with their landlord they could continue, from the City's perspective, perpetuity once they're approved. So, there's a difference between their three-year lease and the approval which is one-time approval from the Planning and Zoning Commission. I will say, on the point of City's attorney, it really did trouble me to see the City Prosecutor come in and give an opinion as through he was the Law Director. As many of our residents know, last year, the Mayor chose to sue the City. He didn't appreciate Council appointing an Acting Law Director when we felt we need legal advice in the vacancy of that position. And he chose to appoint Mr. Germano as the Acting Law Director, or interim Law Director, himself. Now, the judge ultimately ruled that neither Council nor the Mayor could appoint and said Mr. Germano is not the City's attorney, the attorney that Council selected is not the City's attorney and I doubt that anyone at this dais agrees 100% with the judge's decision, but nonetheless, the judge ruled that Mr. Germano was not the City's attorney or Law Director. And I find it troubling that he effectively held himself out as such giving legal opinions on behalf of the City. And even though he's not, the fact that he was allowed to do so, that fact that he was held out as such, that's something that you can use in a lawsuit. The business can say, well I didn't review your case suing the City, Mr. Mayor, you know, I didn't do that kind of legal work. All I know is that you held him out to be an attorney. So, once that happens, it puts the City in a serious disadvantage and I just find it unfortunate that if he had advice that he thought was valuable to you, or to the Commission, that it wasn't provided privately as opposed to telling the Commission members it's a fate of complete before they even have a vote.

Councilman Fiebig: And Madam President, and we had a 10-minute meeting prior to the meeting. You know, the Mayor had three weeks at least to know that we had asked for legal representation on this matter. It's a complicated matter, it could be contentious. You know, for me to have to send an email at 3:30 on that day, to say, did you get anybody, who is it? We're up to the, more than the 11th hour. That's just an egregious action in my opinion.

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: This is an opportunity for individuals to come forth and share their thoughts and opinions. We ask that you state your name and your address for the record and try to keep your comments to three minutes. Sometimes we can answer questions from the legislators and sometimes Administration can answer questions. Sometimes depending on your question or concern, some homework needs to be done on it, but we will wait until everybody comes forward and I will keep a list and if there are somethings that we can get back to, we will. So, those of you who are here for the first time that's how the process works. So, I don't want you to think if you come up and make a statement, or have a question and you are standing there, that we're going to respond. We're going to wait until everybody has their chance, and then we'll get back to you, if we can, either through Council or through Administration. So, I will **open Public Portion at 8:15pm.**

Frank Cihula – BZA Representative to the Planning Commission. At the last Planning Commission meeting, the Chairman was asked about the Master Plan and his response was that the Federal census is one of the tools that the Planning Commission uses in working on and developing the Master Plan. There's a Federal census coming up in 2020 and they're going to wait for the results of that Federal census to finish the Master Plan. He made that statement at the meeting. Thank you.

Jeana Bing – 36951 Beech Hills Drive. I really wasn't going to speak, but I didn't realize that it was Germano who was the lawyer. So, I looked at his page and it does say that he is, this is his page at Wiles|Richards, it was the first thing on google. And it says he is the Law Director and Prosecutor for the

Village of Timberlake, the Prosecutor for the City of Willoughby Hills which is what you all say. Prosecutor for the City of Kirtland Hills; Assistant Law Director for the City Willoughby and Assistant Law Director for the City of Willoughby Hills. Someone needs to inform him that he is putting himself out there, illegally, if he is not an Assistant Law Director, then that is in violation of, I can not help believe that you're lying as a lawyer about what you're doing. And that's who the Mayor brings in to help us on things. So, this has me a little worked up. I don't usually get worked up, but I'll tell you something, I was at the meeting, and I didn't go to the last meeting because I was at the meeting waiting for notice of public announcement of, to come and talk about, that we would have that process that we had, like for the Grange. And when I find out that we did not get a chance to have a public portion, it's kind of, you're not listening to us. It was obvious, at two meetings ago, when people wanted to have something to say about this and were not happy with it. And I harken back to all the conversations about the Grange. There was a lot of public our roar, but honest to God, you Mayor, just wanted to run it through. And I'm really tired of, this is not your fiefdom, this is not your fiefdom. You are the Mayor, you were elected the Mayor, I understand that. But, it is not your little community to do with it as you want. You are here to serve us. And if you don't listen to us, or even give us the chance or try and shutdown the conversations like you did at the Grange. Like, that took a lot of effort to get something changed there and to make sure that we didn't have a big cell tower there. The things that you want, that's great, you come up with ideas but you've got to make sure that the Village wants them. Because at the rate you're going now, you're doing things that no one in the Village wants or a majority doesn't want. And when people talk, well there's a super majority of Council here, every single one that ran for election, except for Ms. Pizmoht. Ms. Pizmoht did not run for election because she had to replace somebody who left the City, who had been there. But, my recollection is they asked, the Council asked for people to come forward and put their names in, there were interviews and my understanding was, it was a unanimous decision of Council to have Ms. Pizmoht on here. And Laura Lenz lost the election to the person who won it and then was like holy molly, I can't do this, because it was going to be hard work. And she lost by a handful of votes. So, this is not a super majority, it is our residents saying these people are here, we want them to represent us. And Mayor, you were elected under the same thing. It's not your City only, we live here. Bring your ideas forward and work them through the process to get a good public support behind it. I missed your report, but I understand that you didn't even talk about it in your Mayor's report. Bad job. Thank you.

Doris Dodge – 37881 Milann Drive. I read a posting on the Willoughby Hills community site that dated on June 12th and it read: Hurt City Council is frightening business from coming to Willoughby Hills once again. Let's see what lies they come up with to condone their actions. Sure, they will blame the Mayor. Well, I actually responded to this asking where this person heard this information? Who gave this person the information? Previously, the same person posted another negative assertion regarding our Council and it started as Word on the street, again where is the information coming from? Who gave the information? When statements like this are made, back them up with names. Otherwise, this is nothing more then starting rumors, lies and fake news. So, let's go on about fake news here. On the same website, Mr. Hallum posted a video a few months back, telling people that they would not be able to vote at the Community Center because of budget cuts made by Council. You want to talk about lies, well this was a really big one and it could be considered voter suppression. This was fake news and when I brought this up at Public Portion after I saw this video, even the Mayor had said this was not true. So, okay, let's go to the blame issue on a very current topic and that would be the blood for money business coming to Willoughby Hills. When was the public notice for Planning and Zoning so that residents could voice their concerns, did our City Law Director review the legal implications? I did not get the opportunity to voice my concerns, so I will give it now. I totally oppose the establishment of a blood for money business. The Red Cross sets up donations sites readily available to people willing to give. Screening questions are asked like are you HIV positive, ever had hepatitis or jaundice and there are questions concerning drug use. A willing donor has no reason to lie. Now, if you want to sell your blood, that's a different story. People who want money may be poor or might be hookers or strippers working their way through college, at any rate, these people can be desperate enough to lie on screening questions for the money. HIV positive, drug users, you get what you pay for. So, with allowing this business, it opens the door to symbiotic related businesses. How about a tattoo or piecing parlor where you could get nuts and bolts in your face? May be a head shop, otherwise known as a smoke shop where you could buy hand pipes, glass

pipes, hookahs, bongos and roach clips. So, my question to Council is who is to blame for this? Did Council appoint the members of Planning and Zoning? Was Council responsive for giving public notice? Couldn't this matter wait until we actually have a Law Director who represents our City and our interests to review the implications of this? So, does Council have a vote in allowing this business? Can this be reversed? Can this decision be reversed? I would appreciate a response from any member of Council.

Chris Welsh – 38801 Chardon Road. How much longer is LaSalle Furniture going to be restructuring and is somebody going to do something about the trucks in the parking lot, it's an eye sore. It's ridiculous. As far as the CSL place goes, has anybody asked how many locations they have in Bocatán, Florida? I want to thank Councilman Fiebig for having a spine to vote no at the last meeting. Good job, Dave. A couple weeks ago, there was numerous dead animals on Route 6, I called the phone number on the website to City Hall, and the voice mail I got was from a former employee who stated that she was laid off because the Council was basically on a witch hunt and her union problems and she is also on the website currently, now. If no body in the City can fix the website, unplug the website. It looks ridiculous. As far as CSL goes, besides that, I live on the east end of the City. I'm the last house on the left, I couldn't be farther away from it. You put in a blood plasma center such as that, next it will be check cashing, because the people that go there don't have bank accounts, really. Perhaps they could put in a scrapyard next to Pat O'Brien's. What else could they do down, there. Obviously, Burger King didn't work, may be Rally's would come here. It's just Dollar Tree, I found out, recently, that the show at the center closed because the people that worked there stole the \$12.00 that they had in the registers, pretty sad. I just, they're going to have to look at putting up a sign on 90 going both ways, welcome to Willoughby Hills, to the shop of Willoughby Hills which will be Marc's, the going out of business furniture store, Giant Eagle is getting to close and then if you need money, stop in, drop off, get a gift card, you're good to go. It's sad. Dave, again thank you for saying no, whether it was legal or not. I'm not a lawyer. It's not a good idea. But if it's a good idea, they should put it across the street at Route 6, at the office buildings over here that are collecting dust that we have more room for. Thank you.

Ivana Marich – 2879 Oakwood Drive. My family and I have been a resident of this City, since like 1985. I have multiple residences. My mom still lives here, my sister. I have a couple of properties in Highland Heights, and what's happened in this City is disgraceful. It's upsetting as a resident owner. I own my house outright. It's very sad. I'm upset that, you know, I've supported the City since I was a small kid. My daughter goes to Papillion in Richmond Center which is in Willoughby Hills. She's three and half years old. I'd like to know why at 34000 Chardon Road, there was, there might, there was a young man here that, use words, it was a brothel. It was a full-on brothel. And many people here in this room know that it was a brothel. I know who owned it. I won't say it, but I know who owned it. He has not been prosecuted in anyway, not at all. Still runs a business in the City and it's disgraceful. My daughter is a hop-skip away from the people that were pulling into that parking lot. There semi-trucks pulling out of that parking lot, unbelievable. And then the businesses that are opening up on that side of town and I'm very close to it, and now that there's going to be a plasma, I mean, all I want to do is get out. And I pay \$8,500 in property tax a year, a lot of money. And nothing is being done and I apologize for being emotional, but I am. And that's all I have to say tonight. Thank you.

Julia Palmer – 2256 River Road. And frankly, I had more issue with this letter. I don't know who wrote the letter, this is the second letter that I've got that is anonymous. Whoever writes these letters, please have the nerve and the courtesy to sign them. But, as far as the plasma is concerned, any business that comes into that area, I would think, would be a bonus. But, my main issue tonight, I had already planned to come tonight, we have an extremely serious problem in my neighborhood with speeding. I'm not talking, the speed limit on my road is 40 mph. I'm talking people on a regular basis passing my house doing 100 mph. I'm not exaggerating, I'm not a ditsy old blonde, they're doing a 100 mph. And this is worst on the weekends when it is, we've got small children living there now and of course, I'm not a young person, I've lived in my house, 54 years. But, we used to have a reputation in my neighborhood. People would complain about the police stopping them on the hill. I said, if you're not speeding you won't get stopped. And I don't see the police protection there now that we used to have. We really need it.

Jim Crowley – 2601 Timberline Drive. I run my own business and putting a business in that Loehmann's plaza that pays money to people is a failure. They have no, they are not generating any income to pay the employees that are working there, they can't pay for the building. The people that are coming, are going to be people who need money. They're going to come from Cleveland, they're going to come from God knows where, but they are not going to be residents here. None of them will ever be here. I am, I've been donating blood, twice a year, since I was 18 years old. I've never heard of plasma. I do know now because I called up America Red Cross and found out exactly what's going on. Now, if they've got to pay \$25 or whatever the amount is to each one of those people that come here, how's it going to generate any income? How's it going to pay for the building or the people that are working there? Nobody, I don't care, how much money that they're going to be able to make, but the point is, the Red Cross already has plasma, they already store it. And why are we trying to create a larger stockpile of it if we can't get rid of it?

Anrijana Marich – 30150 Bonnie View Drive, Wickliffe. I currently live at 30150 Bonnie View Drive which is a very short distance to Loehmann's plaza. I grew up in Willoughby Hills my whole life. My entire family still resides in Willoughby Hills and they have been there for over 30 years. I own two properties in Willoughby Hills, I own two properties on the border of the City of Highland Heights, all of which are within walking distance to the plaza. I would first like to start by thanking Council for voting no for cash for plasma, that alone is disgusting. I would also like to mention that I would forever be grateful to our police and fire who I try to thank in anyway possible for the hard work that they endure every day with the limited resources that they have been handed. I would also like to ask the Mayor why you would allow such a travesty to pass through here without much deliberation as promised. But, it is clearly obvious that your pockets got full in this transaction. And it must be so easy for the Mayor, really no brainer. It must be so easy for the Mayor, who sits so comfortable close to the Kirtland border to have no notice or regard for what is happening on the westside of his own City. Shame on you. I also, to touch back, I also demand to know what was happening at 34000 Chardon Road. I ignorantly went there to buy my sister a gift card for Christmas, like an idiot, when I quickly realized what was going on. It was clear to anyone that lived or worked anywhere near that property, it was a brothel. Some of the dirtiest looking, I drove past every day, it was insane, some of the dirtiest looking men I'll ever see in my lifetime causally, and I stress, causally strolling in and out of that establishment night and day. That brothel was directly across from a children's dance studio, a children's daycare center where my beautiful niece attends, it's in its backyard. And it was in walking distance of the new and well-respected Willoughby Stem School. Why have there not been any arrests? There were multiple phone calls to the police, I being one. It was obvious to everyone what was happening in the vial trash of a so-called business. Again, I would like to ask the Mayor, why have there been no arrests or any known investigation? Is this just another instance of where your pockets got fuller? Or was Gloria Majeski too busy making massage appointments for you at Reflexology for you to turn a blind eye? Yeah, this is not a joke. This is not another facebook post for Mayor fan boys and groupies alike. People pay a lot of money in property taxes here. And it is a fact, Bob, that since you took office, this City has gone downhill. You're over. Drain the swamp.

Ken Farley – 3046 Rockefeller. And I'm appalled with what I've heard here this evening. I feel that I've been violated. I have got no representation because the Mayor when he feels that he is going to do something, he'll just do it his own way, and he doesn't care about the people. And it's time that he starts to listen to us. And the massage parlor, I heard about it too and I almost went in there to get a massage. You know, and I heard of someone that did go in there and they didn't know it either, until they got in there and they said, yeah, this is ridiculous. Now, if everybody else knows it, why isn't something being done about it, you know. And this is the representation that we get from Law Directors and Prosecutors for all of that, yeah, we're not being represented. I've lived here 12 years, 13 years now, and I'm starting to wonder why, you know, and I think that something needs to be done. And that's all I have to say.

Dave Reichelt – 300 Pebblebrook Drive. Former member of this Council for 10 years and a disappointed resident at the moment because there's a lot of blame to go around here. I mean, it's easy to point fingers at the Mayor, but our Law Director that we had, who was very good, probably very revered, probably the best in Northeast Ohio was let go by this Council. Everything that this community has worked for over the years and

we did as Council people and the predecessors before that, our Channel, now 1024, the website, it's, all those things are not being updated and maintained anymore because all the people that do all that stuff have been let go by all of you. Everything that we worked hard for is going down the drain and I don't see what the plan is because I don't understand what the endgame is here. You decimated the Recreation Department, the Building Department, the Law Department, the Finance Department, and the Mayor's Court. So, is the plan to take everything away from the Mayor. If you wanted to cripple the Mayor, you could have done that with your budgetary authority, but instead, you're just taking all these things that we've worked all these years to hold dearly and casting aside. The Community Center looks like an old warehouse, an empty warehouse now. I just don't understand where you're headed. I'd love to know where the vision is because how can you possibly foresee what you've been doing has been good for the City.

President Fellows: Anyone else tonight for Public Portion? **I will close Public Portion at 8:39pm.**

Unfinished Business?

UNFINISHED BUSINESS

Vice President Plecnik: Madam President. First, to Ms. Dodge's question, does Council have a vote? As we've shared tonight, Council does not have a vote with respect to Planning and Zoning issues. Our Charter gives that authority to the Planning and Zoning Commission which Council is given one Council Representative to serve on. We're selected Mr. Fiebig, he voted no on cash for plasma, but the Mayor appoints five of the other members and he, himself, has a vote and the vote was ultimately 5 to 1 and one of the representatives was not there, but all of the Mayor's representatives that were in attendance, voted yes. So, unfortunately, no, Council has not vote beyond the one casted and ultimately, the Mayor has these decisions.

I will say, with respect to the Florida resident, who got up and spoke, the former Councilperson. I do want to talk a little bit about the vision that we have for our City. We don't want to be known as the City of brothels, blood plasma, Mayors who appoint themselves as Fire Chief, sue their own City, give 9% raises to secretaries, I agree that an embarrassment to the City and I fought back against that. And what my positive vision is for the City, what we quietly work on as Council people while others are busy campaigning or golfing in Florida, is that we're trying to find a way to balance our budget because first and foremost, if you don't balance your budget, then everything you do is not sustainable. East Cleveland is where it is for a reason, they didn't balance their budget, they borrowed more and more money and two years ago, the Mayor approached me and said, hey, John, how would you like to borrow 4 million dollars, I almost laughed and said no. I said no. And our Finance Director said to me, well then, John, let me give you an example of why borrowing is good. You took out a mortgage to purchase your house and it allowed you to have a home in Willoughby Hills. And I replied, no, I paid for it in cash. He stammered only Slovenians do that and maybe that's true. But, the bottom line is, we live within our means first and foremost. But, balancing the budget does more than just reduce the debt, does more than sustain our future, it also creates room to fund our priorities. And for the first time in a long time, we've been hiring more police and firefighters and that's something that I care about deeply. We need to support our police and fire departments. They've been cut too dramatically over the last 10 years, that's the scary thing. When you have your Fire Chief tell you that you're staffing has gone down to 3 people and they can't even field 2 teams to hand two separate emergencies in a City of 11 square miles and almost 10,000 people, that's scary, that's embarrassing, that's not right. And I live in Ohio, I live in Willoughby Hills and not in Florida, so I care whether my 9-1-1 service is operable. It also allows us to pave roads and anybody who lives in Willoughby Hills know, we are way behind, not just in patching, but paving our roads. Some roads are in great condition, most aren't. And by cutting wasteful spending, cutting Administrative overhead, we're now going to be paving more than twice as many roads as originally scheduled this year. Is it enough? Heck no, we need cut more, we need to pave more, but it's a start and it's a move in the right direction that's incredibly positive. And I'll share something else, right here tonight, while I'm sadden that we're talking about the fall of Loehmann's plaza, and Mayor Weger's usual antics, I'm excited to share with you, that quietly in the Utilities Committee meeting, probably the least glamorous Committee of Council, but I'm honored to serve on it with

Councilman Fiebig and our Chairwoman Janet Majka, we are going to propose and I believe that we're going to pass another sewer fee cut, the second in two years. The second in two years. It will take our sewer fees down by about 15% for our residents with respect to the Willoughby Hills processing right now. Now, I don't know many government subdivisions that manage to balance their budget, reduce their debt, pave more roads, hire more police and firefighters and cut taxes at the same time. That's an accomplishment. And those are accomplishments that Council can deliver to the residents who voted for us. We control the budget, that's what is within our control. We don't control planning and zoning, we don't control economic development, we're not the Safety Director who tells the police whether or not to investigate a brothel or another business. We recognize that's the Mayor's authority. We're not here to take it, usurp it. The Charter says this is your power, but it's also your responsibility and you can't play the blame game and point fingers at Council and say you should have investigated these people criminally. You should have said no to cash for plasma. Those are the Mayor's authorities and ultimately, you're responsible for those decisions. But, what we're responsible for and it's not glamorous, it's not going to be on the front page of the newspaper, what we're responsible for is balancing the budget, making sure that we reduce our debt whenever possible, giving our police and fire the resources that they need to keep us safe and respond to emergencies, pave our roads and wherever possible, return the money to the people who pay it. We've heard from more than one resident how much taxes they pay in this City and it bothered me when I moved to Willoughby Hills that the first thing on the agenda was a 1/3, a half percent tax hike and we were told in tubing after tubing, you want to talk about anonymous letters, there were letters in my newspaper tube saying that my house would burn down if I didn't vote for an income tax increase. Well, guess what, this income tax increase was supposed to go to police and fire, by the way, the same way the casino money was supposed to go to education and have you noticed that schools don't have any more money since Jacks has opened up? Well, it's because, well yeah, the money from those casinos is earmarked and goes to the schools, but they cut the general fund money, the State legislature, cut the general fund money to schools by as much as the money from casinos and there was no noted increase. But, if to show that it's possible to do it worst, after the 2010 income tax hike, the Mayor's proposed budget, which sadly, Council people voted for, some of whom are sitting in this audience now and no longer on Council, that actually cut money, actually cut the total amount of spending to our police and fire departments. He went to residents, he raised our taxes by a million dollars and you promised it would go to our police and firefighters, it didn't. And that's not right, I don't support it. Now, I'm not going to be on TV, I'm not going to be famous, but I'm going to balance the budget, I'm going to reduce debt and I'm going to cut your taxes. And I pray that this Mayor does his job, and if he's not capable, I pray that he has the wisdom to step back and let someone else do it. Thank you.

Councilman Fiebig: President. It's a tough act to follow, but I'll try. John, to the other part of that question, that Ms. Dodge asked, was that can the vote be reversed? And no, it can't be reversed, but it wasn't a vote, it was simply removing it from the agenda. So, we didn't vote to approve it, we took it off, the Commission took it off the agenda. It was approved by the Administration, apparently. That's the problem. And that's what I think people are most upset about. Although, certainly, that business doesn't fit and I think that we can do what we can to regulate or to tax or whatever we need to start those discussions now about what can we do about that. And we certainly can look at our zoning code and let's simply make the definition in there and then say, no, it's not allowed in B-3. A blood plasma donation center that pays money to people is not allowed in B-3. That's all we'd have to do and let the voters vote on it. That's what it's all about. We should all have a vote in this. The um, you know, what you had mentioned, Vice President Plecnik, about the vision, I think was pretty clear; roads, police and fire, those are the priorities, those are the things that the local government can do. Having a website is nice, but you don't pay somebody \$55,000 a year and their job is to update a website, that's ridiculous. And when we looked at that, we appropriated funds for somebody to do that on a part-time basis and to share that function. I even volunteered to do it. It takes 10 minutes a week or twenty minutes a week, I even volunteered to do it. It's not a fulltime job and it shouldn't be. That's a misuse of what our priorities are as a community. Speaking of the website, one of our residents mentioned that the website has some information on it that's inappropriate and a voicemail that's speaking about a union issue and Council voted this, and Council voted that, and has a picture, has all this declaration on a City website that we all pay for. It's

inappropriate, Bob. Mr. Mayor, you've got to remove that. If you don't, we're going to look into what we can do to prosecute for that. Will you remove that voicemail and that information off the website?

Mayor: Yes.

Councilman Fiebig: More information was brought up about the cash for you know what business in the center of town, the brothel or the so-called massage parlor. I discovered that after just about just a month or two. My office building is right across the street. We saw who was coming in and out of there and we started to complain almost immediately. Chief Collins, I know that you'll back me up on this, that I had numerous conversations with you about this. And I did everything that I could within my power, I'm not the Administrator though, I am not the person that runs the laws of the City which is what the Mayor does. There are permits that had to have been taken, they weren't, as far as I know. There's tax issues that have to be filled out. The Finance Department is in charge of it. Mr. Brichacek, did you get information from that business?

Finance Director: I'd have to check with the Regional Income Tax Agency because they administer our income tax.

Councilman Fiebig: Please do. And report to us at your earliest convenience about the information that you got, that you can report, I know that somethings are confidential.

Finance Director: It's all confidential.

Councilman Fiebig: And that might be the problem. Who knew that it was going on? Well, I certainly alerted our authorities that it was going on. (Speaking to Police Chief Collins) And I know that you had expressed, I'm not speaking out of turn here, but you had expressed frustration to me and I'll leave it at that. I concur, why isn't there a further investigation? Why is our Prosecutor not looking into this? What happen, did they just go away and that's it. They run a business here, they dragged down our City for months and months and then they close up and there's no repercussions whatsoever. There's no accountability whatsoever. The Mayor who's the Administrator of the City, has nothing to say about it. I'll yield the floor back.

Councilwoman Pizmoht: Madam President. To resident Jim Crowley, his point, he had asked how the plasma business makes money and I think that it's important to understand that this is an Australian International Corporation that essentially, for the lack of a better word, harvests the plasma from people and then ships it to manufacturing facilities where it's turned into a product and sold all around the country. It's a very expensive product. It's used for different diseases and medications and this is a very big business. There's only a handful of companies around the world that does this. They make a lot of money off of this product and they are paying next to nothing to the people. And people are going in there twice a week, for every week, and they're only making \$60 on a gift card that often has incredible fees on it that they can barely get the money out without spending half the money off the card. So, there's a lot of issues with it, but it isn't that they're just giving money away for plasma, it's actually a very big business.

And then, for resident Julia Palmer, talking about the speeding on River Road and at our last Safety Committee meeting, a few weeks ago, we talked about a new technology that our Police Department is looking into getting that would allows us to give tickets to people speeding on roads like River Road or Eddy Road where it's hard to pull people over because of the terrain and the narrowness and the lack of brim over there. So, that might actually be very helpful for your problem there.

Councilman Fiebig: Madam President. To follow up on that, I'm holding a meeting on Monday at 7pm of the Safety Committee and that will be one of the topics as well as another topic of discussion, will be to setup a police presence down at the Loehmann's plaza. There's a bank building there, the owner of that has offered the City the opportunity to use that space almost rent free, just in utilities, as far as I understand. And I've asked for the contract. Did you get it yet, Mayor?

Mayor: Not yet.

Councilman Fiebig: I've asked for the contract so that we can review it. I hope to have it by Monday, but we've going to begin the discussion. As a community, we've talked about this for many years, and now there's an owner there who is willing and I think with this development here, I think having a police presence down there might be helpful. This would allow a car to be parked, a desk for an officer to sit at to file his reports. There'd be signage, it would be well lite, and it would be like a substation, we'd call it for now. Who knows, maybe we'll eventually move the entire operation there. We'll also be voting on the move of the Dispatch Center. You know, there was tremendous, tremendous, expenses back in the time, a few years back, regarding updating that Dispatch Center and cost overruns after cost overruns. We're facing \$400,000 to \$500,000 in equipment updates, yet, if we simply move the call center to the Lake County Emergency Call Center we'll probably immediately realize something in the neighborhood of \$250,000 to \$300,000 and not have to make those upgrades. As I've mentioned before, yes, we're sorry that some of the dispatchers who have given their time and their energy and their dedication will lose their jobs here. I know that they will bring on a few people at the Emergency Operations Center and we will wish them their best. We will retain at least one, I believe, to work here, administratively. And a final point that was brought up here by Mr. Reichelt, saying that Council let go people. No, that's just really not true. You don't have the full facts, maybe you're skewing them. We changed may be some positions in the City. Yes, the Executive Assistant to the Mayor's position was eliminated because it was excessively, we thought, not necessary, it was excessive in a City of our size, it had just grown out of proportion to what the City's needs are. Any organization needs to shift, and it needs to put its priorities... and when we saw that only two roads were going to get paved this year, looking at the condition of the roads, we're like, this is unacceptable. And we're presented a budget that was \$300,000 in the deficit without only paving two roads. And a Fire Chief telling us that I don't have enough people to staff. If you have a heart attack at one end of the City and at the same moment, somebody has a stroke at the other end of the City, we don't have enough people to send out two ambulances at the same time. That's unacceptable to us and that's where we placed our priorities. Now, the fact that the Mayor hasn't filled those positions, he has known this since March 22nd, he's dragging his feet on this, for whatever reason, I don't know, ask him, why are these positions not being filled? We've appropriated the funds for it, that's all we can do. I don't write the ads, I don't answer the phone, I don't interview people, but if he wants me to, I will. If that's what it takes. But the money is there, that's what the legislative body does, give you the money, give you the direction, here it is. It's like the Board of Directors, he's the CEO, he has to implement it, it's been months since those positions have been filled. And instead, what happens, is that he's got a letter to the union, to SERB saying oh yeah, I support the fact that you've sued the City. I mean, that's not representing the people.

President Fellows: I just want to make one comment. Mr. Reichelt, Dave, you had indicated that Council let the former Law Director go. We did not vote to let the Law Director go. In fact, I got a personal phone call on that weekend, before the week he informed me that he was resigning. And then later that week, we were provided a memo. There was not a vote by this Council to let that individual go.

Councilman Fiebig: We could talk about the issue of malpractice that came up and all these other things that, I mean, these were long discussions, but let's move on.

President Fellows: All right. Thank you for hanging in there with us. Next order of business is Legislation.

LEGISLATION

ORDINANCE NO. 2018-28 – 2nd READING

1st Reading: May 24, 2018

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF LAKE COUNTY COMMISSIONERS IN ORDER TO

PROVIDE EMERGENCY DISPATCH AND COMMUNICATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

Vice President Plecnik: Madam President Motion to waive the 3-Reading Rule on Ordinance No. 2018-28.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Lenz to waive the 3-Reading Rule on Ordinance No. 2018-28. Is there any discussion on the motion?

Vice President Plecnik: Madam President. We're in the middle of transitioning our Dispatch Center to the Counties. We have a very short timeline. We're trying to make sure that we have sufficient employees between then and now to run our Dispatch Center. Some of them have already started interviewing, one has left, and while we're grateful that some are willing to continue working on a part-time basis, we definitely want the County to have insurance that we've made the decisions so that they're comfortable in spending their resources to make sure that there's a smooth transition. So, I think that it's critical at this point and it's time sensitive for us to move, so that we can begin our partnership with the County.

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

President Fellows: The 3-Reading Rule on Ordinance No. 2018-28 has been waived.

Vice President Plecnik: Madam President. Motion to adopt Ordinance No. 2018-28.

Councilman Fiebig: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilman Fiebig to adopt Ordinance No. 2018-28. Is there any discussion on the motion?

Vice President Plecnik: Madam President. For those of you who are joining the discussion for the first time, there has been extensive talk in our Safety Committee and in Council meetings as a whole, on why this is an important move for us. First and foremost, it always comes down to safety and the reality is that the technology that the County can afford representing many municipalities is far beyond what Willoughby Hills has today and what we can afford going forward. Most of our calls, I think 90% at this point are cellphones, they actually go directly to the County and then they have to re-route them back to local dispatches. Even that moment can cost lives. You add to the fact that the County has the ability to pinpoint where you are geographically, actually locate where the 9-1-1 caller is to send the ambulance directly there when someone collapse in a park, they can say, here's the location. In our local dispatch, we can call the County and say please help, but we don't have that technology. So, I think the most important reason for going to County is to make sure that our residents have the absolute best service and safety that we can possibly provide and the County provides just a stellar amount of service. We're very grateful to have Captain Mike Warner for being with us tonight, but also sharing the services of the County and explaining them to Council and to residents over several months now. But, there's a real cost savings here too. The reality is we'll probably see several hundred thousands in savings in personnel costs from year to year and there are roads that need to be repaved that will be big for the City. And we won't have to maintain the capital improvements in the Dispatch and I think that we all know how difficult Federal regulations are, they don't get easier they get harder and the reality is that it's more expensive every time we renew the Dispatch Center. I think that it was somewhere more in the order of \$650,000 the last time the City had to redo our Dispatch Center. It's probably going to be more this time around with technology and new regulations. So, this is a pretty substantial cost savings, but from my perspective, it's even more important that we're going to have faster response times for residents.

Councilwoman Pizmoht: Madam President. So, there's a lot of upsides for our City, for this move, for transferring our Dispatch Center to the County. But, there is a downside. The downside is that we have to let employees go. And once this contract is, once this contract is met, and the Dispatch Center is moved, then there will be dispatchers that have served our City honorably for, sometimes many years, who will need to find other jobs, and it's going to be very difficult for them. And I think that we can all understand from a personal level that when you're working for the government, sometimes you have to find out about these things at a public meeting, some things get discussed in the public and it's not a nice, private discussion in a backroom where you have a minute to collect your thoughts and walkout without in, you know, collecting yourself here. So, it has a real impact on some really good people and as we talked in our Personnel Relations Committee meeting earlier, there are some plans to help those dispatchers and I think that, hopefully we can agree that they will get paid until the date of date the contract is set to start even if the Dispatch Center is moved even earlier. And then they'll also be able to get paid for any vacation time that has gone unused if they meet that length of time.

Councilman Fiebig: Madam President. We had several meetings, my colleagues shared a lot of the information that's been talked about, so we've had several meetings on this, all in the public. Had some private discussions a couple of times. I've been to EOC, it's called, and visited it and I think others have as well, had numerous conversations over the phone with both our Chiefs, our Acting Fire Chief and Captain Warner regarding this, the Mayor, Chief Collins and I had a conversation together, we sat down together, I said Mayor, are you on board with this after we learned about all this information and he yes. I'd say that it was an opportunity that we had to work together and I think that it was positive for the community. It shows that we do work together, we can and we can move things forward. We can save the residents money. We're going to give them better service, in a more efficient way and we'll be able to do the priorities of paving roads, hiring firefighters and paramedics while taking the technical service that can be done really from anywhere and we're moving that offsite. So, we're still going to pay a fee. I've got, you know, insurances that the fee will remain relatively consistent, I mean, a 2% raise, you know, say year to year, we've got a 3 agreement in place, 3-1/2 year or so, and we do have the opportunity to get out if this doesn't workout and for whatever reason, we decide that we want to put a Dispatch Center back here, so we have control over things, I mean, we can do that. But, I will tell you this, I was impressed with the facility and I'm impressed with the people that work there, with the amount of training that they have to do, the technology that they have, the backbone that they have, the backup systems that they have, it's going to be a better service that will cost us less, to the tune of, the cost differential in the memo that I have, \$266,000 for the 2019 budget. And that does not take into the consideration of what we would have spent which we're not going to go out to bid to find out how much those numbers are, I mean, we can just guess, that's probably in the \$300,000 neighborhood. So, it is a sufficient move, it's something that we've thought about quite a bit and we've had quite a bit of discussion about it and we're only waiving the second, the last reading of it which would be in two weeks. There's no reason for us to wait another two weeks to make this move. There's some logistical things that need to be ironed out, so this is good, I fully support it. Thank you everyone from the Safety Committee onwards and to the Mayor and the Administration for working with us to make this happen because I think that it's a net positive for the community and I'm looking forward to working with Lake County Emergency Operation Center going forward.

Mayor: Madam President. I just want, with this ordinance, I wondered if you took into consideration the contract we have with Waite Hill. Maybe we have to do something to terminate that. I understand that Waite Hill is going to go there too, but as far as the contract that we have with Waite Hill, may be next time, we can have an ordinance to say, stop that once we move. So, just to take into account Waite Hill.

President Fellows: Thank you.

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

President Fellows: Ordinance No. 2018-28 has been adopted.

ORDINANCE NO. 2018-29

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE PROPOSAL AS SUBMITTED BY RICHARD L. BOWEN + ASSOCIATES INC. PROVIDING ZONING ADMINISTRATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

President Fellows: So, this one is on 1st Reading; however, this is going to be the ongoing consent or contract that we've been using with the City Engineer and Bowen + Associates. We're been doing a six-month time frame. So, the current one will expire at the end of June. So, this would be for July 1st until the end of the year. So, basically six months. We can wait another two weeks, but...

Councilman Fiebig: I'd wait. Madam President. There was some discussion in the prior meeting regarding this and I'd like the opportunity to digest those discussions. So, two weeks won't matter, I think. And I'd just as soon pass it in two weeks.

President Fellows: All right. So, this will remain on 1st Reading.

ORDINANCE NO. 2018-30

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR PROFESSIONAL SERVICES PROVIDED BY RICHARD L. BOWEN + ASSOCIATES INC. FOR DESIGN COORDINATION OF THE ODD ROAD BANK STABILIZATION PROJECT AND DECLARING AN EMERGENCY.

Councilman Fiebig: Madam President. Move to waive the 3-Reading for Ordinance No. 2018-30.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilwoman Pizmoht to waive the 3-Reading Rule on Ordinance No. 2018-30. Is there any discussion on the motion?

Councilman Fiebig: Madam President. This is one of the reasons you would waive the 3-Readings for the, for some sort of an emergency, an urgent matter and certainly the road falling into the river is considered urgent.

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

President Fellows: The 3-Reading Rule on Ordinance No. 2018-30 has been waived.

Councilwoman Pizmoht: Madam President. I move to adopt Ordinance No. 2018-30.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Vice President Plecnik to adopt Ordinance No. 2018-30. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2018-30 has been adopted.

ORDINANCE NO. 2018-31

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACT WITH KS ASSOCIATES, INC. FOR THE DODD ROAD BANK STABILIZATION PROJECT AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Move to waive the 3-Reading Rule on Ordinance No. 2018-31.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Vice President Plecnik to adopt Ordinance No. 2018-31. Is there any discussion on the motion?

Councilwoman Pizmoht: Madam President. This is the companion ordinance to Ordinance No. 2018-30 that will appropriate the funds to fix the slope failure on Dodd Road.

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

President Fellows: The 3-Reading Rule on Ordinance No. 2018-31 has been waived.

Councilwoman Pizmoht: Madam President. Move to adopt Ordinance No. 2018-31.

Councilman Fiebig: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilman Fiebig to adopt Ordinance No. 2018-31. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2018-31 has been adopted.

ORDINANCE NO. 2018-32

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO THE SECOND AMENDMENT TO THE OPTION AND GROUND LEASE AND AMENDED MEMORANDUM OF LEASE; REPEALING CERTAIN ORDINANCES AND DECLARING AN EMERGENCY.

President Fellows: This is an ordinance for the extension for the cell tower on West Miller. I think that this was time sensitive. It is time sensitive.

Councilwoman Pizmoht: Madam President. Move to waive the 3-Reading Rule on Ordinance No. 2018-32.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to waive the 3-Reading Rule on Ordinance No. 2018-32. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule has been waived on Ordinance No. 2018-32.

Councilwoman Pizmoht: Madam President. Move to adopt Ordinance No. 2018-32.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to adopt Ordinance No. 2018-32. Is there any discussion on the motion?

Councilman Hallum: Madam President. Just curious, Pete, are they going to do this, this year? Guys...
City Engineer deferred the question to t Representatives Jason Woodward and Jessie Styles.

Jason Woodward: So, there were a series of delays in the regulatory. So, the Federal Government has passed a whole new bunch of regulations for what they call SHPO (State Historic Preservation Office) and NEPA (National Environmental Protection Act) review which is all the travel notifications. Because of that there was a massive delay because of all those new regulations. And it delayed the actual build plan. So, what happened, it didn't meet the window for Verizon to implement it into this year's build, so it's been allocated for 2019. I've been told that it needs to be started before year's end. But, that could push to the beginning of 2019. But, it is a 2019 allocated site. It's going to be built in 2019 no matter what. And I believe, if I'm not mistaken, our permits expire, so I have to build it at some point.

City Engineer: Let's review that, yeah.

Jason Woodward: So, I have to build it pretty quick. I have no other option. Um, it's just in a position where I just need that little extra boost.

Councilman Hallum: So, this will take you through officially...

Jason Woodward: Yes, this would resolve it.

Jessie Styles: It will match up with the time, that was extended.

Jason Woodward: Yes, very close. I apologize, I'm not the Federal Government. But, just to make sure for everybody on the Board, I'm rewarded when the tower is actually built. I get paid once it gets built. I've been working on this for quite some time. So, I have an incentive to make sure it gets built.

Councilman Hallum: All right. Thank you.

President Fellows: Thank you.

Councilman Fiebig: Madam President. May I address this question, has technology changed somewhat because I did read something in the last couple days regarding the short-site cells and the right-of-ways. Has that impacted you in anyway?

Jason Woodward: So, the technology is always changing to answer your question. Small cells is a huge demand and that is going to be a monster growth in the arena of cell coverage.

Councilman Fiebig: Like over the next 10 years, I would think.

Jason Woodward: It's going to be shorter than that. You're going to start seeing the bulk of small cells hitting you guys probably in the next six months, you might say. The reason for that is the states are taking aggressive approach for small cells to implemented where communities may not have that much of a say in how they get implemented. They've also taken a lot of the Federal restrictions away in order for those sites or those entities to be sited. There are two types of towers, or systems, there's what we call a micro site which is a true cellular

tower and then there's a small cell. A small cell is essentially a targeted hotspot in areas where either cell sites are too close together or there is a need for capacity offload because there is so many users in that area that they need to target a residential area. It is not a savior by any means to complete the network or make it work. So, you can't necessarily take a cell tower or a micro site and take that away and then just replace it with a bunch of small cells. You would literally, I think the number right now is 20 to 30 small cells would have to be implemented to replace the capacity of one micro site. So, it's substantial. The new technology that's coming down the pike is 5G. 5G requires the antennas to be much closer to the handheld device in order to be a better performing system. So, you're going to see those being implemented quite a lot in a community.

Councilman Fiebig: Two things to follow up. What can a municipality do regarding the right-of-way issue and what about some of our dead spots that are in the City, say, the valley that we all talked about, Dodd's Hill. Is anything on the horizon that we can see that we can fill in absent, obviously, Waite Hill didn't pass that. So, is there anything that you see on that?

President Fellows: Dave, I'd honestly like to take this, those questions offline. Either individually...

Councilman Fiebig: It's a good question.

President Fellows: I know they are. But, we have additional business to continue with this evening.

Jason Woodward: If you would like to reach out to me, I would be more than happy to walk you through some steps that you could pick and maybe help your community.

Councilman Fiebig: Great. Could you give me your number, here?

Jason Woodward: Yes.

President Fellows: Thank you.

Councilman Fiebig: Jason, sorry about that. I...

Jason Woodward: I'll email you the information. And I am helping with communities...

President Fellows: We didn't get your name.

Jason Woodward: Jason Woodward, TowerCo.

President Fellows: So, we have a motion to adopt Ordinance No. 2018-32.

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

President Fellows: Ordinance No. 2018-32 has been adopted. Thank you, gentlemen, for saying all evening with us.

ORDINANCE NO. 2018-33

AN ORDINANCE REPEALING ORDINANCE NO. 2017-6 AND ANY CONFLICTING ORDINANCES, AND ENACTING IN LIEU THEREOF A NEW ORDINANCE AMENDING PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE, TITLE THREE – UTILITIES, CHAPTER 923 – SEWER RATES, SECTION 923.01 – SEWER RATE CHARGES ESTABLISHED, SUBSECTIONS (c) and (d) OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

Vice President Plecnik: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2018-33.

Councilwoman Majka: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Majka to waive the 3-Reading Rule from Ordinance No. 2018-33. Is there any discussion on the motion?

Vice President Plecnik: Madam President. If I could just say, I can think of nothing more urgent than giving our taxpayers relief from the highest sewer fees in Lake County. This has been thoroughly vetted in the Utilities Committee of Council and it really outgrows from the budgetary discussions we've had. So, this is thoroughly vetted and very urgent.

Councilwoman Majka: Madam President. I'd just like to reiterate what I said Monday during the Committee, that we made sure that there was money in the budget. We did not just arbitrarily decide that we wanted a cut and not look at the consequences. We do believe that we do have room in the budget. That this will hopefully be absorbed and we'll see nothing more than grateful residents and businesses.

Councilman Hallum: Madam President. Councilwoman Majka, just so the residents understand, do we know on average, the savings this is for our residents on an annual or quarterly basis, by any chance? Just an approximation?

Councilwoman Majka: As I said during Committee, it's going to be difficult when you open your bill and you see it because it will look like it went up because Euclid keeps increasing their rates. If we get an eventual breakdown of the bill, that won't be a problem. You'll be able to see it, that there was an actual reduction. Mr. Brichaeck gave us information last year when we were looking at that initial cut. And I believe the annual, I know that I'm going to get it wrong, he's got it right in his head, I know he does, but it was somewhere in the vicinity of \$280, \$300,000 in the annual reduction, that was the last one. This one, I don't know if we had a discussion about the actual numbers. But, per your actual bill, was like from 40, about a \$7.00 reduction on your, yeah, per resident. And I can't say that it will be across the board because everybody uses water at different rates. We still do have and I didn't touch on this at the Committee meeting, but we still do have our reduced minimum. That will stay reduced and that is good news for people who use smaller amounts of water that you will hit the minimum twice as fast as your used to.

Councilman Hallum: Thank you.

Councilwoman Majka: Thanks.

President Fellows: Motion is on the table to waive the 3-Reading Rule.

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

President Fellows: The 3-Reading Rule on 2018-33 has been waived.

Vice President Plecnik: Madam President. Motion to adopt Ordinance No. 2018-33.

Councilwoman Majka: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Majka to adopt Ordinance No. 2018-33. Is there any further discussion on the motion?

Vice President Plecnik: Madam President. If I could just repeat, this does come out of our budget. We're able to find significant tax savings. We've stop taking administrative salaries out of the budget so that it was possible to return these dollars to our residents. Given that Euclid is raising their rates every year to pay for their sewer projects, that's a significant portion of our bill, residents saw their bills go up about \$5 per thousand cubic meters of water used from Euclid, this will be a \$7 reduction from the 2015 now rolling back to the 2014 rate of \$40.26 per thousand cubic feet of water. And that's on top of the sewer fee cut that we passed in January 2017 that reduced the rates back to 2015 and also cut the minimum assumed usage from a 1,000 to only 500 cubic feet, effectively cutting the minimum bill in half for senior and people who don't use a lot of water. So, this is our second sewer fee cut in two years and this is what we're committed to here on Council. Our job is the budget and trying to return as much of your money to you as possible. And while there are a lot of negative difficult things and challenges that Willoughby Hills has faced, when we're given responsibility, we're going to balance the budget, we're going to cut taxes. And I have to say thank you to Councilwoman Janet Majka because this really started as we went door-to-door talking to residents and she said, elect me and I'll cut your sewer fees. Well, she just didn't do it once, she did it twice. And I don't know any other City that says let's go back to 2014. Euclid and everyone else is saying let's raise the rates, again and again and again and see how much we can take. I'm really proud to be part of a Council that's going back years to give a lower rate so it's more affordable for our residents and our businesses. And I'm really grateful to Councilwoman Majka for her hard work and I want to specifically say thank you Councilwoman Laura Pizmoht for finding the savings in the budget, really rewriting it line by line when Administration just really didn't have the experience to get it done, she stepped up and we're all grateful. I'm sure that Administration and Council are both really grateful that someone as experienced and capable would rewrite the budget. Thank you.

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

President Fellows: Ordinance No. 2018-33 has been adopted.

The next order of business is New Business.

NEW BUSINESS

Councilman Fiebig: Madam President. I'll make a motion of Council to authorize advertisement for public bids for the 2018 Street Resurfacing Project that includes Kennelly, Red Fox Pass, Somrack Drive, Jennie Lane and Bates Lane.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilman Fiebig and second from Vice President Plecnik for Council to authorize advertisement for public bids for multiple streets in the City. Any discussion on the motion?

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

President Fellows: Motion has passed.

Councilman Hallum: Madam President. The Recreation Commission of the City asked me to make a motion of Council to declare the Rock-n-Roll Day in Willoughby Hills as a Public Purpose.

President Fellows: I don't hear a second, Chris.

Councilman Hallum: That's okay. I was just doing what I was asked.

Councilman Fiebig: Madam President. To that end, I can't second it because I don't have any information on this, other than what was said here today. And obviously, I had numerous questions about it, but I mean, typically, if you want to have an event there would be some sort of report to the body that you're asking to expend public funds on and has anybody received anything? I didn't.

Councilwoman Majka: Well, I think that the email that you had read to us expressed that she didn't really want it to be declared. So...

Councilman Fiebig: That was from a while ago, but...

Councilman Hallum: I don't think that was for this event. It was...

Councilwoman Majka: Oh, it wasn't?

Councilman Hallum: I don't think so.

President Fellows: It spoke to all events.

Councilman Hallum: When was this from?

President Fellows: This is from Gloria, on Tuesday, January 30, 2018.

Councilman Hallum: Okay. I didn't know. That's fine. She's from Corn Fest, right?

President Fellows: Yes.

Councilman Hallum: This is from the Recreation Commission. So...

President Fellows: But, the activity for that day, for the Recreation Commission is the City Garage Sale which is on independent homes throughout the City, correct?

Councilman Hallum: But, they are also doing that, correct. But, actually, the Corn Fest, the only part of this, as I understand it, is that they are providing funds that are paying for Ricky and the Rockets. I think that's their only, I believe that's my understanding. Everything else is being done by the Commission.

President Fellows: Well, to Councilman Fiebig's point, there's no report for us...

Councilwoman Majka: Are both of these events on the same day?

President Fellows: Yes.

Councilman Hallum: Yes. The thought was, from my understanding, the thought was, we have all these people in the City, let's see if we can keep them here at a Community Event while going around and the thought was there. They wanted to try something new.

Councilman Fiebig: To my point, because I first purposed the idea to the Recreation Commission, some years ago, came to their meeting and spoke in public portion and said why are we bring all of our stuff up to Campbell Park and selling spaces and it was a mess and it took a lot of time, effort and energy and then it would rain and people had to breakdown and I said, why don't we just let people stay home and do their own garage sale out of their home, but let's promote it as a Community Garage Sale Day. And, you know, it does take a lot

of work to put on garage sales and I would think that people at the end of the day are very tired. And would not necessarily want to go out. I'd think that they would want to relax after that. So, I don't understand the thinking if anybody brought that up during the discussions or not. But, we don't have any report on what they're even asking for, so I can't vote on it.

Councilwoman Pizmoht: Madam President. They're already having Commission meetings on this, but it's not even been approved by the Council as a Public Purpose. And then it's also already June and this is not that long away. So, I'm not really sure, it doesn't seem like it's that it's well thought out.

President Fellows: I do not have a second for the motion.

Councilman Hallum: Can we just move on. I don't know why we're still talking about it.

President Fellows: We have another motion to make.

Vice President Plecnik: Madam President. I'd like to make a motion for Council to adjourn into Executive Session to consider the appointment of the Law Director, the employment of a Public Employee, inviting the Mayor, all of Council, Mr. Joe Diemert, (I hope that I'm pronouncing the name correctly), and excusing our City Engineer and Finance Director who I know are really disappointed. They want to be a part of this conversation and stay with us for another three hours, but we're excusing them. For after The Good of the Community, no more than 30 minutes.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to move into Executive Session to consider the appointment of a Law Director, inviting the Mayor and all Council and Mr. Diemert, after For the Good of the Order and For the Good of the Community. Not, sure if 30 minutes is enough, but we'll do our best.

Councilman Fiebig: Madam President. Yeah, that doesn't seem like a realistic thing to say, 30 minutes. Yes, we want to be brief, but I would not vote for it if you include 30 minutes in there. That's just not realistic.

Vice President Plecnik: Would 45 minutes...

Councilman Fiebig: You don't have to put a time on it. If you want to leave, you can leave. We can all, anybody can step out. I don't want to say, oh, it's only 30 minutes.

Vice President Plecnik: I will restate my motion for an unlimited amount of time.

Councilwoman Pizmoht: Second.

President Fellows: Any discussion on the motion?

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 Order and the Good of the Community.

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

Councilman Fiebig: Madam President. There's a community blood donation across on Thursday, July 12th from 1 to 6pm. This is for the Red Cross at 35400 Chardon Road. You can call 1-800-Red Cross to schedule an appointment or you can go on line. And there is a sponsor code willhillscomcenter. This particular time, you can win a \$25 gift card courtesy of Lake Health. It's not being paid to donate. I think that's a lot more responsible.

EXECUTIVE SESSION

President Fellows: All right we will go into Executive Session at 9:30pm.

With all Members of Council presented, President Fellows reconvened the Regular Council Meeting of June 14, 2018 at 10:31pm

ADJOURNMENT

Motion was made by Vice President Plecnik moved to adjourn. Councilwoman Majka seconded.

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

The Regular Council Meeting of June 14, 2018 was adjourned at 10:32pm.

APPROVED: _____

Date

Nancy E. Fellows

Nancy E. Fellows
President of Council

ATTEST: _____

Victoria Ann Savage, CMC
Clerk of Council