

City of Willoughby Hills

Regular Council Meeting Minutes of May 23, 2019

Policy No. 2: All Council meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part of the official records and minutes. Council minutes shall be written, and approved by Council.

The Regular Council Meeting was called to order on Thursday, May 23, 2019 at 7:00pm in Council Chambers. President Fellows presided.

Pledge of Allegiance

Members Present: President Nancy E. Fellows, Councilwoman Laura Lenz, Councilwoman Janet R. Majka, Councilwoman Laura Pizmoht, Vice President John Plecnik

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

MOTION TO EXCUSE

Vice President Plecnik: Motion to excuse Councilman David M. Fiebig and Councilman Christopher Hallum from tonight's meeting

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to excuse Councilman David M. Fiebig and Councilman Christopher Hallum from this evening's meeting. Is there any discussion on the motion?

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

President Fellows: Councilman Fiebig and Councilman Hallum have been excused from this evening's meeting.

INVOCATION/POSITIVE MESSAGE

President Fellows: Before we start our order of business this evening, I have invited Pastor Bill Nyerges from First Covenant Church to come forward to say something positive, prayer or invocation this evening.

Pastor Nyerges: Should I address the people or the peoples' representatives? It doesn't matter right; they are one in the same. I want to thank you for inviting me here this evening my wife made a comment as we were coming in, it's nice to part of small-town politics. I said what do you mean small town, it's a pretty big city. Yes, she said where the city meets the country. So, I think that we're in the right spirit. You know, again for a couple of moments, just to share with you and I hope it to be a positive part of the processing tonight. I'm a fan of Charles Schulz and the peanut characters and my people know that I love to reference those periodically because of some of the humor, light humor that can bring about some great truths and one of the things that he always wrote about or pictured was the annual time when Charlie is trying to kick the football and Lucy always

pulls it away. And once again, he is disappointed but he never gives up he keeps trying. His faith in humanity is something that never seems to go away. It points out an important truth to me that we need to go beyond just our trust in humanity because we all are in need in that area. Many people think the bible is sort of like that it's about pie in the sky wishful thinking. But a careful reading shows it to be the most realistic and commonsense way of embracing life. So, it describes who we are, why we are in so much trouble many times and also what solution has been wisely offered by a loving God. When Jesus walked this earth and taught there was very realistic opposition to him and his disciples the same thing. There was division and controversy but in the long run, much good accrues to what he taught because we see it in years later, Charles Colson was a great figure in a past administration in our Country, rising to the top of presidential support, power, ended up having to go to prison for those things that had occurred in those years and at that point, he became a trusted follower in his faith of our Lord and started the prison fellowship ministry which has done just so much good over the years. Even to the point where the Texas legislature when inviting Colson to help them consider measures to state prison reform, he came up with restoration rehabilitation in which the prisoners would give help back to the victims that they had affected and one of the legislatures said to him where did you get all these wonderful ideas, these progressive, modern ways of dealing, fresh ways of dealing with crime which actually affected positively the residum rate and he said from the bible. It's an old, old story. Cynics would sometimes say that those who have their mind on too much heavenly things do no earthly good. But actually, the opposite is true. Those who have been aware that they need to beyond human nature and trust in a God of strength and redemption are the ones that over time in history have done so many good things, lasting things for us all in science and social political matters and other areas of human achievement. Here in American as we know here, we've been blessed with a government of the people that's unparallel to human history and was formulated based on a fresh and clear understanding of human kind tendency to waiver and error in sin and in need of redemption and they so structured us to limit tyranny. From my early training and on through a long government career myself, in the federal government, a little different from your arena, it gave me an appreciation of the practical difficulties but the wonderful privilege that you have in serving the people in public service. From some of the best supervisors to leaders that I've even experienced, I learned and was inspired to know that my service was for all the people, it was the tax payor's money that I was handling and that I was hired and paid to exercise integrity and good judgment and from the faith perspective I may have at time had to admonished just as we all do, but I didn't judge because I knew that any good I experienced and that I shared was by the grace of God. And so, my friends we seek wisdom in this endeavor as we do in others. And so before I close this with some prayer, I want to say that I was drawn into the very practical words of the Book of James in our New Testament. Jesus' half brother who spoke realistically of the truths of the gospel faith as they apply to the practical realities of human relationships. Now tuck into these words are a little bit of admonishment, I warn you. But with all of the word it's finally encouraging. So, allow me to share those words in this way. It's from James Chapter 3, five versus 13 thru 18.

Who is wise and understanding among you? Let him show it. By his good life let him show his works in the meekness of wisdom. But if you harbor bitter envy and selfish ambition in your hearts, do not boast or deny the truth. Such "wisdom" does not come down from heaven, but is earthly, unspiritual, even of the devil. For where you have envy and selfish ambition you find disorder in every evil practice. But the wisdom that comes from heaven is first of all pure, then peace loving, considerate, submissive, full of mercy and good fruit, impartial, and sincere. Peacemakers who are so in peace rise a harvest of righteousness.

Would you join me in prayer for a moment? I invite you to do so and with respect to where your journey may be, different from mine, let's at least ponder the words that I hope will be helpful to you in your life and work.

Our one God, we've acknowledged the reality of your grace and your truth. We confess our need to find our real strengths in your mercy and kindness. Thank you for the privilege in leading us to serve you as we serve others. I ask for your blessing and light on these your servants and their families in Willoughby Hills. Grant that they may work with wisdom, with patience, with discernment as they face the many practical demands and tasks of this government. Lead this community to support and know benefit from their honest efforts to serve honorably. As their words reflect their hearts may their hearts reflect yours. So that in your spirit we may hear someday well done, good and faithful servant. In Jesus Christ, our Lord we pray. Amen.

President Fellows: Thank you Pastor, thank you so much for joining us. I want to share Councilman Fiebig's beloved brother passed away a couple of days ago and that is why he is not here this evening. I looked for the obituary. It's my understanding that there will be visitation next Tuesday evening and a Mass on Wednesday morning. Watch the newspaper or the internet for that as well. Our thoughts and prayers are with you David and all of your family members in this sorrowful time.

First order of business is the Deposition of the Journal for the Regular Council Meeting of May 9, 2019.

DISPOSITION OF THE JOURNAL

Vice President Plecnik: Madam President. Motion to adopt the Regular Council Meeting Minutes of May 9, 2019.

Councilwoman Majka: Second.

President Fellows: I have a motion from Vice President Plecnik and a second by Councilwoman Majka to adopt the Regular Council Meeting Minutes of May 9th. Any discussion on the motion?

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

President Fellows: The Regular Council Meeting Minutes of May 9, 2019 have been adopted.

ADMINISTRATION REPORTS & COMMUNICATIONS

MAYOR'S REPORT: Thank you. I want to welcome Synergy Physical Therapy and Wellness Center and Parklane Counseling who just moved into Willoughby Hills on Chardon Road. I had the pleasure of presenting them with proclamations yesterday.

The internet auction on Public Surplus closed on Monday, with the City disposing of 3 vehicles and 3 pieces of Service Department equipment for a total of \$21,335. We had no bids on the salt spreader and are viewing the reserve set for the 2014 Dodge Charger because the highest bid was about \$3500 lower than our reserve. We plan to these vehicles and equipment off of the City lot within the next week or so.

Our Service Department continues to patch along River Road and responding to other resident concerns now that the weather seems to allow that. The Service Department will also be installing new signage by the tennis courts and Police Department to ensure no one attempts to use the PD driveway to exit the City Hall lot.

The Police Substation is moving along, still set to open June 1. They are still working on the infrastructure before they can open.

Tickets are now on sale for the YMCA Dream House in Willoughby Hills. The YMCA will host tours from June 29 through August 4.

Administration has worked on Employee Handbook and will be presenting a draft to Council in the near future.

Congratulations to our newest Full-time Firefighter Steven Drop who was sworn in since the last Council meeting. He is making his transition from a part-time firefighter and I know he will do a fine job for us.

Best wishes to Father George Smiga, Pastor of St. Noel Church who will be leaving St. Noel for his "retirement" parish assignment this Sunday. We appreciate the many years of services he offered St. Noel and

its residents and wish him the best as he starts the next chapter in his life. I will be presenting him with a proclamation on Sunday on behalf of the City and all of the residents.

Sympathy to Councilman Dave Fiebig and his sister Margie Bizjak on the passing of their brother, Tom.

I support the legislation this evening to include:

- (1) Amending the Life Force ambulance billing contract to reflect adding the option to use the Ohio Attorney General's Delinquent Account Program which will enhance our collection efforts. This also includes signing a contract with the Ohio Attorney General for the program, which is a separate ordinance.
- (2) Declaring five Fire Department radios as surplus so we can use them as a trade in for the purchase of five new radios.
- (3) Amending the fee for use of Police vehicles to \$10 per hour, rather than the current \$35 per hour, to come into line with area departments.
- (4) Accepting the bid of Fyda Freightliner Cincinnati in the amount of \$171,613 for a new snow plow vehicle.
- (5) Accepting the bid for engineering fees for the Dodd Road Resurfacing project in the amount of \$53,200.
- (6) Confirmation of Darlene Soeder as the Part-Time Recreation Coordinator.
- (7) Approving the CRA Contract Agreement with 27853 Properties LLC (AKA Produce Packaging), leaving it for three readings for public input and other administrative actions that must occur.
- (8) Bowen's proposal for Zoning Administration services.
- (9) Grange security policy
- (10) Brush/Yard waste policy update.

Upcoming Events:

Memorial Day Ceremony is scheduled for Monday, May 27 at 11am at the Willoughby Hills Gazebo. All are welcome.

Shred Day is Saturday, June 8 from 9 to noon.

LAW DIRECTOR'S REPORT: Thank you, Madam President. I just want to encourage Council to consider the adoption of the ordinances that the Mayor talked about. One is the Life Force agreement being amended in order to allow for the Ohio Attorney General to step in, that's 2019-41 then 2019-42 is the Ohio Attorney General's ordinance and then also Produce Packaging CRA agreement, 2019-45.

President Fellows: I do have a question, so Mayor you had mentioned that you wanted the Produce Packaging CRA to be on first reading.

Mayor: Yes, because we still have to notify the schools and the public.

President Fellows: Okay. All right. Thank you. The next is the Finance Director's report, Mr. Brichacek.

FINANCE DIRECTOR'S REPORT: I am happy to announce that the City received a \$1,000 grant from PEP Plus Safety Grant. That will be used to reimburse the Fire Department for the cost of firefighter training conducted at Cuyahoga Community College, West Fire Academy this last week. The grant application was authorized back in February. At the next Council meeting we will be requesting appropriation changes for the Fire Department, the acquisition of the Fire Department radios, the 5 radios the Mayor had mentioned. The increase in the Fire Station Alerting System. Both of those will be financed by the fund balance of the Fire Capital Fund. An increase in the Police Substation Transition budget to finance a couple of items that weren't foreseen by the Police Department in the original budget. And an increase in the Fire Department's training budget to offset the PEP grant. And then in the never-ending budget cycle, I believe at the next Council meeting we'll be presenting the first reading of the 2020 tax budget which is primarily designed to enable the

City to levy its property taxes for the following year. That has to be passed by July 15 per State Law and filed with the County \Budget Commission by July 20. Finally, just a note in case you happen to see them, the State Auditors are back on site after a three-week absence and working away.

President Fellows: Thank you. Are there any questions for the Finance Director this evening? I would ask that you speak to the Vice President about calling a Finance meeting to discuss the topics that you had shared before they are put into an ordinance for the next Council meeting.

Vice President Plecnik: Madam President. If I could just share, a resident, I don't normally check my phone, but a resident just texted me to say that they could hardly hear us on TV. So, I don't know if it's because we need to speak more into the microphones or there's a problem with the AV. But, just wanted to encourage everyone to be as audible as possible so the people at home can hear what we have to share.

President Fellows: Thank you. The next is our City Engineer's report, Mr. Di Franco.

CITY ENGINEER'S REPORT: Thank you, Madam President. The resurfacing of a small portion of White Road that was done in corporation with Mayfield Village near Marcum Boulevard is complete. Our 2018 Streets and Sewer Rehab Projects are both out to bid and those bids are due June 6. We finally received all the approvals for the Dodd Bank Road Stabilization Project and the contractor is trying to coordinate all of his subs but should be starting soon. As a reminder, Dodd Road will be closed during construction for up to two months. We will have a little advanced notice before we do close that road. And then we also received an official notice from Ohio Public Works regarding the grant to resurface Dodd Road. This allows us to start engineering. We can't start construction until after July 1st but we would like to start engineering, therefore he would encourage you to pass Ordinance 2019-43 by suspending the 3-Reading Rule and declaring an emergency.

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

Vice President Plecnik: Madam President. Mr. Di Franco, one complaint that we've gotten over the years, has been the twenty to thirty odd bumps on Chardon Road on the east end and I know that our former Planning and Zoning Commissioner Mike Tyler would very passionately rise the issue and we reached out to ODOT some years ago and this is a state route, we can't afford to pave it solely with city funds we need the state support. In the past, ODOT has told us that the road was not in poor enough condition for them to pay their approximately 80% share but we now have a new governor and administration and the road hasn't gotten any younger. So, I'm curious if we've reached out to ODOT to see if they have re-evaluated.

City Engineer: No, I haven't but I did talk to Road Superintendent Mark Grubiss. He was going to try to grind the bumps. When he did it a couple of years ago, I think he had to borrow a machine from Kirtland and it wasn't very good. But now that we have a machine...

Mayor: Yes.

City Engineer: Now that we have a machine that works better, so he was going to try to get out there this summer.

Vice President Plecnik: Excellent. And I would also recommend if we could just reach out to ODOT again to see where they're at. Thank you.

President Fellows: Any other questions for the City Engineer? Thank you, Pete. The next is Council Committee Reports. Are there any Council Committee Reports or any thing that anyone wants to share about their respective committee?

COUNCIL COMMITTEE REPORTS/ OTHER COUNCIL REPRESENTATIVE REPORTS

Councilwoman Majka: Madam President. I attend the Chagrin River Watershed Partners meeting last Thursday, the 16th. It was held here at our Community Center. It was well attended. I think there was some 40+, formerly they called us trustees, I guess now we're called directors. They changed terminology for some reason. So, directors were there from various cities as representatives who receive services from the Watershed Partners. It's been a busy startup season. I've been requested to go to several site visits along with the local representatives and I've attended a couple and there's a few more coming up. Usually there are reports of standing water in people's yards and typically we will go out and the recommendation will be made to install some kind of drainage system or to install a rain garden. It's really fun, it's really enjoyable to go out and meet residents on their property, walk their property. The meeting was mostly housekeeping, their annual report came out, so they were going over finances, much like we do when we have a budget report. They talked about the proposed dues for 2019, they did not name them specifically, but I would imagine there is going to be a bit of an increase. They talked about the Lake Erie Consortium Endorsement which is just an informal thing, kind of like when we pass a resolution, if our area with the Chagrin Watershed is this big, the Lake Erie Consortium is like the entire Lake Erie, almost the entire Lake Erie shoreline encompassing our watershed as well. So, it's just a group of entities that are coming together to agree; they want to tackle clean water and just pull their resources whenever possible. Online you can participate in an online survey. If you look online for this organization it's CRWP so you don't have to spell out the entire Chagrin River Watershed Partners. I always have to think about the order those words go in, but it's CRWP, I believe it's .org and you can participate in a watershed survey. They are looking for input from residents, just about the various plans they are trying to input into watershed management. Their main goals for the upcoming year are roads, highways, bridges in the management way of stormwater. So, they are trying to make sure that we have clean water discharging off our roads, highways and bridges as much as possible. They also have input into trails, parks. They are starting not to organize grants for next year. Sometimes the grants that are available are time sensitive as most of them are. So, they have Great Lakes restoration type of grants and like what we saw occur over at the School of Innovation, large scale and small-scale projects. There is a Lake Geauga fund that is looking at rain gardens. Rain gardens are really up and coming, educational tool that they are using to, like I said, manage standing water or flooding issues which are important because like I said, we don't want water standing around in the summer because it is a mosquito breeding area. This was, they were advertising different events related to the passing of the Clean Water Act because it's been fifty years since the act was passed. So, there is going to be a lot of public celebrations and information all over the Cleveland area. It's been fifty years since our river burned Downtown. So, it's come a long way with the Clean Water Act. There is a lot of progress that's been made and so there is a lot of celebrations that are going to be taking place Downtown in different parks, so keep turned-in to that, those kinds of advertisements. Last year they had 180 landowner assists, not just our City but in general, all the subscribing cities. They'll give written summaries and they'll give the onsite visits, like I said. They can recommend landscapers that if you would want to install a new drainage or do any kind of rain garden, they have a list that they can recommend to you. They have fact-sheets coming out with resource fact-sheets just like at the Extension Office that you can get to, one was native plants that you could put in your yard. There is one that is a guide to raingardens and they were very excited to premier their new video. They had not done any public advertising videos so far and I was really impressed because they did their own video inhouse, so they used their own members to be on camera and one of their own members, I believe, did the photography and it was beautiful. It was very, very impressive. I believe that you could probably watch that if you go to their website. So, I'm looking forward to our next meeting which will not be until September and that will be in Gates Mills and we'll get to tour one of their projects that was put in place by the Watershed Partners and that's all I have.

President Fellows: Thank you very much. Any questions for Councilwoman Majka on the Chagrin River Watershed meeting? Thank you, any other committee tidbits?

PUBLIC PORTION

President Fellows: Moving forward, we will go to Public Portion. This is an opportunity for individuals to come forward. Please state your name and address for the record. Please keep your comments to three minutes. I will open Public Portion at 7:30pm.

Chris Welsh – 38801 Chardon Road. The price on the freightliner, is that just a cab and chassis or is that the whole package? And as far as Chardon Road goes, what are you going to grind them down and then do what?

City Engineer: Just grind them for the moment.

Chris Welsh: Don't bother. Going to grind it, get below the base and pave it.

Jenna Bing –36951 Beech Hills Drive. Mayor, I was kind of surprise that you didn't mention anything about your BAT team. We've met three or four times at least, and I think that it would be good to have an update about what is going on in regards to it and also, even through it's not a Dream Team, I know we worked on some of the things for the Dream House and so it would be wonderful if you could tell the people what's going on because we're kind of working on things that don't really fall into public purview, but I think should.

President Fellows: Thank you. Anyone else this evening? I will close Public Portion at 7:31pm.

UNFINISHED BUSINESS

President Fellows: The freightliner is a complete package, Chris. Correct, Mayor?

Mayor: Correct.

President Fellows: It's everything, Chris. And it was a demo, so it's ready, pretty much ready to come. And then the BAT team.

Mayor: The BAT team, we worked on lists of businesses and we met four times and we're narrowing down to a complete list. We got the Fire Department list; we got the Police Department list and we actually went out and surveyed the City for addresses. We think we probably have them all now and Jena and I are going to, the Fire Chief is here, and I'll introduce him, if you come up with any questions for him. And we're going to send out a survey to them but we want to make sure that it's the business first, so Jenna being an expert at marketing, she is going to develop some police, fire and service questions that will relate to them and they can answer them and then give us their information so that we can respond to them. We're going to be identifying all the restaurants in the area and we are going to send a letter to them asking them if they want to participate in a flyer that is going to be at the Dream House to get people to visit our restaurants, so that's what we're working on.

President Fellows: Thank you. Any other Unfinished Business this evening? Moving to Legislation.

LEGISLATION

ORDINANCE NO. 2019-30 – THIRD READING

1st Reading: April 25, 2019

2nd Reading: May 9, 2019

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.

Councilwoman Majka: Madam President. Move to adopt Ordinance No. 2019-30.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilwoman Majka and a second from Councilwoman Majka to adopt Ordinance No. 2019-30. Any discussion on the motion?

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

President Fellows: Ordinance No. 2019-30 has been adopted.

ORDINANCE NO. 2019-40 – SECOND READING

1st Reading: May 9, 2019

AN ORDINANCE REPEALING AND RESCINDING ORDINANCE NO. 2017-63 AS AMENDED, ORDINANCE NO. 2018-42 AND IN LIEU THEREOF ENACTING ORDINANCE NO. 2019-40 ESTABLISHING REGULATIONS FOR THE SECURITY AND SAFETY OF THE MAPLE GROVE GRANGE LOCATED AT 2454 RIVER ROAD, WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

Vice President Plecnik: Madam President. Motion to table Ordinance No. 2019-40.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to table Ordinance No. 2019-40. There is no discussion on the motion.

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

President Fellows: Ordinance No. 2019-40 has been tabled.

ORDINANCE NO. 2019-41

AN ORDINANCE TO AMEND THE AGREEMENT BETWEEN THE CITY OF WILLOUGHBY HILLS AND LIFE FORCE MANAGEMENT IN ORDER TO FACILITATE AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR DELINQUENT DEBT COLLECTION AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-41.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and second from Councilwoman Majka to waive the 3-Reading Rule on Ordinance No. 2019-41. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule has been waived for Ordinance No. 2019-41.

Councilwoman Pizmoht: Madam President. Motion to adopt Ordinance No. 2019-41.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to adopt Ordinance No. 2019-41. Is there any discussion on the motion? As mentioned by the Law Director, this ordinance and the next one, will help facilitate the collection of delinquent fees that we have in the City. So, these are important ordinances.

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

President Fellows: Ordinance No. 2019-41 has been adopted.

ORDINANCE NO. 2019-42

AN ORDINANCE TO AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-42.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second by Councilwoman Lenz to waive the 3-Reading Rule on Ordinance No. 2019-42. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-42 has been waived.

Councilwoman Majka: Madam President. Move to adopt Ordinance No. 2019-42.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilwoman Majka and a second from Councilwoman Pizmoht to adopt Ordinance No. 2019-42. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2019-42 has been adopted.

ORDINANCE NO. 2019-43

AN ORDINANCE TO ACCEPT THE PROPOSAL PROVIDED BY RICHARD L. BOWEN + ASSOCIATES INC. FOR THE ENGINEERING FEES FOR THE 2019 DODD ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-42.

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. 2019-43. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-43 has been waived.

Vice President Plecnik: Madam President. Motion to adopt Ordinance No. 2019-43.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to adopt Ordinance No. 2019-43. Is there any discussion on the motion?

Councilwoman Pizmoht: Madam President. I would just like to say that I am really excited about this project. It's been a long time coming, as the Mayor knows, we both have to drive this road a lot.

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

President Fellows: Ordinance No. 2019-43 has been adopted.

ORDINANCE NO. 2019-44

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE BID AND TO ENTER INTO A PURCHASE AGREEMENT WITH FYDA FREIGHTLINER CINCINNATI, INC. FOR THE PURCHASE OF A 2019 HEAVY DUTY SINGLE AXLE DUMP TRUCK & CHASSIS AND SNOW & ICE PACKAGE AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-44.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Vice President Plecnik to waive the 3-Reading Rule on Ordinance No. 2019-44. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-44 has been waived.

Vice President Plecnik: Madam President. Motion to adopt Ordinance No. 2019-44.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilman Pizmoht to adopt Ordinance No. 2019-44.

Vice President Plecnik: Madam President. If I could just share, I've personally walked through the Service Department to review each of our snowplow trucks and that's essentially what we're talking about here today. This would be an addition to our fleet and this would replace the worst of the trucks, for rust at this point is eating through the bed. This is, as you have already answered for the public, a complete package and should be about a \$30,000 savings to the City which is why I support adopting it tonight.

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

Motion PASSED.

President Fellows: Ordinance No. 2019-44 has been adopted.

ORDINANCE NO. 2019-45

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

President Fellows: As the Mayor had indicated this Ordinance will remain on 1st Reading.

ORDINANCE NO. 2019-46

AN ORDINANCE AMENDING PART FIVE – GENERAL OFFENSES CODE, CHAPTER 521 – HEALTH, SAFETY AND SANITATION, SECTION 521.13 – DEPOSIT OF YARD WASTE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO; REPEALING ANY AND ALL CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

President Fellows: This is the brush pile that we've already implemented.

Councilwoman Majka: Madam President. Move to waive the 3-Reading Rule on Ordinance No. 2019-46.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Councilwoman Majka and a second from Councilwoman Pizmoht to waive the 3-Reading Rule on Ordinance No. 2019-46. Is there any discussion on the motion?

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

Motion PASSED.

President Fellows: The 3-Reading Rule on Ordinance No. 2019-46 has been waived.

Councilwoman Majka: Madam President. Move to adopt Ordinance No. 2019-46.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Councilwoman Majka and a second from Councilwoman Lenz to adopt Ordinance No. 2019-46. Is there any discussion on the motion?

Vice President Plecnik: Madam President. As the Mayor and I have previously discussed at other Council meetings, one thing the City needs to explore in addition to the brush pile, is the possibility of brush pickup. Kirtland, Willoughby and many of our neighboring cities have this service for their residents. It is not a dramatically expensive service to provide, but it does require either renting or purchasing a brush chipper and I've spoken with our Street Superintendent, I've asked him to draft a proposal to give us a cost, and he may be working with Mr. Brichacek on that as we speak and we'll certainly review that in a Finance Committee meeting as soon as a proposed budget is prepared because as great as it is to reopen the brush pile, I've heard from a lot of our seniors that they are just not capable of brining the brush. And I've had a couple call me and we've dragged a few limbs, but I'm only a stopgap measure. I think we need to look into the possibility of brush pickup service. Obviously cost is a factor and we have to see what the City can afford and we look forward to hearing the proposal because we want to put our residents first.

Councilwoman Majka: Madame President. This particular one, if I could check with the Law Director, this is just cleaning up the verbiage in the ordinance. Getting rid of the yard waste...

Mayor: Leaves, you can't put that in there...

Councilwoman Majka: Getting rid of that phase and putting in brush.

Mayor: And the time that you can drop it off.

Councilwoman Majka: Right. Tightening up on it so it is not a brand-new thing.

Law Director: To respond to, yes, this is a cleanup of a previously legislation in order to use the right verbiage.

Councilwoman Pizmoht: Madam President. I was at baseball practice a couple of times and it was during the brush drop off and I noticed no one was coming, so are we looking at the hours, are we may be going to be looking to cut back some of the hours or have we been looking at how many people have been coming and what money we are spending to actually staff?

Mayor: We will but it has been very rain so far and no one has been able to bring up the brush. The summer is very active, so we will adjust accordingly.

Councilwoman Pizmoht: Okay, great.

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

President Fellows: Ordinance No. 2019-46 has been adopted.

ORDINANCE NO. 2019-47

AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, CHAPTER 139 – POLICE DEPARTMENT, SECTION 139.04 – FEE FOR USE OF POLICE VEHICLES OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO; REPEALING ANY AND ALL CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Councilwoman Pizmoht: Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-47.

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. 2019-47. Is there any discussion on the motion?

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-47 has been waived.

Councilwoman Majka: Madam President. Move to adopt Ordinance No. 2019-47.

Councilwoman Lenz: Second.

President Fellows: I have a motion from Councilwoman Majka and a second from Councilwoman Lenz to adopt Ordinance No. 2019-47. Is there any discussion on the motion?

Councilwoman Majka: Madam President. I believe this is a reduction. We're doing a reduction here in fees, from \$35 to \$10.

President Fellows: Correct. Yes.

Councilwoman Majka: Just to be more in line with what is more traditionally done.

Vice President Plecnik: Madam President. I see these fees are for a nonofficial use of a police vehicle. I would encourage anyone who would like to use a police vehicle to consider bidding on our other Dodge Charger. I can speak from personal experience that nonofficial use of police vehicles can be very rewarding. They are very reliable, good cars. So, I hope that we might get a little bit more money for the City and I encourage residents to review whether or not they would like to consider purchasing a 2014 Charger.

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

President Fellows: Ordinance No. 2019-47 has been adopted.

ORDINANCE NO. 2019-48

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

Vice President Plecnik: Motion to waive the 3-Reading Rule on Ordinance No. 2019-48.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to waive the 3-Reading Rule on Ordinance No. 2019-48. Is there any discussion on the motion?

Vice President Plecnik: Madam President. The Mayor has shared with us that Kyle Overmyer, our former Recreation Coordinator has a limited schedule where she can supervise and train the new Rec Coordinator so she can step into the role successfully. It is urgent for that reason we confirm her given that we have completed our interview process and vetting with the City and so I believe it is appropriate to waive the 3-Reading Rule tonight.

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

President Fellows: The 3-Reading Rule on Ordinance No. 2019-48 has been waived.

Vice President Plecnik: Madam President. Motion to adopt Ordinance No. 2019-48.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to adopt Ordinance No. 2019-48. Is there any discussion on the motion?

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

President Fellows: Ordinance No. 2019-48 has been adopted and we welcome a new Recreation Coordinator to the City of Willoughby Hills.

NEW BUSINESS

- **Motion to declare as surplus five Motorola XTS 5000 Portable radios* to obtain \$500 credit that will be used towards new portable radios.**
(*Serial #721CKH1459; Serial #721CKH1449; Serial #721CKH1455; Serial #721CKH1458; Serial #721CKH1453)

Councilwoman Pizmoht: Madam President. Motion to declare as surplus five Motorola XTS 5000 Portable radios to obtain \$500 credit that will be used towards new portable radios.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilwoman Pizmoht and a second from Councilwoman Majka to declare as surplus five Motorola XTS 5000 Portable radios to obtain \$500 credit that will be used towards new portable radios.

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

President Fellows: The motion has passed.

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

Vice President Plecnik: Madam President. The Mayor shared earlier tonight that tours of the YMCA Dream Home in Willoughby Hills begin on June 29th, but there is another great event on June 29th. The Commander of our VFW Post 4358 on White Road, Steve Tretinik asked me to share that they are having the second annual Sahara Fest, the Sahara Music Fest at the VFW on White Road on June 29th. The doors will open at noon. They will be live music from 2 to 9pm. There will be free hot dogs and free beer as long as it lasts. Any donations and proceeds from the 50/50 raffle will go directly to the VFW for their benefit in our community and I can tell you having gone last year it really is a blast. It is themed after the old Sahara Club in Willoughby Hills. Some of you might remember visiting there back in the day. Apparently, it was swinging and they have the original sign with the palm trees that used to be on the road, so you can take a picture next to the Sahara Club sign and show your friends how cool you still are. So, I hope you will be able to join us in supporting our VFW this June 29th and enjoy some nostalgia and it really was a blast last year, so come out if you can, June 29th starting at noon at the VFW.

Councilwoman Pizmoht: Madam President. I would just like to congratulate all the parents and teachers of our elementary, middle school and our high school students for surviving the school year and I wish all our families and the children a wonderful summer holiday.

President Fellows: I want to remind everyone about Memorial Day, it is not just about picnics and family get together, please remember all our service men and women that have made sacrifices for our Country and those who are still serving today as well. Have a safe holiday.

ADJOURNMENT

Councilwoman Pizmoht: Madam President. Move to adjourn.

Vice President Plecnik: Second.

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

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

The Regular Council Meeting of May 23, 2019 was adjourned at 7:53pm.

APPROVED: _____

Date

ATTEST: _____

Victoria Ann Savage, CMC
Clerk of Council

Nancy E. Fellows

President of Council