

## Regular Council Meeting Minutes of November 14, 2019

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

The Regular Council Meeting was called to order on Thursday, November 14, 2019 at 7:00pm in Council Chambers. President Fellows presided.

### Pledge of Allegiance

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

**Absent:** Councilman David M. Fiebig

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

### DISPOSITION OF THE JOURNAL

**Vice President Plecnik:** Moved to adopt the Regular Council Meeting Minutes for October 24, 2019.

**Councilwoman Majka:** Second.

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

**Roll Call:** AYES: Hallum, Lenz, Majka, Pizmoht, Plecnik, Fellows  
NAYS: None

**Motion Carries.**

**President Fellows:** The Regular Council Meeting Minutes for October 24, 2019 have been adopted.

### ADMINISTRATION REPORTS & COMMUNICATIONS

**MAYOR'S REPORT:** In the next weeks, our residents will be receiving my final City Newsletter which will include my goodbye message, a list of accomplishments during my tenure, an announcement about a Mayor's Farewell Gather for our Residents, a request for some Board and Commission members and a list of 2020 Recreation events. I hope you find it informational and enjoyable.

My staff has planned a "Mayor's Farewell Gathering for our Residents" which will be held on Wednesday, December 11, 2019, from 6 to 9pm at the Community Center. Any resident who wished to come to say goodbye is welcome to come that evening.

Thanks to our Service Department who was called out early for snow duty with the recent weather. They will continue leaf pickup as well, weather permitting.

Our residents may have noticed that Ordinance 2019-70 to appoint Joseph Diemert as our Law Director has been removed from the agenda. After Council left my Ordinance request on First Reading at the last Council meeting, I decided to contract Attorney Diemert under my spending authority to handle the pressing legal issues I was concerned about. I then asked Council to remove the item from the agenda and leave the Law Director appointment to the next administration under the leadership of Mayor-elect Andy Gardner. I am please to report that Attorney Diemert has already handled the Produce Packing CRA legal issue I was concerned about the looks forward to competing a few other legal concerns under the agreement.

Sympathy to the families of Dr. Ron Taddeo, Mrs. Helen Mishek and Ms. Laurie Steinbrink who passed way this past week. Our thoughts and prayers remain with their families.

I support all three legislative items tonight including: Ordinance for Temporary Budget appropriations, the Ordinance for NOACA Grant funding for the Route 6 Rehab project in 2021 to 2024 (approval required by tomorrow), and the Ordinance for Bowen’s continuation for zoning inspection service through June 2020.

In closing, I will announce the following upcoming events:

Winterfest – Sunday, December 8 from 5 to 7pm at the Fire Station

Breakfast with Santa – Saturday, December 14 from 8:30am till noon

I would like to wish everyone a Happy Thanksgiving and remember that City Hall will be closed on Thursday and Friday to observe the holiday.

**FINANCE DIRECTOR’S REPORT:** Happy to report that the income tax collections continue to be strong. I just received the fund report for our second distribution for September and we are running 12% ahead of last year which means that after 11 months we made the amount that we had budgeted for the entire year. The Financial Reports through October are posted on the website and have been submitted to the State Treasurer’s Office, I haven’t received notification back yet as to whether or not they have updated the...the Treasurer’s Open Checkbook should happen within the next couple of days. Other than that, I have nothing else to report.

**President Fellows:** Thank you. Any questions for the Finance Director this evening? The next is the City Engineer’s report, Mr. DiFranco.

**CITY ENGINEER’S REPORT:** Thank you Madam President. We are continuing to work with the contractor on the Dodd Road Resurfacing Project. They have scratched our new wall, so we are working to get that repaired and make some additional pavement base repairs. They are hoping to install the final course of asphalt next week and that concludes my report.

**President Fellows:** Thank you. Any questions for the City Engineer this evening? The next is Council Committee Reports/Other Council Representative Reports. Are there any Chairs of the respective Committees that have anything that they would like to share this evening?

## **COUNCIL COMMITTEE REPORTS/OTHER COUNCIL REPRESENTATIVE REPORTS**

**Councilwoman Pizmoht:** Yes, Madam President. I had the pleasure of meeting with OhioMeansJobs Lake County this Tuesday. A few weeks ago, someone who is a resident and also works at Ohio Needs Jobs, Lake County reached out and asked if I would share information about a Jobs Fair for Produce Packaging and I did on Facebook. And in talking to her I learned that there a lot of opportunities for the City to collaborate with OhioMeansJobs Lake County for economic development efforts as well as offering up to our residents their services. So, for any resident who might be looking for a job or to become skilled in a new trade, Ohio Needs Jobs provides training, so they might fund all of your training if you are looking to get a certification in truck driving or nursing certification or anything like that and they would likely pay for the entire training. And they

have a 95% success rate, so if you are accepted into the program, they'll pay for your training and you would have a 95% chance of getting a good job. Also, what OhioMeansJobs Lake County does is that they help employers, so the employers in our City can access Ohio Needs Jobs as resources and Produce Packaging who is in Willoughby Hills now can have a Job Fair or do a call out for potential employees apply for those jobs. Ohio Needs Jobs would love to work with our City. They would love to participate in our economic development efforts. They offer a lot to potential employers in terms of finding staffing and so, I think that is a great resource and I am happy to connect anyone with the City with Ohio Needs Jobs or pass out the information to who ever would like to use it going forward to help our City.

**President Fellows:** Thank you. Any questions concerning this topic for Councilwoman Pizmoht?

### **PUBLIC PORTION**

The next is Public Portion. This is an opportunity for individuals to come forward to share their thoughts. We ask that you keep your comments to 3 minutes. Please state your name and your address for the record. I will open Public Portion at 7:08pm.

**Jenna Bing – 36951 Beech Hills Drive.** I know that one of the first things that is on First Reading is kind of a continuation of using Mr. DiFranco's company for something for the City in regards to zoning, but I'm really kind of confused because I've never understood, I know that people have done contracting work for us and have gone to Painesville to get permits which they haven't complained about. But I don't quite understand what this ordinance is to cover since we go and get electrical permits and other stuff someplace else. And then I got really confused because I read an article in the News Herald that Painesville is trying to have to do all of it. I don't understand exactly what this is really for and may be somebody could say what he is being hired for. I do somewhat worry, my husband worked for companies that were engineering companies for City Engineers and I had asked him if he ever did any of this zoning stuff and he said no, we're engineers, we're all engineers. If any zoning came up, it was handled probably by the land surveyors because they were the only cheap ones in the place. So, they didn't want to pay for the city engineers for engineering companies to cover costs like what might be zoning. So, I'm confused and I thought that it would be nice to hear.

**Joanne Majeski – 14085 Sperry Road, Novelty, Ohio.** I am here tonight on behalf of the Gulick Family Charitable Remainder Unit Trust to present a 2019 donation for the WHISPER Program of \$3,330.63. Hopefully, we will see the WHISPER Program come back sooner than later.

**Laurie Feltham - 2605 Timberline Drive.** Any thoughts on what is going to happen to the old Giant Eagle that is in the Shoppes of Willoughby Hills? Just asking.

**President Fellows:** Okay, I will close Public Portion at 7:12pm.

### **UNFINISHED BUSINESS**

**Councilwoman Pizmoht:** Madam President. I think that our City Engineer can jump in too, but there is a difference between enforcing the Building Code and then enforcing the Zoning Code. So, what people are going out to Lake County for is to get permits and that is what Painesville is looking to do, is to outsource their Building Department to Lake County and that is what we did. But, to enforce our Zoning Code, you need a Zoning Administrator and so, that is what Mr. DiFranco, that is what this contract is. So that he can enforce our Zoning Code to make sure that people are in compliance with keeping their lawns mowed and their houses in repair and things like that.

**City Engineer:** And just to add, before anyone can pull a permit at Lake County, they have to get a zoning clearance from the City to make sure that whatever project that they are proposing meets our Zoning Code. So, even if it's an electrical permit, a plumbing permit, someone is converting a room into a kitchen. Before the

County will issue a building permit, plumbing or electrical, they'll make that whatever change that applicant is making conforms with our Zoning Code. So, they will want something in writing from our Zoning Administrator. The other thing is Zoning handles permitting outside of the building. So, we administrator like fence permits, driveway permits, sheds, anything outside the building. Anything inside the building is regulated by the Ohio Building Code and that is what Lake County does. That's kind of just a short summary.

**President Fellows:** Thank you, Pete.

**Councilwoman Majka:** Madam President. Just would like to ask a quick question, I don't remember this ever coming up before, say someone wanted to do improvements to their home, like you had suggested, turn a room into a kitchen, they are not quite sure of how to go about it, is there resources if they would go out to the County or go to you to help put all this together? In the planning, blueprints, is there help for anybody, you know to do the practical side before they start to get going on all the construction?

**City Engineer:** Yeah, there are resources available online in both the City and County websites. Most of the time the contractor will handle it for the resident. If it is just simple plumbing or electrical work, the contractor will pull all the permits and provide all the required information. If it is something more complicated like a shed or even a new house, that's when you really need a design professional to be involved and they will guide the residents. But they are also welcome to call me or the County anytime for direction.

**Councilwoman Majka:** Thanks.

**President Fellows:** So, Laurie, concerning the Giant Eagle, my conversation with the owner of the Shoppes of Willoughby Hills, Mr. J. Scott Scheels, he earnestly wanted Giant Eagle to stay and they did not. He is still looking for another grocery store type of facility. We know that Aldi will be opening soon but, unless the Mayor has more information, I don't have any more from the owner at this time.

**Mayor:** It's only speculation but Aldi will be opening December 5 if anybody wants to know. They didn't quite make Thanksgiving but they will open December 5. I think that they have a long way to go, but hopefully, we'll have some good weather and they can get the parking lot in.

**President Fellows:** Any other Unfinished Business this evening? Seeing none, moving forward to Legislation.

## LEGISLATION

### **ORDINANCE NO. 2019-69 - SECOND READING**

**1<sup>st</sup> Reading: October 24, 2019**

AN ORDINANCE PROVIDING FOR TEMPORARY APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE CITY OF WILLOUGHBY HILLS, STATE OF OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2020 THROUGH MARCH 31, 2020; REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

**President Fellows:** This is for the first quarter budget of the year, and this will be on Second Reading.

### **ORDINANCE NO. 2019-71**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) TO ACCEPT A TIP FUNDING AWARD FOR THE US 6 REHABILITATION PROJECT AND DECLARING AN EMERGENCY.

**Councilwoman Pizmoht:** Madam President. Motion to waive the 3-Reading Rule on Ordinance No. 2019-71.

**Councilwoman Lenz:** Second.

**President Fellows:** I have a motion from Councilwoman Pizmoht and a second from Councilwoman Lenz to waive the 3 Reading Rule on Ordinance No. 2019-71. Is there any discussion on the motion?

**Councilwoman Pizmoht:** Madam President. As the Mayor had said, this is to apply for grant funding to redo Route 6 on the eastern side of the City and the application is due tomorrow.

**Mayor:** Yes.

**Councilwoman Pizmoht:** So, if we want to do that, we need to waive the 3-Reading Rule.

**Roll Call:**     **AYES:**           **Hallum, Lenz, Majka, Pizmoht, Plecnik, Fellows**  
                  **NAYS:**           None

**Motion Carries.**

**President Fellows:** **The 3-Reading Rule has been waived on Ordinance No. 2019-71.**

**Councilwoman Majka:** Madam President. Motion to adopt Ordinance No. 2019-71.

**Councilwoman Pizmoht:** Second.

**President Fellows:** I have a motion from Councilwoman Majka and a second from Councilwoman Pizmoht to adopt Ordinance No. 2019-71. Is there any discussion on the motion?

**Roll Call:**     **AYES:**           **Hallum, Lenz, Majka, Pizmoht, Plecnik, Fellows**  
                  **NAYS:**           None

**Motion Carries.**

**President Fellows:** **Ordinance No. 2019-71 has been adopted.**

**ORDINANCE NO. 2019-72**

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:** **We will leave this on First Reading.**

**NEW BUSINESS**

**President Fellows:** Any New Business this evening?

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

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

**Vice President Plecnik:** Madam President. I just want to say Happy Thanksgiving to all our residents in Willoughby Hills. This will be our last meeting before the Holiday, so if you are traveling please be safe. We're starting to get a little bit of the white stuff. But I know that I'm looking forward to seeing Aunt Linda and I'm sure that everyone is looking forward to a turkey.

**Councilman Hallum:** Madam President. I was just going to point out that the Willoughby Hills Winterfest is scheduled for December 8 at 5pm at the Fire Station and December 14 is the Breakfast with Santa and the Santa Shop. So, if you're little ones want to come and shop please bring them to that or if anybody wants to volunteer or help out with that event, please notify the Recreation Department, we can always use the help.

**Councilwoman Pizmoht:** When I was talking about Produce Packaging and OhioMeansJobs, I forgot to say that there is going to be a Jobs Fair for Produce Packaging at OhioMeansJobs Lake County and the address is 177 Main Street in Painesville and this is going to be on Monday, November 18 from 10am to 2pm at the OhioMeansJobs Lake County Headquarters. And again, if you are looking for a job at Produce Packaging you can go and apply and see if it is a good fit for you. There are in need of good people and that would be a great job for the right candidate. In addition, this Saturday, November 16 is the Book Fair and Holiday Shop at Edison Elementary that is our local elementary school here, our Willoughby Hills' kids go there, and that's going to be from 10am to 3pm. It's open to the public, so if you are looking for gifts for children, the Book Fair is a great place to get some books for little kids. I have it on good authority from experts in childhood reading and that would be my kids, and they can help you out to find something that is age appropriate for your kids and what is the hot read for the year. In addition, there will be a Santa Shop for kids to buy presents for their family members with helpers so that mom and dad don't have to know what the kids are buying for them as well as some other vendors. So, if you are looking for a fun, holiday activity, this Saturday, November 16 at Edison Elementary.

**President Fellows:** Thank you.

### ADJOURNMENT

**Motion was made by Councilwoman Majka, seconded by Councilman Hallum to adjourn.**

**Roll Call:** AYES: Hallum, Lenz, Majka, Pizmoht, Plecnik, Fellows  
NAYS: None

**Motion Carries.**

**The Regular Council Meeting of November 14, 2019 was adjourned at 7:25pm.**

**APPROVED:** December 12, 2019  
Date

Nancy E. Fellows  
Nancy E. Fellows  
President of Council

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