

City of Willoughby Hills

Regular Council Meeting

Minutes of September 12, 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, September 12, 2019 at 7:00pm in Council Chambers. President Fellows presided.

Pledge of Allegiance

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

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

Absent: Mayor Robert M. Weger

MOTION TO EXCUSE

Motion was made by Vice President Plecnik, seconded by Councilwoman Lenz to excuse Councilwoman Janet R. Majka from tonight’s meeting. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

PRESENTATION

NOPEC Recognition Program: Catlin Albright, Community Outreach Liaison with Northeast Ohio Public Energy Council explained that her purpose for attending this evening’s meeting was to present Chief Collins with an award through NOPEC’s Recognition Program.

Ms. Albright stated NOPEC created the Recognition Program in 2016, allowing community leaders to acknowledge the hard work and dedication of their colleagues. Over the past few years, we have recognized executive assistants, council clerks, and finance directors/fiscal officers. This year we are focusing on Police and Fire Chiefs.

Ms. Albright shared the nomination submitted by Councilwoman Pizmoht: “Chief Collins has been serving the public for decades. He has worn so many hats—he started as a volunteer firefighter, was an Air Force Special Investigations Officer and a Lake County Narcotics Agent. With someone this experienced and dedicated and who served all over the world, how lucky are we in Willoughby Hills that Christopher Collins chose to lead our police department for these last twenty years!”

DISPOSITION OF THE JOURNAL

Motion was made by Vice President Plecnik, seconded by Councilwoman Lenz adopt the Regular Council Meeting Minutes of July 25, 2019. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

ADMINISTRATION REPORTS & COMMUNICATIONS

MAYOR'S REPORT: Mayor Robert Weger was not in attendance.

LAW DIRECTOR'S REPORT: Mr. James O'Leary

- Todd Cipollo was doing a good job serving as the City Police Prosecutor
- Law Director O'Leary is still monitoring Mayor's Court
- Law Director O'Leary and the City Engineer met with Jason Boyd from the Lake County Engineer's Office to review the permitting process. Found that contractors are not applying for permits
- The BZA Meeting held a meeting on Tuesday, September 10. There was one case, (Continuance of Case 2019-3) on the agenda and the variance was granted to the applicant
- Mayor's Court is up and running but not at the same monetary level

President Fellows thanked Mr. O'Leary and asked the members if they had any questions for the Law Director.

Councilman Hallum questioned if the City was now handling all of its own cases and the Law Director confirmed that they were.

FINANCE DIRECTOR'S REPORT: Mr. Frank J. Brichacek, Jr.

- 2017 and 2018 Post Audit Conference was held on September 5. Results of the audit will be posted on the State Auditor's Website
- Assistant Finance Director Snyder resigned. Last day with the City will be Tuesday, September 24
- Finance Director will move as quickly as possible to find a replacement and until such time, Assistant Finance Director Snyder has agreed to help out with the processing of payroll on a part-time basis until a successor is hired and trained
- An ad will be posted in the News Herald and online at the earliest possible date
- On a personal level, the Finance Director shared how much he enjoyed working with Dawn and she will be greatly missed
- Thanked the President of Council and Council Clerk for the prompt preparation of Resolution No. 2019-10 – a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor
- Thanked Vice President Plecnik for his prompt response in approving a purchase order in the amount of \$35,000 to replace a failed pump located at the Stark Road Pump Station. Road Superintendent Grubiss was able to secure the only available pump from Iowa. Finance Director did not have a delivery date of when the pump would be received by the City
- Income Tax Revenue – running at about 9.2% for the first 8 months of the year
- Budget for the Fire Department – need to reduce overtime

CITY ENGINEER'S REPORT: Mr. Pietro A. DiFranco

- City Engineer DiFranco mentioned that he met with the Building Department and the Lake County Engineering Department to streamline the permit application process
- Mr. DiFranco visited the Produce Packaging Site
- The following City Construction Projects are still underway
 - 2019 Sewer Rehab Project – September 3, 2019 – Start of Fieldwork (tentative)
 - Dodd Road Resurfacing Project – September 13, 2019 - Start of construction (tentative)

President Fellows thanked Mr. DiFranco and asked the members if they had any questions for the City Engineer.

Councilman Fiebig stated that he knows the pump will be coming from Iowa but questioned if anybody had an estimated deliver date for the pump.

Finance Director Brichacek responded that he did not have a date.

Police Chief Collins responded (from the audience) that it would be approximately 6 months, per Road Superintendent Mark Grubiss.

COUNCIL COMMITTEE REPORTS/ OTHER COUNCIL REPRESENTATIVE REPORTS

President Fellows asked the Members for any Council Committee and/or Council Representative reports.

Vice President Plecnik stated the information he wanted to share was not a Committee or Council Representative Report; however, he wanted to mention Lake County Sheriff Frank Leonbruno was sworn in on Friday, September 13.

PUBLIC PORTION

President Fellows opened Public Portion at 7:30pm

Tony Miller – 2857 Hayes Drive. Mr. Miller expressed his concern with the language used in letters that were being sent to residents addressing property issues. Mr. Miller felt the language was too harsh and short.

Adelio Coletta – 2601 SOM Center Road. Mr. Coletta felt the City was not providing information to residents regarding City events such as the City-wide Garage Sale and the special election that was held for the recent school levy.

Vicki Miller – 2857 Hayes Drive. Mrs. Miller stated that the City's seniors do not have the same access for getting notification/information. Not all seniors have computers or possess the technical capabilities required to use a computer. Mrs. Miller would like the City to consider how information is being provided to seniors.

With no one else coming forward, President Fellows close Public Portion at 7:23pm.

UNFINISHED BUSINESS

City Engineer DiFranco stated the letters referenced by Mr. Miller were property maintenance letters. Law Director O'Leary explained property owners are responsible for the continual upkeep of their property. The City wants to preserve the quality of properties. The language is stern for the intent of the notification is to compel the property owner to comply with city codes.

In response to Mr. Coletta's concerns, President Fellows stated information was provided to the residents letting them know about the Citywide Garage Sale through the City's website and government channel and multiple Council meetings. There were also signs posted within the City promoting the event. Pertaining to Mr. Coletta's concern with the notification process for the special election for the school levy, President Fellows advised Mr. Coletta to contact the Willoughby-Eastlake School Board.

Councilwoman Pizmoht shared the Administration if they chose, can provide written communication to the residents pertaining to city events. Council provided \$6,000 in the budget for this purpose.

LEGISLATION

ORDINANCE NO. 2019-54 – THIRD READING

1st Reading: July 11, 2019

2nd Reading: July 25, 2019

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

Motion was made by Councilwoman Pizmoht, seconded by Vice President Plecnik to adopt Ordinance No. 2019-54. Councilman Hallum felt there was no need to hire this firm when the City's insurance carrier will help the administration prepare an employee handbook at no cost. Roll Call: AYES: Pizmoht, Plecnik, Fellows. NAYS: Fiebig, Hallum, Lentz. Motion Failed.

ORDINANCE NO. 2019-60 – SECOND READING

1st Reading: July 25, 2019

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A DOCUMENT MANAGEMENT AGREEMENT WITH COM DOC FOR THE LEASING OF TWO NEW XEROX COPYING DEVICES AND THE MANAGEMENT OF PRINTING SERVICES.

President Fellows stated the Ordinance would remain on 2nd Reading.

ORDINANCE NO. 2019-63

AN ORDINANCE TO DECLARE CITY VEHICLE(S) AND/OR EQUIPMENT AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS VEHICLE(S) AND EQUIPMENT ON THE OPEN MARKET UPON SUCH TERMS AND AT SUCH PRICES AS ARE DEEMED MOST ADVANTAGEOUS TO THE CITY OF WILLOUGHBY HILLS, REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Motion was made by Councilman Hallum, seconded by Councilman Fiebig to suspend the 3-Reading Rule on Ordinance No. 2019-63. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

Councilman Fiebig stated he thought the purpose of this ordinance was to provide administration with the ability to place surplus equipment/vehicles on any appropriate internet-based site. Council Fiebig recommended the ordinance be amended to provide that the City may use any internet provider that is deemed most advantageous for the City.

Motion was made by Councilman Hallum, seconded by Councilman Fiebig to adopt Ordinance No. 2019-63-As Amended. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. Motion Carries. Ordinance No. 2019-63 as amended is adopted.

ORDINANCE NO. 2019-64

AN ORDINANCE AMENDING SECTION 186.02 OF THE CODIFIED ORDINANCES OF WILLOUGHBY HILLS TO AMEND CERTAIN DEFINITIONS TO CORRESPOND WITH DEFINITIONS WHICH HAVE BEEN AMENDED IN CHAPTER 718 OF THE OHIO REVISED CODE, REPEALING CERTAIN ORDINANCES, AND DECLARING AN EMERGENCY.

President Fellows stated that Ordinance No. 2019-64 would remain on 1st Reading.

ORDINANCE NO. 2019-65

AN ORDINANCE AMENDING SECTIONS 1379.05 AND 1379.07 OF CHAPTER 1379 – SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES WITHIN THE RIGHT-OF-WAY, OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

Motion was made by Councilwoman Pizmoht seconded by Councilman Fiebig to suspend the 3-Reading Rule on Ordinance No. 2019-65. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

Motion was made by Councilwoman Pizmoht, seconded by Councilman Fiebig to adopt Ordinance No. 2019-65. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries. Ordinance No. 2019-65 is adopted.

RESOLUTION NO. 2019-10

A RESOLUTION AUTHORIZING THE CITY OF WILLOUGHBY HILLS TO ACCEPT THE AMOUNTS AND RATES FOR THE YEAR 2020 AS DETERMINED BY THE BUDGET COMMISSION OF LAKE COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND THE CERTIFICATION THEREOF TO THE COUNTY AUDITOR.

Motion was made by Councilman Fiebig seconded by Councilwoman Lenz to suspend the 3-Reading Rule on Resolution No. 2019-10. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

Motion was made by Councilman Fiebig, seconded by Councilwoman Lenz to adopt Resolution No. 2019-10. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries. Resolution No. 2019-10 is adopted.

NEW BUSINESS

President Fellow asked if there was any New Business to bring forth to Council this evening?

Motion was made by Councilman Hallum seconded by Councilwoman Pizmoht to declare the following events as a public purpose: Touch-A-Truck (September 14); Fall Craft Show (October 12); Halloween Party (October 18); Winterfest (December 8); Breakfast with Santa & Santa Workshop (December 14). Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

President Fellows requested that this type of motion be brought before Council prior to the evening so that it can be shared with the Members and more importantly placed on the agenda.

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

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

WILLOUGHBY HILL'S TOUCH-A-TRUCK – SEPTEMBER 14

Willoughby Hills City Complex from 10 to 2pm

LAKE COUNTY CONSTITUTIONAL DAY FESTIVAL – SEPTEMBER 14

Celebrate the founding of our country and its most important document. Enjoy a day of family fun and celebration. You can even get your picture taken with George Washington.

LEAGUE OF WOMEN'S VOTERS

MEET THE CANDIDATES NIGHT – TUESDAY, SEPTEMBER 24 FROM 7 TO 9PM

Willoughby Hills Community Center, 35400 Chardon Road, Willoughby Hills

Come and meet the Candidates. There will be a question and answer period (by file card submission only) after the candidates speak. Representatives from the W-E Library and LakeTran will also be presenting a 5-minute overview of their proposed levies.

FREE MOVIE NIGHT AT CLASSIC PARK

September 14 – Avengers Endgame

The Lake County Captains, the Class A-Affiliate of the Cleveland Indians, will be hosting a free movie night at Classic Park on Saturday, September 14th, 21st and 28th plus a college football watch party on Saturday, October 5th. Admission and parking to all movie nights and the college football watch party is free.

The festivities start with three straight Saturday night movie nights. First up on September 14th is Avengers: Endgame. **For more information visit <https://www.milb.com/lake-county>**

RECOGNITION OF PRESIDENT NANCY E. FELLOWS ON RECEIVING THE WILLIAM RUCKER NAACP AWARD

HOUSEHOLD HAZARDOUS WASTE COLLECTION: FREE

September 21st - 9 to 3pm

Lake County Fairgrounds, 1301 Mentor Avenue, Painesville Township

Enter from Mentor Avenue – Follow signs

No businesses, residents only

Guidelines: Leave product in original container, or label contents if known. Bring materials ONLY during collection event; trained technicians will unload your vehicle. **Accepted Items:** Automotive fluids: motor oil, gasoline, coolants, antifreeze, grease. Oil based paints, varnish, shellacs, stains, aerosols, polyurethanes, primers, & grout. Bulbs & Batteries: all sizes (lead acid & household) & fluorescents. Household cleaners & solvents: thinners, kerosene, turpentine, lighter fluid, & paint strippers. Liquids/solids: pool, lawn & garden chemicals, pesticides, weed killers, spray insecticides, photography, “hobby” chemicals, mercury, empty propane tanks, roofing tars, drive sealers, & adhesives. **Prohibited Items:** Ammunition, explosives, medical waste including prescription medicines, smoke alarms or any other item not on the accepted list. For additional questions call Solid Waste District 440-350-2908 The OSU Extension 440-350-2582 Utilities Department 440-350-5766

WILLOUGHBY HILLS' FIRST FLAG FOOTBALL GAME SCHEDULED FOR SATURDAY, SEPTEMBER 14

GRAND OPENING OF THE NEW WEST END Y AT UNION VILLAGE – MONDAY, SEPTEMBER 16

ADJOURNMENT

Motion was made by Councilwoman Pizmoht, seconded by Councilman Hallum to adjourn. Roll Call: AYES: Pizmoht, Plecnik, Fellows, Fiebig, Hallum, Lentz. NAYS: None. Motion Carries.

The Regular Council Meeting of September 12, 2019 was adjourned at 7:55pm.

APPROVED:

September 26, 2019
Date

Nancy E. Fellows
Nancy E. Fellows
President of Council

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council