

City of Willoughby Hills

Regular Council Meeting Minutes of September 13, 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, September 13, 2018 at 7:00pm in Council Chambers. President Fellows presided.

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

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: Before we start our Council meeting, if there is no objection from the Council table, I would appreciate taking this time to present Wallie Burnett with her Resolution that Council has provided and ask Governor Mike Tyler and Vice President John Plecnik to come forward and Wallie please.

PRESENTATION

Vice President: Madam President, I'm honored to present to Council and to the City of Willoughby Hills our past District Governor and resident Wallie Burnett who was recently recognized with the highest honor that the International Lions Club presents any member named for it's founder Melvin Jones. And there are no words that I could say better then to read your resolution to you, Wallie:

Resolution No. 2018-13

A resolution acknowledging Wallie Burnett on receiving the highest honor bestowed upon any Lions member, the distinguished Melvin Jones Fellowship Award.

WHEREAS, Lions Club International Foundation recognizes outstanding individuals by bestowing on them an award that is named for its founder, Melvin Jones; and

WHEREAS, this award is given to a Lion member who has constantly shown their commitment and dedication to humanitarian services and endeavors in their community and the world; and

WHEREAS, past District Governor Lion Wallie has been a member since 1994 when she joined the Willoughby Hills Club and then in 2002, she transferred to the North Coast Club; and

WHEREAS, in her twenty-four years as a Lion, past District Governor Wallie has held several officers' positions in the Club and District: Club Treasurer and Club Membership Chair; Club Secretary for an impressive 15 years and will be Club Secretary again next year; and

WHEREAS, Wallie has served as Region Chair, District Membership Chair, District Cultural and Community Activities Chair and in 2013-2014 was District Governor; and

WHEREAS, past District Governor Wallie has dedicated her life to being a Lion.

Now therefore be it resolved by the Council of the City of Willoughby Hills, County of Lake, State of Ohio that:

That this Council does hereby recognize and commend past District Governor Lion Wallie Burnett for her commitment and dedication to humanitarian services and endeavors in her community and congratulates her on receiving the highest honor bestowed upon any Lions Member, the distinguished Melvin Jones Fellowship Award.

Congratulations Wallie. I do have to say a very special thank you to our District Governor, current District Governor Mike Tyler for bringing Wallie here. She had no idea and I do want to note that Mike is also one of the few who has been recognized by the Melvin Jones Fellowship Award so it's particularly special that as another Willoughby Hills resident and another Governor and another Melvin Jones Fellow could be here. If you wouldn't mind saying a word on behalf of Lions and our District Governor Wallie Burnett.

Lions District Governor Mike Tyler: You know, I've had this lady as a mentor for me. She's been an absolute humanitarian, she does great things for our Lions which by the way, is for any sight ailments, any hearing ailments and we recently took on pediatric cancer, and I just wanted to let you know, this lady here is such a value to me and to Lions and I can't, I can't see doing without her. And what an honor to be a leader in our area and Lions. Thank you so much.

Vice President Plecnik: Thank you. Governors, please approach Council and be congratulated.

Councilwoman Pizmoht: Madam President. I just want to say, that I was volunteering with Wallie this morning doing vision screenings at Royalview Kindergarten and she said, Mike Tyler is going to have a Lions meeting at Willoughby Hills City Hall at 7 tonight. It's kind of weird. I said, ah, I don't know.

President Fellows: What a great, great way to start our Council meeting this evening. Well deserved, Wallie. First order of business is the Disposition of the Journal.

DISPOSITION OF THE JOURNAL

Councilman Fiebig: Madam President. Move that Council approve the minutes of the Regular Council Meeting of July 12, 2018.

Vice President Plecnik: Second.

President Fellows: June, or did you say both, or just 12th?

Councilman Fiebig: Ah, I did just say it, but I'd be glad to amend that to say both Regular Council minutes of June 28th, 2018 and July 12th, 2018.

Vice President Plecnik: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Vice President Plecnik to approve the minutes of the Regular Council Meeting Minutes of June 28, 2018 and July 12, 2018. Is there any discussion on the motion?

Councilman Fiebig: Madam President. I will approve the minutes although I was not at, I was not present at the July 12th, but I will approve them based on the audio.

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

President Fellows: The minutes of both the June 28th and July 12th meetings have been approved.

The next is the Mayor's Report. Mr. Mayor.

ADMINISTRATION REPORTS & COMMUNICATIONS

MAYOR'S REPORT: Thank you. Ah, this Saturday we have Touch-A-Truck in our community and it's put on by the Fire Department, the Service Department and the Police Department. It's an opportunity for everybody to come view the trucks that service us, the community and other communities that come and participate. It's from 10 to 2 and it's probably been going on since 2011 and it's really a unique show. Hopefully, we get the helicopter to land here right in front and that's one of the highlights of the day. So, 10 to 2 and that's this Saturday.

The Salvation Army is opening up at Loehmann's, the Shoppes at Willoughby Hills and they have a ribbon cutting ceremony this Saturday at 8:45am. The store opens at 9:00am. They're going to have some dignitaries from the Salvation Army there and if you can attend, please go.

The Service Department is finishing the roads on Eddy Road, the pavement, the pavement, redoing the pavement. They also, they started on Canterbury Road and Canterbury Road happens to be a concrete street so they cut certain portions out and fill with asphalt to make a clean cut and it will be all real nice and sealed.

Specialized Construction, they mobilized on Wednesday. They are doing the recycling of the asphalt and they finished Jenny Lane today. They're starting on Somrack Drive then they'll do the other three streets that we have in that order, basically Bates Lane, Red Fox Pass, and then Kennelly Drive. So, what they do is, they first go over, they grind 4 to 6 inches off, they recycle it so it's got a good base. The base will be, it's very smooth now, but it's just the base. It will stay for about 10 days and then they'll resurface it with an inch and a half fresh asphalt.

Tonight, I would request an Executive Session before legislation to discuss a confidential proposal from a business and a personnel issue.

That's all I have

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

Councilman Fiebig: Madam President. Can I add that the Salvation Army has offered coffee and donuts at 9:00am. So, I think that's a good reason to get out there and hot dogs around noon. So, it's always good to get out there but, I did seriously want to say to please stop in and support them. They, Salvation Army does good work in the community. It's great to have that space filled and it's a good fit for that area. So, while maybe, you know, we have busy lives and all that, they're open 9 to 9 on this Saturday. So, just as a resident, if you have an opportunity whether it is Saturday or anytime, please stop in and say welcome to Willoughby Hills and welcome them to the community because I think they'll be a valuable asset down at the end of town which has struggled for so long. Thanks.

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

FINANCE DIRECTOR'S REPORT: Resolution No. 16 is on the agenda tonight accepting the rates as determined by the County Budget Commission for the 2000, I'm sorry the property tax rates for 2019 year, based on values as of January 1st 2018 and the Budget Commission has requested the rates be adopted and

returned to the Budget Commission by October 2nd. So, I would request that either this Resolution be adopted tonight or at the next Council meeting.

And then, the only thing I have is, I've had discussions with Council President Fellows and maybe this can go under New Business for guidance on how to handle some legal bills.

President Fellows: Any questions for the Finance Director? Frank, so I do have a question concerning the tax rate. So, with the recent property re-evaluation by the County, has the total value of property in the City gone up?

Finance Director: It's my understanding that it has gone up. I have not gotten, I don't have the final figure from that...

President Fellows: So, if that's true, then we would be getting more revenue for the City.

Finance Director: Yes, we will with all of our millage except for the Fire Levy which is affected by HB 20.

President Fellows: Okay. And then the other point of business that Mr. Brichacek and I have communicated on, so we have two invoices from Mr. Greg Beck's firm from the lawsuits; the first invoice takes Ordinance 2018-22 above the appropriation of \$10,000. So, with the last invoice, this would take us over this, \$726.25. So, the question would be for Council to amend this ordinance to increase that rate. So, this is something that we can discuss and then bring back to the next Council meeting to amend this ordinance. I'm I saying that correct?

And then the second one was for the other invoice that came in and that's relevant to Ordinance No. 2018-39 and this ordinance does not have a cap on it, but identifies that compensation would be at an hourly rate of \$155.00 and Mr. Brichaek had encumbered \$10,000 for that. We're not at that point of yet reaching the \$10,000 that he needed to encumber for these bills. But, I would, I guess, I would watch when these bills come in and since you've encumbered that, then as Finance Director, you would encumber more if necessary.

Finance Director: Yeah in both cases. And in that case, I would simply increase the purchase order based on the general, legal appropriation.

President Fellows: Okay.

Finance Director: The other ordinance, put a \$10,000 cap. So, that's why I brought that forward. And then for both bills, looking for someone to approve the bills for me.

President Fellows: So, I have signed the one, but not the other, yet.

Finance Director: The second bill we are paying against the purchase order and the first bill actually can be paid up to \$10,000. We'll just leave that \$700 balance on it.

President Fellows: Okay. And then we'll have a discussion about how much to raise it and then Vicki can put that as an amendment and we can follow through with that at the next Council meeting.

Questions, Councilwoman Majka. She's looking at me like I have a question.

Councilwoman Majka: I was going to ask; do you think it would be appropriate to have a Rules Committee to consider not only those but the property tax?

President Fellows: Well, we would have Rules. I'll have Rules before the next meeting.

Councilwoman Majka: Okay.

President Fellows: But, property tax, Frank...

Finance Director: Property tax is based on, it's the second step in the tax budget process. Property tax rate, first of all, has been unchanged, it's been at 7.3 mills for a number of years, so the millage has not changed. This is something that we do every year at this time. And the 7.3 mills is based upon the tax budget that we discussed and you adopted back in July. So, it's been pretty thoroughly discussed and if you go back and look at the tax budget memo and it did mention that the tax budget was based upon anticipating, you know, letting the 7.3 mills, at this point, we're pretty much locked into this the mechanics of the way property taxes are set statewide. At this point, this rate is pretty much locked in.

Councilwoman Majka: So, Mr. Brichacek, does this mean that the period of time that the property owner would have to appeal the valuation on their home, has that past also?

Finance Director: You know, I don't know. I would have to check with the County Auditor.

Councilwoman Majka: Is that tied into this?

Finance Director: No.

Councilwoman Majka: Okay. Okay.

Finance Director: No. I mean, this works with the values that the County Auditor establishes. In Ohio the County Auditor is responsible for setting the fair market value of all property in the County. And that's done once every six years. And in that six-year cycle, in the middle of the cycle, the County Auditor, in the beginning of the cycle, the County Auditor is responsible for doing a full appraisal, whether he is supposed to come out and observe the property, compare it to market, and things like that, establishes what is full market value and that's what went on this last summer and the notices have gone out. And then after three years, in the middle of the cycle, then the County Auditors then do cursory, cursory is the wrong word, they do a review of property values based upon trends in the market, they don't do, it's not a full-blown reappraisal. But, it's more of a trend, based on more of a trend analysis, where the market is going and then they'll make adjustments to property values after three years up or down after, when the six-year cycle is over then it all starts over again. And then each year, each year in that six-year cycle all governments, all city governments each year adopt a tax budget for the following year based upon those values. The values that determine how much revenue is generated by the property tax rates. The 7.3 mills is comprised of, what they call inside millage, which is in the State of Ohio overlapping taxing districts can levy a total of 10 mills of property tax without a vote of the people on a piece of property. And overlapping tax districts is basically any government that is entitled to levy property tax on a piece of property. Generally, it's the city for most residential properties is generally the city in the County and the school district. And then in addition, inside millage, it's something, the 10 millage is historically divided up and basically each entity every year levies their share of the inside millage. It really can't be challenged. If an entity one year, would decide not to levy a portion of its inside millage, one of the other taxing districts could then take it and once they take it, it's gone forever. And that's why all of the taxing districts always levy the inside millage. And then we have the Charter millage. And then we have the levy for the Fire Department. And it should be noted that levy next year is the last year of that levy, 2019 would be the last year for it, so it would have to be renewed in 2019 or it would go off the books. That is a five-year levy. The Charter millage and the inside millage are permanent.

Councilwoman Majka: Thank you.

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

The next is our City Engineer's Report. Mr. Di Franco.

CITY ENGINEER'S REPORT: Thank you, Madam President. The windows in this room are in the process of being replaced. The two windows directly behind Council have already been replaced. And the three on the south wall will be replaced shortly.

The team working on the Stream Restoration Project that the School of Renovation between I-271 and Lamplight, will be making a presentation to the Planning Commission a week from today at the Planning Commission meeting on September 20th. Everyone is welcome to attend. I find it pretty interesting and these people are passionate about what they do. They're doing some really interesting things to restore the stream, reduce some flooding, erosion as well as help the environment, both plants and you know, little creatures. So, again, that's next Thursday at 7:00pm.

We're continuing to work on the Dodd Road Bank Stabilization Project. The bank along the river is collapsing. So, we just received a report from the consultant KS Associates about a week ago. We're in the process of reviewing that.

We're also working with Mark Grubiss on a couple projects in the Service Department. One is removing some invasive species, invasive vegetation in a couple ditches. The vegetation is called a phragmites and it just grows wild and clogs the ditches, so we're planning to remove some vegetation in the ditch on Fowler as well as the ditch on Somrack. We received some complaints from residents in those areas about some flooding, so we've, we did obtain some quotes from three firms that are trained in this pesticide application and it's about \$1500, \$1600. They'll do a spraying in the fall and then again in the spring and then our Service Department will go in and physically remove the dead material.

We're also working with Mark on, adding a pump to a manhole at Stratford Place. About four or five years ago, we installed a backwater valve to prevent flooding up the basements. The backwater valve blocks water from backing up from the City's system during heavy rains. The problem is, it also blocks water from leaving the system, so during heavy rains, our Service Department needs to go out and pump that manhole with out truck. And during a heavy rain, it takes them about four hours of time, so we'd like to put a permanent pump in this manhole which will automatically turn on and discharge further down stream in the system. It's my understanding, the total project is about \$40,000 and it's in the City's budget. We submitted the financial data. It's my understanding that the construction PO has been approved, but we're still waiting for the engineering purchase order. So, I can answer any questions, if there are any so that we can get that going. And that completes my report.

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

Councilman Fiebig: Thank you, Madam President. \$40,000 was the cost for doing the pump, itself, right and you're doing, the fee, or the engineering fee and the design was around \$6,000 or so, \$7,000.

City Engineer: Something like that, yeah.

Councilman Fiebig: So, it's close to that threshold of \$50,000 where we go out to bid. But, do you recommend that we go out to bid or do we have a competent contractor at that \$40,000. Did you get a least a few quotes on the \$40,000?

City Engineer: Yeah, we did get three quotes, so we are very comfortable with it. We actually have a lot of contingency and we feel our number is conservative. And we don't foresee and unforeseen conditions. So...

Councilman Fiebig: I know that we do have, when we get these heavy rains, our Service crew goes out there and there're doing that, there's some other spots in the City that they have to address because of this heavy flooding. So, that will also elevate our crews and the time that they spend on that.

City Engineer: Correct.

Councilman Fiebig: All right. And Mr. Brichacek, you have the funds in our budget to handle this type of thing because we planned ahead for some type of contingency like this, right?

Finance Director: Yes.

Councilman Fiebig: Okay, thank you.

President Fellows: Any other questions for the Engineer? So, Pete, I have a couple and Frank too. So, Frank, do you know what fund it's coming out of?

Finance Director: It's coming out of the sewer fund.

President Fellows: Sewer fund, okay. And then Pete, so you're email from September 6th said that it was a conservative estimate of a little over \$40,000 plus with the \$6,000, we're at \$46,000 that's pretty close to \$50,000 and my question to follow with Councilman Fiebig's is would it be prudent to go out to bid because we're so close to the \$50,000 mark? That's something that Council is going to have to consider.

Is there any other form of finance for this because I have minutes from the February 25th Council meeting where you had indicated that a backwater valve has been installed, hopefully this will resolve the problem and of course, it has not, and low interest EPA loans may be available to take care of the issue if it's not solved?

City Engineer: I don't recall.

President Fellows: So, it's from the minutes of the Council meeting. So, is there any possibility to get funding from anywhere else?

City Engineer: Not that I'm aware of, no.

President Fellows: So, Stratford Place also is an independent community in the City and they have a Home Owners Association, is there any relieve that could be given towards the City in terms of their facility having this, I mean, when you say that it's going to be pumped up to a higher stream does that mean it's going to Euclid or it's going backwards?

City Engineer: Towards Euclid. So, we would pump into a manhole downstream on Chardon closer to Giant Eagle which is downstream of this connection point.

President Fellows: For then, for that to go to Euclid?

City Engineer: Yeah.

President Fellows: This doesn't really solve the problem at the end of that intersection, does it? In the big picture?

City Engineer: It depends on what you consider solved.

President Fellows: Well we've got, I've pulled minutes from all the other meetings because we've known since the project been completed that there have been problems behind Giant Eagle which is upstream from Stratford. Stratford was built on a marsh, so there's, so I think at the time, CT Consultants had put a pretty aggressive plan together which was extremely costly to do something behind Giant Eagle with a retention pond and such as I recall. So, I mean, not that I'm saying this shouldn't be done, but what more is going to come after what we know after this is done?

City Engineer: When we took over for CT, I was aware of two issues. One was on Bishop Road and one was at Stratford Place where they were experiencing basement flooding. So, we installed a backwater valves at those two locations. I have not heard of any basement flooding since then, so you know, some people consider that solved. The only issue with Stratford Place is, it doesn't require our crews to pump it out during heavy rains, so...

President Fellows: Okay. So, to your knowledge, no other financial help?

City Engineer: Correct.

President Fellows: Thank you.

The next order of business is Committee Reports. Does anybody have anything to speak to about Committees?

COUNCIL COMMITTEE REPORTS/ OTHER COUNCIL REPRESENTATIVE REPORTS

Councilman Fiebig: Madam President. The Planning and Zoning continues to meet on the off Thursdays for that Commission on issues that revolve around building and housing in our City and also zoning. So, we routinely do things like, you know, approve a pole barn or an addition on a house or things like signs, for example, Sun Plum has changed its name to Produce Place, so we approved the signs. Salvation Army came to us and we approved the sign that will go up in the front of their building. And things like sheds also have been routinely by us, approved by this body. There's like five volunteers that serve as officers, the Mayor and myself. What we've discussed in that body here over the last few meetings was to streamline that process for routine things like sheds or like, additions on to a home that really conform with all of our existing architectural lots and needs and to make the process streamlined for the residents, to make it less costly so they don't have to print up eight different sets of plans for all of the members of that body and also to make it easier for our residents to just simply come in, they would meet with our, right now, our City Engineer is the zoning person. He is doing all these plans, he sits on the Architectural Board of Review. We're going to consider to streamline that process for those routine things like the sheds and the additions and things like that. So, that's the latest that we're talking about. It's been about three different meetings that we've had that discussion, so I think at this next upcoming meeting, we may even make a motion on that. I also asked for, and the Mayor is looking for the original plan that we handout to the residents saying that here are the things that a residential architect is looking for; here are the things that a commercial architect is looking for; here are some of the zoning codes and things like that. So, we would update that as well. So, that's what is going on right now at the Planning and Zoning Commission.

President Fellows: Does anyone have any questions for Councilman Fiebig?

Councilwoman Pizmoht: Madam President. Under our Charter all plans have to be submitted to the Architectural Board of Review and no plans shall be approved without the affirmative vote of the majority of the entire board. So, I don't think that plan is kosher under our Charter. It's not to say that it's a bad plan, but it's not something that our Charter allows at this time. So, that's the only concern that I would have. Has there been any discussion about that?

Councilman Fiebig: Yes. Madam President. Yes, there was discussion about how far do you go with that; how routine is routine and there are things that are being approved that are, you know, under a certain size, so this is a discussion to be had and that's an excellent point to bring up and you know, it's not a done deal. We're going to continue to talk about it. But, that is one of those things that as the City evolves is an example of something that perhaps Council would put on a Charter amendment and say that we want to delete this line to allow the current state of affairs. Many communities, Orange, and there was a list of communities that do it that way. They have one set of drawings, it's done electronically and it lowers the cost for the residents and the Board doesn't need to approve these routine things again and again and again as long as the architecture's wishes, the Board's wishes get reviewed constantly, you know, we're talking about at least a quarterly review, and it doesn't take away the ability for the Administration and the Zoning Commissioner to come to the Board and say I have a question about this and I'd like to review this before I approve it because, you know, for whatever reason. Pete, did I explain that fairly well, did you have anything to add to that?

City Engineer: No, that was good.

Councilman Fiebig: Thanks.

Councilwoman Pizmoht: Madam President. Well, if the Charter is ambiguous or there's an opening in it that is up for interpretation, one thing we can do is legislation and without legislation, or like even considering how the Charter would impact that or what legislation might be in order to effectuate this plan, I just think that may be we should have a committee meeting or something to discuss that possible legislative solution to that if there are any. But, right now, like I said, it doesn't look to me like, just again, it's, I'm just hearing about it now. So, it doesn't look to me like that would be permitted under our Charter and we would have to address that issue.

Councilman Fiebig: Once again, that meeting is next Thursday at 7pm.

President Fellows: Anyone else on committees?

Vice President Plecnik: Madam President. Just another question for Councilman Fiebig. With respect to the Planning and Zoning Commission and I'm speaking now as a resident on Bishop Road, I know a lot of us were very concerned when the Commission approved a "cash for plasma" business where you voted against it, has there been any consideration on the Commission of possibly looking at the issue again, taking another vote? I know that there were members who thought that they were somewhat rushed in that vote. I don't think that's a good fit for our community to bring a "cash for plasma" business into the Shoppes of Willoughby Hills as we're trying to raise the level of our neighbor and not bring it down and have you done anything on the Planning and Zoning Commission to try to address that, possibly to block this from coming into our community?

Councilman Fiebig: Madam President. No, there's been no discussion from the Commission members to block what's already been approved. There was however, some conversations that we've had. The Mayor and I have had some discussions and some residents also have had some discussions about how do we address the issue of collecting income tax. If they're getting a gift card, for example, for their time to donate plasma, how does the City collect 2% as an income and is that a legally allowed thing to do? My understanding is, they get away with it. They've been getting away with it. But, is there something that we can do clamp down on that, I'd sure like a Law Director to look into it.

Councilman Hallum: So, the Recreation Committee met and I'm the Council Representative on that Committee, Commission rather, excuse me. So, they have had to cancel some of the upcoming events that were planned, that we've had annually for quite sometime due to a lack of supporting personnel due to some of the personnel that was eliminated in the budget. So, just so some of you know, the Craft Show will not be taking place. The Halloween Party will not be taking place. The quilters have decided that they don't want to put their quilts up because they're concerned about lack of personnel onsite and there's a possibility that the Breakfast with Santa may also be cancelled. These are Rec events that the volunteers on that Commission put together,

they raise generally between \$10,000 to \$15,000 and those funds are used for things like the new bleachers that were just put up at the baseball fields, soccer fields, improvements to the tennis courts and baseball fields. So, I just want to make residents aware that those events have been cancelled at this point and possibly Breakfast with Santa as well. Thank you.

President Fellows: Any questions for Councilman Hallum on Recreation?

Councilwoman Pizmoht: Madam President. It's actually for the Mayor. Where are we with getting a Recreation Coordinator because our budget does have budgeted 29 hours a week for a Recreation Coordinator and has since April 30th. So, where are we with that?

Mayor: That was one of the things that I wanted to talk to you about in Executive Session. I'm going to propose a hire and you'll have to confirm it, so I'll get that to you tomorrow. So, we can start booking events, things like that.

Councilwoman Pizmoht: Great.

Councilman Hallum: But, I will just mention that it's more...it's more to...

President Fellows: Floor, floor...

Councilman Hallum: Sorry, may I finish, thank you. It's more to, there's more to then just a Recreation Coordinator and they did talk about that during the Recreation Commission, that having a Recreation Coordinator would not be sufficient enough to, for these events to come back. There're bigger issues with the lack of staffing within the administration. So, I just don't want anybody to think that if we suddenly put a Rec, a 29 hour, whatever it is, person in that position then suddenly everything is going to work and we'll be fine again. Thank you.

Vice President Plecnik: Madam President. Just a quick question for Councilman Hallum. When I was Chairman of the Recreation Commission, we really relied on the Commission members as volunteers to step up for these events. And I know sometimes we would actually assign a Rec Commission member to run an event, and make sure that they were responsible for it. Our former Fire Chief Rich Harmon and I founded and started Winter Fest for example, along with another one of our Rec Commission members Dan Phillip. Has there been any move on the part of the Recreation Commission to step up and volunteer in this time? Because I can tell you, I know that the Commission that I was on would have never cancelled these events. And most of them were always put on primarily with volunteer work. That was kind of the idea behind the Recreation Commission. You're not really raising money for the City if you hire a lot of employees who cost more than the money that you raise. I know that Councilwoman Lenz knocked on everyday in the City to not only recruit volunteers, but I mean every business' door in the City to ask for donations. She raised many hundreds of dollars in prizes and gift cards for the City. I know that it's an enormous amount of work, but the people who step up to serve on that Commission kind of do so voluntarily. This is not about hiring employees, we really need to make sure that we come together as a community, we get the job done. Because if we're just hiring people to do it, the City will never raise any money for bleachers. We'll end up spending three times more than we take in, if that and that defeats the purpose. We may as just well buy the bleachers, but the Rec Commission was always intended and I was on there for three years, to be volunteers stepping up, working hard for their community, putting on events, raising money. I can tell you, if I were Chair of Rec now, I would never have cancelled these events and I really hope that you can go back and give that fire of volunteerism to them and remind them that from Mayor Weger to Councilman Plecnik, we've had a lot of Rec Chairs and I don't any of us would have presided over that.

Councilman Hallum: Thank you for your comments, Councilman Plecnik.

President Fellows: So, this is...

Councilman Hallum: I'm sorry, I meant that I was...I was going to ask for the floor.

President Fellows: Yes.

Councilman Hallum: So, keep in mind that in all of these prior Commissions that Mr. Plecnik is speaking about, there was staffing at the Recreation Center that was there to answer questions, that was able to take applications, that was able to setup different things for the Commission members. Absolutely, Commission members volunteer. They volunteer at every Commission event and they still do. However, there has always been involvement from the City workers to help out in many capacities to make these events successful and when you, you know, look at it this way, if you suddenly have, you know, no legs under you it's kind of hard to get some of the things done that you might have normally done, so you need help and we don't have those, so thanks. Thank you.

President Fellows: All right, so, I have some things that I'd like to share about the Recreation Commission. So, this has segued into this. So, I actually have the July minutes and one question I have unless this individual was at the last meeting, back in early March, Mayor, Council had asked if you would seriously consider removing one of the members because of the inappropriate behavior at your Town Hall meeting and this individual has attended the January and February meetings and unless he came to the August meeting, he hasn't been there since, so is this person still on the Commission or not, he's actually the Vice Chair.

Mayor: He's still on the Commission.

President Fellows: But he hasn't been to a meeting since February.

Mayor: Yes.

President Fellows: Okay. In terms of the Recreation Coordinator's report, these minutes reflect that they're still lacking a Recreation Coordinator and as Councilwoman Pizmoht said, that position has always been available, the funding has been always available and it's now fall nearly.

The other thing I picked up in the minutes, was the 280 Fund, from the boys and girls league, it says that we need to find out from Frank Brichacek what funds are left. Joe has not gotten reports for several months now. So, may be, Mr. Brichacek and possibly Mr. Walsh because he's here this evening, and he's Chairman of Rec, can find out that information for the Commission.

The other thing is that there was a \$1,500 NOPEC grant given to the Recreation Commission for events and from these minutes, it says that Mr. Walsh will ask Mr. Brichacek to refund the allocated \$1,500. Do you know if that's been done or if that's been asked of yet, Mr. Brichacek?

Finance Director: I have to still refund the check.

President Fellows: Okay. And I including some other Council members would like to review that application if that's available for us to do, from the grant.

(Finance Director looked to the Mayor, and the Mayor nodded yes)

President Fellows: Additionally, they talked about the garage sale. Kudos go out to Sandy Grubiss because she did an amazing amount of work for that, in terms of making that a successful event. And as Councilman Hallum had indicated, the Recreation Commission cancelled the Craft Show, but said in their minutes, about two lines later, it says revenue from the Craft Show is estimated at \$3,000 a year; it's one of the biggest money

makers that we have. So, it that's the biggest money maker, there may have been some consideration is how to reach out to volunteers to have this done and I know the vendors love to come to Willoughby Hills to do that and I know the residents and nonresidents love to come to do it, so that may have been a consideration that may have been thought out a little more closely. In terms of the Wellness Run for the Cleveland Clinic and Classic which is on Sunday, October 14th, the comment is made where in the absence of a Recreation Coordinator, I would encourage the Recreation Commission to work with the Mayor since this is an Administrative Appointment and he has the funds to have a Recreation Coordinator there.

Mayor: The run is going to go on.

President Fellows: So, that's good to hear that.

Mayor: Okay.

President Fellows: And then my last point was made under New Business, and I'm not sure if Mr. Walsh made this comment or not, it runs kind of congruent to what he stated in some of his comments, it said it would help if the Recreation Commission had the support of Council. And I just put some thoughts down on this. Councilman Hallum is the Chair of the Recreation Committee of Council. He attends the Recreation Commission meetings along with his wife who sits on the Recreation Commission. As I've said, three times, which is three times in these minutes, a Recreation Coordinator position is available, has been available. There is an Administrative position and the funds were budgeted in the 2018 budget. And while Sandy Grubiss did an amazing amount of work for the Garage Sale and I know Sandy has done a lot of other great things for the Commission, especially the bleachers, kudos need to go to Councilman Fiebig as well because he did a lot of work for that event as well. And Council members do attend the Recreation Commission meetings and we also attend the events. So, I'm not sure what it means by it would be helpful if the Recreation Commission to have the support of Council. So, just my thoughts.

Moving on from Committees, any Other Council Representative Reports? Then I will move on to Public Portion.

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 the public to come forward to share their thoughts and concerns. We ask that you state your name and address when you come forward for the record and I will set the timer for three minutes and **I will open Public Portion at 7:49pm.**

Frank Cihula – Dixon Road. At the public meeting that you had from 6 to 7 for Charter Amendments, you turned the meeting over to the public twenty minutes after 7, after 6. You folks spent more time talking, not just answering questions, talking about the amendments instead of listening to the public who came here to ask questions about it. From quarter to 7 to 5 minutes to 7, ten minutes the public wasn't allowed to speak because you folks were speaking instead of listening and you only had time for one more person then.

Adelino Coletta – 2601 SOM Center Road. Ladies and gentlemen, good evening. For three terms, the majority of Willoughby Hills residents have elected Mr. Robert Weger, Mayor. Why three times? Because he has been a good and amble Mayor and he was challenged to the point that he had to sue the City. And he was right to do so as we can see he won the case. In the alleged budget, he reported \$270,000 deficit but he had not cut 13 government positions and so on. Why force Tom Lobe to resign? He had been with us for a long time

and he was a good man. Why have the residents of Willoughby Hills go to pay their fines to the Willoughby Municipal Court? Isn't that money going out of our City coffers? Do you really think that robbing Peter to pay Paul is going to work right? Is our City becoming a secondhand city? Thank you.

Marty Rodriguez – 3050 Rockefeller. I've been coming to a few meetings and I've heard this from a couple, three different people over the last few years. You guys were elected as officials here, okay. The business of Willoughby Hills doesn't stop because of conflicts. Okay. Everybody got a conflict, you're all friends of mine, I consider you guys friends of mine, I don't have any enemies here that I know of, but the business of Willoughby Hills, the business of running the City is important, okay. It isn't because I have to do this, I've got to do that, I missed this, I missed that, blah, blah, blah. Okay, it's up to you guys to catch up. Okay, the world doesn't stop because this guy has a conflict, that guy has a conflict, that guy got a conflict, nothing ever going to get done. Okay, thank you.

Joan Motuza – 28752 Chardon Road. I'm listening to this meeting and I have two comments, one about Recreation and one about Planning. I was very involved in the Recreation Commission a few years back. We did pancake breakfasts, we did all the shopping. We went to Costco, we went to Sam's, at that time it was Sam's because we used Sam's, bought all the ingredients. We set the tables, we did the work, we setup the basket raffle for the pancake breakfast. The volunteers of the Rec Commission did the work. We didn't have someone plan everything and then just tell us, you can sweep the floor and you can wash the dishes. No wonder these people don't want to do anything. Let them do it. That's my comment. And I think, I don't know, and even before, there was a group on the Recreation Commission, and I remember, Dee Dellas, Madge Ciofani, they had dances for the elderly before they moved across the street. They baked cookies, they served coffee, they came and gave up their Saturday nights or Friday nights and they took turns working it. We had no Commission person running everything, we did it. And I just wonder what the Commission people think their volunteerism is, I don't understand it. That's just my comment. My other comment is for the Planning and Zoning Commission. I'm sitting back there and I hear Loehmann's Plaza, number one, or let's call it the Shoppes of Willoughby Hills, everyone still calls it Loehmann's Plaza, they have a very bad, bad reputation from the eastside of Cleveland to the westside of Cleveland, to the southside of Cleveland, you say you live near Loehmann's Plaza then they go, oh poor you. Okay, the point of it is, I'm listening here, and we have this plaza for blood plasma and you're not concerned with the fact that you're lowering the level of, you're not raising the band of that, you're not bringing it higher, your just, and your comment was you're not concerned about the fact that you're bringing in, I'm going to say raff-raft, that's probably the wrong word, but you're not concerned about monitoring what you're bringing in, you're concerned about whether or not you're going to get the income tax for their wages. Now what does that say about the Planning and Zoning Commission and the people who are serving the City? You're not serving it for the people, you're serving it for, I don't know what. But, it's very upsetting to live down there and to watch this and to watch that you do not care. All you want to do is to fill the buildings, you don't care what you fill them with. And you're only making it worse because some other outfit or business has a better standard or a better reputation, I want to say standard, won't even come there because you are filling it with blood plasma places. That's all I've got to say.

Chris Welch – 38801 Chardon Road. I don't remember the exact date earlier this summer when we had the planning meeting about the blood plasma center, not quite as many people that are here tonight, but of that group, I believe there was one person that commented something is better than nothing. Nothing is better than that. Has the City ordered salt yet for the winter and if they have, who did they go with for their contract? The brush pile across the street, who's going to pay to move it out of there? To the Engineer, the manhole in question, is that on private property or is that in the right-of-way?

City Engineer: It is in the right-of-way.

Chris Welch: So, the City, so it fully affects Stratford....

City Engineer: Correct.

Chris Welch: The City still, I mean if there is a Homeowners Association, the City is doing them a courtesy, but it's not the only manhole in City. So, possibly, may be put a little pressure on them to help, maybe they'll split the cost, who knows. And as far as the Breakfast with Santa, I don't know how much Santa Claus charges for breakfast, but if you need somebody, call me.

Vicki Miller – 2857 Hayes Drive. I'm sitting here, kind of appalled about all the bashing that's been going on today, a lot of pointing of fingers. I'm here just to stand up as a community, all of us, all of us need to be part of the solution. I understand the Recreation Commission's frustration with not having the support of the City with losing the positions. I have dealt with a lot of different organizations in my life. A lot of them, I've been on a lot of different committees, planning a lot of major, major, events in different cities where I have lived. It's not possible to do a lot of these things just by the Recreation Commission volunteering. So, let's stand up together as a community and start working together and volunteering, all of us. Thank you.

Frank Cihula – I'd like to try to put an issue to rest, once and for all. When the plasma center first applied, Fred Wyss was still our Building Administrator. He approved their business and did it in writing. When they finally came back, Fred was gone, but they had their approval in writing. If we were to deny them, they would be Exhibit A in their lawsuit. Planning Commission did not approve it, they took it off their agenda because they had already been approved, for once and for all. That's the story on the blood plasma center whether you like it or not, it was approved by the proper authority and they had that in their bag of tricks, not tricks, but anyway, they had that waiting. If we were to deny them, that would be Exhibit a in their lawsuit. So, we saved a lawsuit. And I don't know if it's caused any problems yet or not. That's it.

Linda Fulton – 2990 Marcum Boulevard. I have a few things and may be this is premature, but I noticed that the, I believe the hiring of a Law Director is on the 3rd Reading tonight, is that right? What I want to know is, I'm sure that you're all aware that we need a Law Director and I don't feel comfortable going on much further without one. I don't know if anybody on this dais has met with Mr. Diemert. I remember Council President Fellows, that she mentioned at one of the meetings that if you want to meet one-on-one with him, then do so. And my question is, has anybody done that? And if you have not, why not? We need a Law Director. I don't his credentials or anything, but it doesn't seem like Council is working on this, in my opinion. As far as, I asked the Mayor, why has it taken you so long to hire a Rec Coordinator. I for one am very disappointed that there is no craft show. I went every year and paid my money that went towards the income for the City by those people renting the spaces. And to cancel all this stuff is ridiculous after all these years and I'm with Mrs. Fellows that and everybody else, you know, the Rec Commission, every time I've gone to these meetings all they want to do is cancel things. They're not working and I give great kudos to Sandy Grubiss. I would say she works a 100% and she should be recognized for that. I don't understand it when it's allocated then why haven't you done it, Mr. Mayor? Why haven't you, it seems like the whole thing is in chaos and you haven't done anything. What's wrong with that picture? It's in the budget. You know, what I think is, you're trying to make Council look bad. You're trying to put the blame on Council. I think we need to stop blaming people and start working together. It can be done. So, I asked you, Mr. Mayor, in your last year of your term, are you going out with a bang or are you going out as sour grapes? Thank you.

Cheryl Ota – 2960 Marcum Boulevard. I just want to talk about the bashing tonight. I disagree about bashing, there's somethings that need to be said. And as far as the Building Superintendent, or Manager, or whatever you call him, maybe he has too much responsibility or too much that he's allowed to do because as far as approving that plasma place, on his own, before he ever met with the Building, with Planning and Zoning and Architectural, I think was very wrong and that's a problem. That same man approved a couple of other things. There's a house shoehorned in at the corner of Rockefeller and White Road. It is a flag lot, this is the only way to build on it, the frontage of the house is 35 feet from the front of the house to the street. I'd like to see another house in Willoughby Hills that's allowed to build 35 feet from the street. But because they rearranged the property so they made the side of the house to the front of White Road, 100 feet or 90 feet whichever, which is permissible. But when Mr., when Frank had to come along and give them an address, they got the address on Rockefeller which in my opinion, I've always been told that if your house faces on the street,

that's the street you get. So, it faces Rockefeller 35 feet. Plus, this is the same man who approved and practically gave away our residents' rights for that tower at the Grange. So, I think may be our Building Superintendent has too much power and may be some of that should be taken away for the next person that we get. Because if he gets us into these types of problems where we could be sued because we don't like what they're doing when they finally come to the Commission there's something wrong with that.

Frank Cihula: The address that they have now was given by somebody else.

Cheryl Ota: They told me that you gave it...

Frank Cihula: I did...they did away with it.

President Fellows: **Anyone else for Public Portion? I will close Public Portion at 8:07pm.**

UNFINISHED BUSINESS

President Fellows: So, Frank, your comment about Council speaking too much at the Town Hall meeting, we'll definitely take that into consideration. Last time, we actually started for people to come forward at 6:14pm. But there were questions and dialogue between Council and residents for clarity, but we can certainly look at the format for the next three meetings, so thank you for that.

Chris asked about salt. We did order some earlier this year. We'll have another one coming up?

Mayor: No, we're filled up over the top right now and that should hold us until next year.

President Fellows: Okay. And then the brush pile, I've actually had residents ask are they still going to do leaves this year, which...

Mayor: We're going to do leaves and haul them to ...

President Fellows: What is it, Wickliffe?

Mayor: Wickliffe.

President Fellows: Okay. Anybody else have any comments for the Public Portion that they want to finish up in Unfinished Business?

Vice President Plecnik: Madam President. To Mr. Cihula's comment, I am aware that our Building Commissioner Fred Wyss at the time, indicated that he shared the same interpretation of the law as the business the blood plasma center had, but my understanding is that the Building Commissioner/Superintendent doesn't have the power to actually approve projects. It really is the Planning and Zoning Commission that has that authority. So, I don't see how he could bind the City. And I think a reasonable business would know that a comment, even in writing, from one City employee doesn't mean it decisively is the law of that City. I agree that it puts the City at risk for an employee to make a statement like that and that he shouldn't have done so before consulting with the full Planning and Zoning Commission, but I disagree that, that one statement and follow up statements by our new City Engineer bound the City to that position. I think we had a strong position to reject the blood plasma center and speaking as a resident who lives pretty darn close, I might live closer than anyone else in this room, I think that we should have fought the cash for blood plasma business and I think that we will as it ultimately moves in, it hasn't yet, so I don't see how it would cause problems at this point, but when it does move in and operating at full capacity, I think it will cause issues. I won't say names because I don't want to call people out who don't choose to speak in public themselves, I had multiple Firefighters from our own Department call me and say I am part-time in other cities; I see other cash for plasma centers; there's serious

issues; we have to bring our ambulances there all the time for people who give blood and sometimes engage in other activities when you're low on blood, you consume alcohol and mood altering drugs that can have a bigger impact on you and that's a huge practical expense. I'm not judging anyone, I'm just acknowledging that people without insurance very often frequent blood plasma centers and if they're ill and they need to be picked up, it's your tax dollars that will pay for it. It's a choice that we make as a community. It's a choice that I would have made a big no on and I certainly expressed that, but unfortunately, I feel residents were shoehorned into this and we didn't have any chance of abstain or objection because the decision was made before we were even told. And I don't think that was right and I still hope that the Planning and Zoning Commission will revisit the issue and say no.

Councilman Fiebig: Madam President. And just to be clear, I did oppose the use of that, Joan, I did not want that in there. And I opposed it with everything that I could possibly do. The issue through that was brought up by a CPA and by others that, well, now that they're coming in, what can we do to get revenue to perhaps mitigate some of the problems that might be created. So, that's where it came from, I want you to know that I and I think all of Council was not in favor of this blood plasma donation center coming in. But, we do have a Master Plan that was, should probably specifically say that blood donations for fee are a separate entity. I think, I'm not speaking for them, but I think what Fred Wyss did was he just looked at the zoning code as it was currently written and said blood donation, yeah that fits under the B3 zoning and sent them an email and that was the end of it.

Frank Cihula: Permitted use.

Councilman Fiebig: Permittee use, right. And the issue was, is it a permitted use or is it a conditional use, that we would have to vote on.

President Fellows: Okay. Any other Unfinished Business this evening? All right, then I'll move on to Legislation.

EXECUTIVE SESSION

Councilman Hallum: Madam President. I'd like to move that we take an Executive Session to discuss personnel and what was the other thing, Mr. Mayor?

Mayor: Proposal for a business.

Councilman Hallum: A business proposal. Is there a time limit on this?

Mayor: No.

Councilman Hallum: Okay, before legislation.

Councilwoman Majka: Second.

President Fellows: I have a motion from Councilman Hallum and a second from Councilwoman Majka to adjourn into Executive Session to discuss a business proposal and personnel. Inviting the Mayor, all of Council

Councilman Hallum: Yes.

President Fellows: With no time limit. Is there any discussion on the motion?

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

Motion PASSED.

President Fellows: We will adjourn into Executive Session at 8:13pm.

With all members of Council present, the Regular Council Meeting of September 13, 2018 reconvened at 8:50pm.

LEGISLATION

ORDINANCE NO. 2018-35 – THIRD READING

1st Reading: July 12, 2018

2nd Reading: July 26, 2018

AN ORDINANCE CONFIRMING THE APPOINTMENT OF JOSEPH W. DIEMERT, JR. AS DIRECTOR OF LAW, ALONG WITH HIS ASSISTANTS, DEFINING THE DUTIES AND RESPONSIBILITIES, AND FIXING THE SALARY AND COMPENSATION FOR SAID POSITION; REPEALING CONFLICTING LEGISLATION, AND DECLARING AN EMERGENCY.

Councilman Fiebig: Move to approve Ordinance No. 2018-35.

Councilman Hallum: Second.

President Fellows: I have a motion from Councilman Fiebig and a second from Councilman Hallum to approve Ordinance No. 2018-35.

Vice President Plecnik: Madam President. I move to table the motion to approve Ordinance No. 2018-35.

Councilwoman Pizmoht: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to table Ordinance No. 2018-35. There is no discussion on a motion to table.

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

Motion PASSED.

President Fellows: Ordinance No. 2018-35 has been tabled.

ORDINANCE NO. 2018-42

AN ORDINANCE REPEALING AND RESCINDING ORDINANCE NO. 2017-63 – AMENDED AND IN LIEU THERE OF ENACT AN ORDINANCE TO FURTHER ESTABLISH REGULATIONS FOR THE SECURITY AND SAFETY OF THE MAPLE GROVE GRANGE LOCATED AT 2454 RIVER ROAD, WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

President Fellows: So, this ordinance is on 1st Reading and we really need to put it into Committee, I just hate to just do Rules. So, maybe we'll look for the Committee of the Whole or...

Councilman Fiebig: Madam President.

President Fellows: No, wait. Councilwoman Pizmoht first.

Councilwoman Pizmoht: I'm not sure what we're going back to Committee with this because we had spent a lot of time with...

President Fellows: Because we amended it from the last time. Important information from the last time.

Councilwoman Pizmoht: Okay. That's fine. Into Rules, just put it back into Rules?

President Fellows: Well, yeah, it would be back in Rules for sure.

Councilwoman Pizmoht: Rules, anyway.

President Fellows: We'll have a Rules, for sure.

Councilwoman Pizmoht: That makes sense.

Councilman Fiebig: Madam President. I'd be glad to put it in Service as Service does handle matters pertaining to public property.

President Fellows: **We had it in Rules, I think I'll leave it in Rules. That's where we started with it. It will be on the Rules agenda for the next Rules meeting which will be the Monday before the 27th.**

The next one is Resolution No. 2018-14.

RESOLUTION NO. 2018-14

A RESOLUTION URGING THE MAYOR TO FULLY UTILIZE THE SERVICES OF BACKTRACK, A BACKGROUND SCREENING COMPANY TO EXPEDITE THE VETTING PROCESS FOR POTENTIAL CANDIDATES SEEKING EMPLOYMENT IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

President Fellows: So, this is on 1st Reading, but Mayor, so I think it was in July, we talked about the vetting process and I had some information from Chief Serazin about BackTrack and we had some questions about possibly taking the Civil Service's checklist and provide that service to us. Have you had a chance to chat with them?

Mayor: Yes, and the rates seem reasonable but I've got to check with them, will they give us what we want to see, like will they give us a diploma for \$30, will they give us or do they just put a check because what Tim was doing, he got a hold of all the references and he put yep and check them off. So, I just have to make sure that they provide Civil Service Commission with what they want. And the Police do their own and they're very good at doing their own because that's what they do for a living. So, the Fire...

President Fellows: So, that would be a good question to go back because I provided them with the checklist and then they dollar valued out each of the things that they would do and in doing this too, I realized that, Vick had found that you had actually signed a contract with BackTrack back in 2016 to do criminal checks which Dana Perkins did not realize, so that got incorporated into that. I mean, my hope is, I mean, you know, the Chief sent us, you and I, on August 30th an update on the Fire Department and it said, so, this is dated August 30th, and it's September 13th. Since the beginning of the year, four part-time job offers had been made and two of those applicants had been put through the Civil Service Commission. And I think you just hired another part-timer, are we up to three?

Mayor: No, we're only up to two. That's all we have.

President Fellows: Well, I know and so, you know, the Chief has called people who were on that part-time list and asked those individuals if they were interested and it's been so long that they said no. They're having the same difficulties hiring part-timers as the Police Department as well. So, maybe we should start to look at reconsidering fulltime firefighters to fill their staff because they are lacking in the amount of people that they need on a shift to provide safety to the City.

Mayor: What I'll do then is offer the fulltime positions and the part-timers currently will probably take those and we won't be any better off.

President Fellows: But then you can hire, the reconsideration will be to hire for fulltime instead of part-time. I mean, it's something that I think should seriously be looked at in terms of making that department whole. They don't have enough people. They don't have enough people to run two shifts.

Mayor: Right.

President Fellows: We've talked about this for a long time now. We are incurring overtime in the department because of not having the appropriate staffing that we need and we need to take a look at this. This vetting process is just taking, that's part of the puzzle. The vetting process is taking too long. When I asked BackTrack to review the checklist and then I asked them, give me an appropriate amount of time that it would take you to do this, three days. Now, they did say on certain occasions if they can't get something from the previous employer, it might take up to 30 days, but that's rare. Three days and we can't get how many firefighters from January to September.

Mayor: There are two, but one, we didn't get the stuff until three weeks ago.

President Fellows: My understanding is that, correct me if I'm wrong, that in the past, Mr. Majeski and Mr. Kicher were the ones that did the legwork.

Mayor: They do some of it.

President Fellows: And now it has been over the last year, it's been parlayed out to the Human Resource person.

Mayor: Right.

President Fellows: And she is overloaded. By employing a company for a reasonable amount of money to get this literature to us within a three-day period seems really good to me. But then once we do that how long will it take Civil Service to review it, another six months?

Mayor: They review it immediately. They do, if we have everything.

President Fellows: But, it's taking, the process right now appears to be taking an exorbitant amount of time to collect and if we can have a professional company that does this and can get the information to us within a very short period of time that's one piece of the puzzle that we can sure up on.

Mayor: The Police Department said it takes 40 to 80 hours of work to get them through. Now they have a little bit more than the Fire Department. But...

President Fellows: What does that have to do with this?

Mayor: You're talking about the Police and the Fire.

President Fellows: We're talking about Fire. We're trying to get firefighters.

Mayor: You said Police and Fire.

President Fellows: Well, the Police haven't had the lag that the Fire Department has had. I mean, we were able to secure two fulltime police officers for the Police Department earlier this year. I think Chief Collins would like two more in the vision, fulltime and then he would be fully staffed for fulltime. He can't get the part-timers. Chief Serazin can't get the part-timers. So, we need to look at it differently. I mean, if it's not working Bob, then we need to look at it differently. We need to look at it differently in terms of part-time verses fulltime. A professional organization collecting the information based on the Civil Service Commission's checklist verses two volunteer Commission people and a Human Resource person that's overworked.

Vice President Plecnik: Madam President, can I ask you a quick question? When you talked to BackTrack, what was the approximate cost per application?

President Fellows: About \$190.00.

Vice President Plecnik: Now, Mr. Mayor, if what you say is correct, it's taking us 40 to 80 hours of employee time to do one of these applicants, not even including the work of the Civil Service Commission, I mean, even if you accord \$10.00 an hours to that and we certainly pay our Police and Firefighters more than that, thank God, but even if you multiple it by 10, that's \$400 to \$800 substantially more than what it costs to employ this company. So, I think we not only save time but getting it done on an average of three days, we'd save a lot of money because employee's time is really valuable particularly our safety forces. And given that we have a good working relationship that you signed on to, many years ago. I would definitely encourage you to touch base with the Civil Service Commission and BackTrack and see if we can fast-track BackTrack so that we can get on track with our Police and Fire Departments. And we've been getting this request from our Fire Chief, this is not something that I've looked to find. But when your Fire Chief tells you at public meetings and privately, over and over again, that we're understaffed, overtime is going up, it would actually be cheaper to hire more people so that we don't have the excessive overtime. This is nothing new, we've had this conversation before, I'd just like to see if we could have a quick turn around and that this could be done before the next Council meeting, so that you could come back to us with a report of success.

Mayor: Okay.

Vice President Plecnik: Thank you, Mayor.

President Fellows: Okay. Thank you. The next is Ordinance No. 2018-15.

Councilman Hallum: Resolution.

President Fellows: I'm sorry Resolution No. 2018-15.

RESOLUTION NO. 2018-15

A RESOLUTION RECOGNIZING THE SPECIAL EFFORTS OF THE CITY'S SAFETY FORCES AND ACKNOWLEDGING THE DEDICATION AND INSPIRATION BROUGHT FORTH BY FIRE FIGHTER JILL BAUS IN MAKING TOUCH-A-TRUCK ONE OF THE BEST EVENTS IN LAKE COUNTY.

Vice President Plecnik: Madam President. Motion to waive the 3-Reading Rule on Resolution No. 2018-5.

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 on Resolution No. 2018-15. Is there any discussion on the motion?

Vice President Plecnik: Madam President. This is exigent because Touch-A-Truck is this Saturday. Please join our Firefighters 10am to 2pm and thank them for the hard work that they put into making Touch-A-Truck such a great success. Mayor, I hope that the helicopter is coming because I video taped it a few years ago and that's quite the scene.

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

President Fellows: The 3-Reading Rule on Resolution No. 2018-15 has been waived.

Vice President Plecnik: Madam President. Motion to adopt Resolution No. 2018-15.

Councilwoman Majka: Second.

President Fellows: I have a motion from Vice President Plecnik and a second from Councilwoman Majka to adopt Resolution No. 2018-15. Is there any discussion on the motion?

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

President Fellows: Resolution No. 2018-15 has been adopted. And Council members, please do not leave tonight until you sign the Resolution, unless you don't want to sign it, because it's getting framed tomorrow.

Mayor: Are you going to give it to her tomorrow?

President Fellows: Or Saturday morning.

Mayor: Yes.

President Fellows: All right. The last one is Resolution No. 2018-16.

RESOLUTION NO. 2018-16

A RESOLUTION AUTHORIZING THE CITY OF WILLOUGHBY HILLS TO ACCEPT THE AMOUNTS AND RATES FOR THE YEAR 2019 AS DETERMINED BY THE BUDGET COMMISSION OF LAKE COUNTY, OHIO AND AUTHORIZING THE NECESSARY TAX LEVIES AND THE CERTIFICATION THEREOF TO THE COUNTY AUDITOR.

President Fellows: So, this Resolution is time sensitive; however, we still do have time to waive and adopt at the 9/27 Council meeting.

NEW BUSINESS

President Fellows: New Business?

Councilman Hallum: Madam President. I just want to ask our Council Clerk, I have not seen my public records request with regards to the Charter Amendments go out to everyone. Did I just miss it, may be? Or did it not go out yet?

Council Clerk: About the amendments?

Councilman Hallum: Asking for all the records and how they were created.

Council Clerk: I sent it out to all the Council members and there has been nothing returned to Council Office. I have nothing.

Councilman Hallum: Thank you.

Council Clerk: In my office.

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

President Fellows: For the Good of the Order? For the Good of the Community? Remember, Touch-A-Truck is around the corner.

Okay. I'd entertain a motion to adjourn.

ADJOURNMENT

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

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

The Regular Council Meeting of September 13, 2018 was adjourned at 9:05pm.

APPROVED: September 13, 2018
Date

Nancy E. Fellows
Nancy E. Fellows
President of Council

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