

**PROCEEDINGS OF PUBLIC HEARING AND REGULAR SESSION
OF WESTLAKE CITY COUNCIL
APRIL 20, 2006**

Public Hearing was called to order by President of Council Michael F. Killeen at 8:00 p.m.

ORDINANCE NO. 2006-24: AN ORDINANCE REPEALING SUBSECTION
1218.04(b) OF THE ZONING CODE.

Planning Director Robert Parry explained this amendment to the Zoning Code.

There being no comments from the audience, Council President Killeen declared the Public Hearing on Ordinance No. 2006-24 closed.

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The Regular Session of Council was called to order at 8:02 p.m. by President of Council Michael F. Killeen.

Present: President of Council Michael F. Killeen; Councilmembers Nan A. Baker, Kenneth R. Brady, James P. Connole, Edward G. Hack, Michael F. O'Donnell, Dennis J. Sullivan.

Also present: Mayor Dennis Clough, Law Director John Wheeler, Facilities/Vehicle Manager Chris Stuhm, Director of Engineering Robert Kelly, Finance Director Anne Fritz, Recreation Center Manager Robert DeMinico, Planning Director Robert Parry, Director of Purchasing Mary Calabrese, Director of Inspections Robert Patton, Director of Community Services Joyce Schroth, Police Chief Richard Walling, Fire Chief Richard Pietrick, Clerk of Council Susan J. Prehoda.

APPROVAL OF MINUTES:

Councilmember Brady moved, seconded by Councilmember Baker, that the reading of the Minutes of the Regular Session of April 6, 2006, be waived and that they be approved as received.

VOICE VOTE:

Yeas: Killeen, Baker, Brady, Connole, Hack, Sullivan.

Abstention: O'Donnell.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Mayor Clough dated April 10, 2006, requesting authorization to enter into a professional services contract with Transportation Management Services for general traffic engineering and for specific traffic engineering on a project basis.

PETITIONS FROM THE PUBLIC:

Ms. Mary Levtzow, 2454 Dover Center Road, had questions regarding Ordinance Nos. 2006-46, 47, 48, 49 and 50.

Ms. Wendy Boerger, suburban liaison with the Cleveland Water Department, stated she handles concerns the City and residents would have regarding water services. She further stated May 7th through May 13th is National Drinking Water Week and there will be tours at the Crown Water Filtration Plant.

Mr. Joe Kilbane, 1848 Holden's Arbor Run, asked that the timing of the traffic lights be checked as some take too long to change and gasoline is expensive.

Mr. Robert Koenig, 29181 Schwartz Road, stated he recently attended a Tree City USA seminar in Mentor, and asked if Westlake would be interested in sponsoring the event for 2009.

REPORT OF THE MAYOR:

Mayor Clough read his eighth report of the year.

REPORTS OF ADMINISTRATIVE OFFICIALS - POLICE DEPARTMENT:

Police Chief Walling stated that today Mayor Clough swore in Mr. Bob Clancy to the position of part-time community officer. He further stated that Mr. Clancy is a retired patrol officer of 28 years, who was also involved in community policing, crime prevention and safety town on a part time basis after his retirement. Also sworn in to the position of police sergeant was Mr. Kevin Bielozer. Officer Bielozer scored number one on both the written examination and the assessment center.

REPORTS OF STANDING COMMITTEES - COMMITTEE OF THE WHOLE:

President of Council Killeen reported on the Committee of the Whole meeting held this date at 7:30 p.m. Present were Councilmembers Killeen, Baker, Brady, Connole, Hack, O'Donnell, Sullivan. Also present were Mayor Clough; Directors Wheeler, Stuhm (Mgr.), Kelly, Fritz, DeMinico (Mgr.), Parry, Calabrese, Patton, Schroth, Walling, Pietrick. Agenda items were discussed. Selected correspondence, legislation to be added to the agenda and considering changes to the format of the September retreat were each briefly discussed. On May 20th between 9:00 and 9:30 a.m. Council will plant their Hilliard Boulevard flower box.

Councilmember Hack moved, seconded by Councilmember Baker, to adjourn the Committee of the Whole meeting at 7:52 p.m. Motion passed unanimously. Meeting immediately adjourned at 7:52 p.m.

LEGISLATION:

ORDINANCE NO. 2006-24: AN ORDINANCE REPEALING SUBSECTION
(THIRD READING) 1218.04(b) OF THE ZONING CODE.

Councilmember Connole moved, seconded by Councilmember Brady, that Ordinance No. 2006-24 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Sullivan, O'Donnell, Brady, Baker, Killeen, Hack, Connole.

Nays: None; Ordinance No. 2006-24 adopted.

ORDINANCE NO. 2006-42: AN ORDINANCE CONSIDERING AN
(SECOND READING) APPLICATION FOR A CONDITIONAL USE
PERMIT FOR AN ANIMAL BOARDING AND DOG
DAY CARE CENTER.

ORDINANCE NO. 2006-43: AN ORDINANCE CONSIDERING AN
(SECOND READING) APPLICATION FOR A CONDITIONAL USE
PERMIT FOR A DOG DAY CARE CENTER.

ORDINANCE NO. 2006-45: AN ORDINANCE ACCEPTING A PERMANENT
HIGHWAY EASEMENT FROM LEO J. AND
LUCILLE A CITRO, AND DECLARING AN
EMERGENCY.

Councilmember Hack moved, seconded by Councilmember Brady, that the rule requiring the ordinance to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember Brady moved, seconded by Councilmember Baker, that Ordinance No. 2006-45 be adopted.

ROLL CALL ON ADOPTION:

Yeas: O'Donnell, Brady, Baker, Killeen, Hack, Connole, Sullivan.

Nays: None; Ordinance No. 2006-45 adopted.

ORDINANCE NO. 2006-46: AN ORDINANCE SUPPLEMENTING CHAPTER 141
OF THE ADMINISTRATIVE CODE WITH NEW
SECTION 141.08 AS TO A SAFETY TRAINING
EDUCATION COORDINATOR.

Councilmember Hack moved, seconded by Councilmember Brady, that the rule requiring the ordinance to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Brady, that Ordinance No. 2006-46 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Brady, Baker, Killeen, Hack, Connole, Sullivan, O'Donnell.

Nays: None; Ordinance No. 2006-46 adopted.

RESOLUTION NO. 2006-47: A RESOLUTION OPPOSING THE PROPOSED
"TEL," AMENDMENT TO BE ON THE STATEWIDE
NOVEMBER BALLOT IN 2006.

Councilmember Hack moved, seconded by Councilmember Brady, that the rule requiring the resolution to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember Brady moved, seconded by Councilmember O'Donnell, that Resolution No. 2006-47 be adopted. Discussion: It was stated Westlake manages its budget well. This proposed legislation is a good idea, but a bad approach.

ROLL CALL ON ADOPTION:

Yeas: Baker, Killeen, Hack, Connole, Sullivan, O'Donnell, Brady.

Nays: None; Resolution No. 2006-47 adopted.

ORDINANCE NO. 2006-48: AN ORDINANCE AUTHORIZING THE
EXECUTION OF A LINKED DEPOSIT LOAN
PROGRAM AGREEMENT; AUTHORIZING THE
MAYOR TO EXECUTE THE LINKED DEPOSIT
LOAN PROGRAM AGREEMENT AND
AUTHORIZING RELATED MATTERS, AND
DECLARING AN EMERGENCY.

Councilmember Hack moved, seconded by Councilmember Baker, that the rule requiring the ordinance to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember Brady moved, seconded by Councilmember Baker, that Ordinance No. 2006-48 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Killeen, Hack, Connole, Sullivan, O'Donnell, Brady, Baker.

Nays: None; Ordinance No. 2006-48 adopted.

ORDINANCE NO. 2006-49: AN ORDINANCE REPEALING AND AMENDING VARIOUS SUBSECTIONS OF CHAPTERS 1301, 1305 AND 1307 OF THE BUILDING CODE.

ORDINANCE NO. 2006-50: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE WESTLAKE SWIM CLUB TO UTILIZE SPACE WITHIN THE WESTLAKE RECREATION CENTER.

Councilmember Hack moved, seconded by Councilmember Connole, that the rule requiring the ordinance to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember Connole moved, seconded by Councilmember Brady, that Ordinance No. 2006-50 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Hack, Connole, Sullivan, O'Donnell, Brady, Baker, Killeen.

Nays: None; Ordinance No. 2006-50 adopted.

ORDINANCE NO. 2006-51: AN ORDINANCE ACCEPTING A PERMANENT HIGHWAY EASEMENT FROM DMSK, L.L.C., AND DECLARING AN EMERGENCY.

Councilmember Hack moved, seconded by Councilmember O'Donnell, that the rule requiring the ordinance to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Brady, that Ordinance No. 2006-51 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Connole, Sullivan, O'Donnell, Brady, Baker, Killeen, Hack.

Nays: None; Ordinance No. 2006-51 adopted.

Councilmember Hack moved, seconded by Councilmember Brady, that Ordinance No. 2006-52 be added to the agenda.

ROLL CALL ON ADDING TO AGENDA:

Yeas: All.

Nays: None; Ordinance No. 2006-52 added to agenda.

ORDINANCE NO. 2006-52: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH TRANSPORTATION MANAGEMENT SERVICES FOR GENERAL TRAFFIC ENGINEERING AND SPECIFIC TRAFFIC ENGINEERING ON A PROJECT BASIS.

Councilmember Hack moved, seconded by Councilmember O'Donnell, that the rule requiring the ordinance to be read in full on three separate dates be suspended and that the same be placed on third reading.

VOICE VOTE ON SUSPENSION:

Yeas: All.

Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Brady, that Ordinance No. 2006-52 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Sullivan, O'Donnell, Brady, Baker, Killeen, Hack, Connole.

Nays: None; Ordinance No. 2006-52 adopted.

ADJOURNMENT:

President of Council Killeen declared the meeting adjourned at 8:33 p.m.

Susan J. Prehoda, CMC
Clerk of Council

Michael F. Killeen,
President of Council