

**PROCEEDINGS OF PUBLIC HEARING AND
REGULAR SESSION
OF WESTLAKE CITY COUNCIL
SEPTEMBER 20, 2007**

Public Hearing was called to order by President of Council Michael F. Killeen at 8:00 p.m. in accordance with Article III, Section 13, of the Westlake City Charter and legal notice published in the Westlife on September 12, 2007, and September 19, 2007, regarding the following legislation:.

ORDINANCE NO. 2007-106: AN ORDINANCE AMENDING SECTION 1211.04(g) (1)
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. 2007-106 closed.

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The Regular Session of Council was called to order at 8:01 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, Service Director Donald Glauner, Director of Engineering Robert Kelly, Assistant Finance Director Bonnie Freeh, Recreation Director Michael Rump, Planning Director Robert Parry, Director of Purchasing Mary Calabrese, Director of Inspections Donald Grayem, Assistant Director of Community Services Sue Venick, Police Chief Richard Walling, Acting Fire Chief Ron Janicek, Clerk of Council Susan J. Prehoda.

APPROVAL OF MINUTES:

Councilmember Brady moved, seconded by Councilmember O'Donnell, that the reading of the Minutes of the Regular Session of September 6, 2007, be waived and that they be approved as received.

VOICE VOTE:

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

Abstentions: Connole, Sullivan.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Notice from Ohio Division of Liquor Control received September 10, 2007, for a new D1, D3 permit for Sweet Basil Neapolitan Style Pizzeria, LLC, DBA Sweet Basil Neapolitan Style Pizzeria, 26235 Center Ridge Road, Westlake, Ohio 44145.

Councilmember Connole moved, seconded by Councilmember Hack, not to object to the request for a new D1, D3 permit for Sweet Basil Neapolitan Style Pizzeria, LLC, DBA Sweet Basil Neapolitan Style Pizzeria, 26235 Center Ridge Road, Westlake, Ohio 44145.

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

Nays: None; motion carried.

Communication from Director of Inspections Grayem stating that Mr. Andrejs Smiltars from Architectural Vision Group, Ltd. is requesting a conditional use permit for 23850 Sperry Drive. He is proposing to convert the property to architectural offices, with hours of operation being 8:00 a.m. to 5:00 p.m. The Chair referred this item to the Planning/Zoning/Legislative Committee.

Communication from Director of Inspections Grayem stating that Ms. Jeanne Massingill from The Oaks Massotherapy & Botanical Spa is requesting a conditional use permit for 23569 Center Ridge Road. She is proposing to convert the house, currently zoned "office", into a wellness spa. The Chair referred this item to the Planning/Zoning/Legislative Committee.

PETITIONS FROM THE PUBLIC:

Ms. Gail Morse, President of the Westlake Garden Club, presented the city with the first Green Thumb Award in recognition of excellence in horticultural planting and display in the City of Westlake.

Ms. Mary Levtzow, 2454 Dover Center Road, commented on the following: glass recycling; Celebrate Westlake 2007; Civil Service Commission meetings; status regarding fire chief Pietrick; Ordinance Nos. 2007-152 and 156.

REPORT OF THE MAYOR:

Mayor Clough read his report sixteenth report of the year.

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, Glauner, Kelly, Freeh (Assistant), Rump, Parry, Calabrese, Grayem, Venick (Assistant), Walling, Janicek (Acting Chief). Agenda items were discussed. Selected correspondence, and proposed legislation to be added to the agenda were each briefly discussed. Ordinances regarding public recreation use of land on Bradley Road were discussed

as well as a banner program, the Green Thumb Award, the Sister City Program and law department updates. No meetings were scheduled.

Councilmember Sullivan moved, seconded by Councilmember Connole, to adjourn at 7:50 p.m. Motion passed unanimously. Meeting immediately adjourned at 7:50 p.m.

Council President Killeen announced that planning commission canceled a meeting due to a lack of a quorum and the next meeting will be October 1, 2007. He further stated that Councilmember Hack will schedule a Planning/Zoning/Legislative Committee meeting in October. Mayor Clough announced that the annual retreat will be held on September 27th and 28th.

LEGISLATION:

ORDINANCE NO. 2007-106: AN ORDINANCE AMENDING SECTION 1211.04(g) (1)
(THIRD READING) OF THE ZONING CODE.

Councilmember Brady moved, seconded by Councilmember Connole, that Ordinance No. 2007-106 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2007-106 adopted.

ORDINANCE NO. 2007-124: AN ORDINANCE AUTHORIZING THE MAYOR TO
(THIRD READING) ENTER INTO AN AMENDED WESTSHORE COUNCIL
OF GOVERNMENTS AGREEMENT AS TO THE
CENTRAL FIRE DISPATCH CENTER, AND
DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Baker, that Ordinance No. 2007-124 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2007-124 adopted.

ORDINANCE NO. 2007-135: AN ORDINANCE TO REVISE THE CODIFIED
(SECOND READING) ORDINANCES BY ADOPTING CURRENT
REPLACEMENT PAGES.

Councilmember Brady moved, seconded by Councilmember Hack, 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 Sullivan moved, seconded by Councilmember Connole, that Ordinance No. 2007-135 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2007-135 adopted.

ORDINANCE NO. 2007-156: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SHAMROCK COMPANIES FOR WEBSITE DEVELOPMENT FOR THE WESTLAKE POLICE AND RECREATION DEPARTMENTS, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell 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 O'Donnell moved, seconded by Councilmember Baker, that Ordinance No. 2007-156 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2007-156 adopted.

Councilmember Connole moved, seconded by Councilmember O'Donnell, that Ordinance Nos. 2007-157 and 158 be added to the agenda.

ROLL CALL ON ADDING TO AGENDA:

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

Nays: None; Ordinance Nos. 2007-157 and 158 added to agenda.

ORDINANCE NO. 2007-157: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH HNTB CORPORATION FOR PROFESSIONAL ENGINEERING SERVICES, 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 Hack, that Ordinance No. 2007-157 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2007-157 adopted.

ORDINANCE NO. 2007-158: AN ORDINANCE EXTENDING THE LOT STORM DRAINAGE RELIEF PROGRAM, AND DECLARING AN EMERGENCY.

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 Brady moved, seconded by Councilmember Baker, that Ordinance No. 2007-158 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2007-158 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