



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF PUBLIC HEARINGS
AND A REGULAR SESSION
FEBRUARY 18, 2021**

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 West Life on February 10, 2021, and February 17, 2021, regarding the following legislation:

ORDINANCE NO. 2020-148: AN ORDINANCE AMENDING SECTION 1235.06 "NOTICE OF AND PUBLIC HEARING ON ZONING ORDINANCES" AS TO ELECTRONIC MEANS OF NOTIFICATION OF PUBLIC HEARINGS.

Planning Director Jim Bedell explained this amendment to the zoning code.

There being no comments from the audience, Council President Killeen declared the public hearing on Ordinance No. 2020-148 closed.

Public hearing was called to order by President of Council Michael F. Killeen at 8:01 p.m. in accordance with Article III, Section 13, of the Westlake City Charter and legal notice published in the West Life on February 10, 2021, and February 17, 2021, regarding the following legislation:

ORDINANCE NO. 2020-149: AN ORDINANCE AMENDING VARIOUS SECTIONS OF ZONING AND BUILDING CODES OF THE CITY OF WESTLAKE AND REPEALING CHAPTER 1317 "BOARD OF BUILDING APPEALS".

Planning Director Jim Bedell explained this amendment to the zoning code.

There being no comments from the audience, Council President Killeen declared the public hearing on Ordinance No. 2020-149 closed.

Public hearing was called to order by President of Council Michael F. Killeen at 8:02 p.m. in accordance with Article III, Section 13, of the Westlake City Charter and legal notice published in the West Life on February 10, 2021, and February 17, 2021, regarding the following legislation:

ORDINANCE NO. 2021-5: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR AN OFFICE USE IN AN EXCLUSIVE

INDUSTRIAL DISTRICT.

Planning Director Jim Bedell explained this amendment to the zoning code.

There being no comments from the audience, Council President Killeen declared the public hearing on Ordinance No. 2021-5 closed.

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The regular session of Council was called to order at 8:03 p.m. by President of Council Michael F. Killeen.

Present: President of Council Michael F. Killeen; Councilmembers Lynda M. Appel, Nick C. Nunnari, Dennis J. Sullivan, Michael F. O'Donnell, Kenneth R. Brady, Mark R. Getsay.

Also present: Mayor Dennis Clough, Law Director Michael Maloney, Service Director Paul Quinn, Director of Engineering Robert Kelly, Finance Director Prashant Shah, Recreation Director Paula Horner, Planning Director James Bedell, Director of Purchasing Larry Surber, IT Infrastructure Manager Mike Stybel, Director of Inspections Donald Grayem, Director of Community Services Lydia Gadd, Police Chief Kevin Bielozer, Fire Chief Jim Hughes, Clerk of Council Denise L. Rosenbaum.

APPROVAL OF MINUTES:

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, that the reading of the minutes of the regular session of February 4, 2021, be waived and that they be approved as received.

VOICE VOTE:

Yeas: All.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Conditional use permit application from Justin Lurk, Development Manager, Chick-Fil-A, received February 12, 2021, for a drive-through use for fast food restaurant at 30115 Detroit Road. Council President Killeen referred this request to the planning, zoning, legislative committee.

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his fourth 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, Appel, Nunnari, Sullivan, O'Donnell, Brady, Getsay. Also present were Mayor Clough; Directors Maloney, Quinn, Kelly, Shah, Horner, Bedell, Surber, Stybel, Grayem, Gadd, Bielozer, Hughes; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, the planning commission report, the Meadowood Golf Course report status, the Community Services Food Pantry Day, the electricity programs/contracts about to expire, and commendation of Police Lieutenant Dancy and Patrolman Pischel on their recent safety presentation. The following committee meetings were scheduled: Planning, Zoning, Legislative committee, February 24 at 6:45 p.m.; Service, Streets, Sidewalks, Road Drains committee, March 2 at 6:30 p.m.; and Finance committee, March 4 at 6:45 p.m.

Councilmember Appel moved, seconded by Councilmember Nunnari, to adjourn at 7:50 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:50 p.m.

REPORTS OF OTHER BOARDS AND COMMISSIONS – PLANNING COMMISSION:

Councilmember Nunnari reported on the February 17, 2021, planning commission meeting advising that the commission took the following actions: **Ordinance 2020-146 zoning code amendment to relocate 1216.03 footnote (i)(7) to new Section 753.04 - operating hours of drive-in/drive-thru facilities – request an extension of time:** Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to request a 90-day extension of time for Ordinance 2020-146. Meeting adjourned at 7:04 p.m.

Councilmember Nunnari moved, seconded by Councilmember O'Donnell, to grant a 90-day extension of time for **Ordinance No. 2020-146.**

Yeas: Killeen, Appel, Nunnari, Sullivan, O'Donnell, Brady, Getsay.

Nays: None; motion carried.

LEGISLATION:

ORDINANCE NO. 2020-148: AN ORDINANCE AMENDING SECTION 1235.06
(THIRD READING) "NOTICE OF AND PUBLIC HEARING ON ZONING ORDINANCES" AS TO ELECTRONIC MEANS OF NOTIFICATION OF PUBLIC HEARINGS. (First reading 12/17/20, second reading and referred to planning commission 1/7/21, planning commission recommended approval 2/1/21)

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, that Ordinance No. 2020-148 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Appel, Nunnari, Sullivan, O'Donnell, Brady, Getsay, Killeen.

Nays: None; Ordinance No. 2020-148 adopted.

ORDINANCE NO. 2020-149: AN ORDINANCE AMENDING VARIOUS SECTIONS OF ZONING AND BUILDING CODES OF THE CITY OF WESTLAKE AND REPEALING CHAPTER 1317 "BOARD OF BUILDING APPEALS". (First reading 12/17/20, second reading and referred to planning commission 1/7/21, planning commission recommended approval 2/1/21)
(THIRD READING)

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2020-149 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Nunnari, Sullivan, O'Donnell, Brady, Getsay, Killeen, Appel.

Nays: None; Ordinance No. 2020-149 adopted.

ORDINANCE NO. 2021-5: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR AN OFFICE USE IN AN EXCLUSIVE INDUSTRIAL DISTRICT. (First reading and referred to planning commission 1/21/21; planning commission recommended approval with modification 2/1/21; second reading, amended 2/4/21)
(THIRD READING)

Councilmember O'Donnell moved, seconded by Councilmember Appel, that Ordinance No. 2021-5 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Sullivan, O'Donnell, Brady, Getsay, Killeen, Appel, Nunnari.

Nays: None; Ordinance No. 2021-5 adopted.

ORDINANCE NO. 2021-11: AN ORDINANCE SETTING FORTH THE COMPENSATION OF SALARIED AND HOURLY RATE EMPLOYEES IN THE LAW DEPARTMENT OF THE CITY OF WESTLAKE, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY. (First reading 1/21/21, second reading 2/4/21)
(THIRD READING)

Councilmember Brady moved that Ordinance No. 2021-11 be adopted. There being no second, Councilmember Brady withdrew his motion.

Council President Killeen referred Ordinance No. 2021-11 to the finance committee and scheduled a meeting for February 24 at 7:00 p.m.

RESOLUTION NO. 2021-13: A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT THE 2021/2022 EMS GRANT THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES FOR TRAINING AND MEDICAL EQUIPMENT.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, 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 Sullivan moved, seconded by Councilmember Nunnari, that Resolution No. 2021-13 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Brady, Getsay, Killeen, Appel, Nunnari, Sullivan, O'Donnell.

Nays: None; Resolution No. 2021-13 adopted.

ORDINANCE NO. 2021-14: AN ORDINANCE DONATING FIRE HOSE EQUIPMENT.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, 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 Nunnari moved, seconded by Councilmember Sullivan, that Ordinance No. 2021-14 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Getsay, Killeen, Appel, Nunnari, Sullivan, O'Donnell, Brady.

Nays: None; Ordinance No. 2021-14 adopted.

ADJOURNMENT:

President of Council Killeen declared the meeting adjourned at 8:20 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



Michael F. Killeen
President of Council