



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A PUBLIC HEARING
AND A REGULAR SESSION
FEBRUARY 20, 2020**

Public hearing was called to order by President of Council Pro Tem Kenneth R. Brady 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 12, 2020, and February 19, 2020, regarding the following legislation:

ORDINANCE NO. 2020-7: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A FITNESS FACILITY.

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

There being no comments from the audience, Council President Pro Tem Brady declared the public hearing on Ordinance No. 2020-7 closed.

The regular session of Council was called to order at 8:03 p.m. by President of Council Pro Tem Kenneth R. Brady.

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

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, that Council President Killeen be excused for cause.

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

Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, that Councilmember Appel be excused for cause.

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

Nays: None; motion carried.

Also present: Mayor Dennis Clough, Law Director Michael Maloney, Service Director Paul Quinn, Director of Engineering Robert Kelly, Finance Director Prashant Shah, Recreation Director Bob DeMinico, Planning Director James Bedell, Director of Purchasing Larry Surber, 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 Nunnari moved, seconded by Councilmember Sullivan, that the reading of the minutes of the regular session of February 6, 2020, be waived and that they be approved as received.

Yeas: Nunnari, Sullivan, Brady, Getsay.

Abstentions: O'Donnell.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Notice from Ohio Division of Liquor Control received February 7, 2020, for transfer of C1, C2, D6 permits from Omkar Enterprises Inc., dba Westlake Sunoco, 27179 Detroit Road, Westlake, Ohio 44145 to S&S Gas and Convenient LLC, 27179 Detroit Road, Westlake, Ohio 44145.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, not to object to transfer of C1, C2, D6 permits from Omkar Enterprises Inc., dba Westlake Sunoco, 27179 Detroit Road, Westlake, Ohio 44145 to S&S Gas and Convenient LLC, 27179 Detroit Road, Westlake, Ohio 44145.

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

Nays: None; motion carried.

Communication from Mayor Clough dated February 18, 2020, requesting authorization to purchase one new model year Freightliner M2 Lifeline custom Highliner ambulance with selected options through the State of Ohio cooperative purchasing program from Pfund Superior Sales Co., Inc. in an amount not to exceed \$290,000.00. (Ordinance No. 2020-23)

Communication from Mayor Clough dated February 18, 2020, requesting authorization to purchase two new model year Ford Interceptor SUVs with selected options through the State of Ohio cooperative purchasing program from Cincy Autos Inc. dba Lebanon Ford in an amount not to exceed \$64,000.00 and to authorize the purchase of fire safety equipment from Fallsway Equipment Co. Inc. in an amount not to exceed \$17,000.00. (Ordinance No. 2020-20)

Communication from Mayor Clough dated February 18, 2020, requesting authorization to purchase one new Bobcat 40" Flail mower with selected options through the State of Ohio cooperative purchasing program from Clark Equipment Co. dba Bobcat Co. in an amount not to exceed \$7,600.00. (Ordinance No. 2020-24)

Communication from Mayor Clough dated February 18, 2020, requesting authorization to purchase two new model year Dodge Ram 1500 4x4 quad cab pick-up trucks with selected options through the State of Ohio cooperative purchasing program from Sherry Chrysler Dodge Jeep Inc. in an amount not to exceed \$52,000.00. (Ordinance No. 2020-21)

Communication from Mayor Clough dated February 18, 2020, requesting authorization to purchase two new current model year Ford Escape AWD SUVs with selected options through the city of Columbus solicitation for automobiles from Byers Ford LLC in an amount not to exceed \$52,000.00. (Ordinance No. 2020-22)

Communication from Mayor Clough dated February 18, 2020, requesting authorization to purchase one current model year Buick Enclave AWD with selected options from Morris Buick GMC Cadillac Inc. and to authorize the trade-in of one 2015 Buick Enclave in an amount not to exceed \$28,000.00. (Ordinance No. 2020-19)

Communication from Mayor Clough dated February 18, 2020, requesting a meeting of the Service, Streets, Sidewalks and Road Drains committee to discuss the 2020 roadway projects.

Communication from Mayor Clough dated February 18, 2020, requesting authorization to pay Everbridge for annual maintenance fees associated with the Nixle texting service in an amount not to exceed \$4,500.00.

Councilmember Sullivan moved, seconded by Councilmember Getsay, to authorize the administration to pay Everbridge for annual maintenance fees associated with the Nixle texting service in an amount not to exceed \$4,500.00.

Yeas: All.

Nays: None; motion carried.

Communication from Purchasing Director Larry Surber dated February 13, 2020, informing Council of expenditures with TAC Computer, Inc.

Communication from Purchasing Director Larry Surber dated February 13, 2020, informing Council of expenditures with the Ohio Floor Company.

Conditional use permit application from Christopher Blue, Kennedy Property Investments III Ltd., Sibling Revelry Brewery, received February 19, 2020, for a new restaurant in a microbrewery at 29305 Clemens Road. Council President Pro Tem Brady referred this request to the planning, zoning, legislative committee.

Council President Pro Tem Brady recognized Charter Review Committee Chairman Rick Petrulis in attendance and read Resolution No. 2020-13 commending the members of the Charter Review Committee which was adopted at the last Council meeting. Mayor Clough also read a proclamation similarly commending Mr. Petrulis. These were presented to him. Councilmember Nunnari thanked Mr. Petrulis for his hard work, being his appointee to the committee. Other councilmembers expressed appreciation for the Charter Review committee members' work and Law Director Maloney's assistance to them. Mr. Russ Ezolt, also a Charter Review Committee member in attendance, and who had previously received his resolution and proclamation, expressed appreciation for Clerk Rosenbaum's work on the committee; praised the tremendous group of knowledgeable directors in the administration; and thanked the police chief for his force's quick response time in an emergency situation.

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 Pro Tem Brady reported on the Committee of the Whole meeting held this date at 7:32 p.m. Present were Councilmembers Nunnari, Sullivan, O'Donnell, Brady, Getsay. Also present were Mayor Clough; Directors Maloney, Quinn, Kelly, Shah, DeMinico, Bedell, Surber, Grayem, Gadd, Bielozer, Hughes; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence and the Charter Review committee members' recognition. The following committee meetings were scheduled: Planning, Zoning, Legislative committee, February 24 at 7:00 p.m.; Service, Streets, Sidewalks, Road Drains committee, February 25 at 7:15 p.m.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to adjourn at 7:53 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:53 p.m.

LEGISLATION:

**ORDINANCE NO. 2020-4: AN ORDINANCE APPROVING THE PRELIMINARY
(THIRD READING) PLAN OF BUR OAK ESTATES PHASE III MAJOR
SUBDIVISION IN THE CITY OF WESTLAKE. (First
reading 1/16/20, second reading 2/6/20)**

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2020-4 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Nunnari, O'Donnell, Brady, Getsay.

Abstentions: Sullivan.

Nays: None; Ordinance No. 2020-4 adopted.

**ORDINANCE NO. 2020-7: AN ORDINANCE CONSIDERING A CONDITIONAL USE
(THIRD READING) PERMIT FOR A FITNESS FACILITY. (First reading and
referred to planning commission 1/16/20, planning commission
recommended approval with condition 2/3/20, second reading,
amended 2/6/20)**

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2020-7 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-7 adopted.

**ORDINANCE NO. 2020-14: AN ORDINANCE AMENDING SUBSECTION
(SECOND READING) 751.03(b)(2)(B) AS TO SOLICITOR PERMITS, AND
DECLARING AN EMERGENCY. (First reading 2/6/20)**

RESOLUTION NO. 2020-16: A RESOLUTION COMMENDING THE WESTLAKE-NORTH OLMSTED CHAPTER OF THE LEAGUE OF WOMEN VOTERS.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, 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 Getsay moved, seconded by Councilmember Nunnari, that Resolution No. 2020-16 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2020-16 adopted.

Council President Pro Tem Brady read the resolution in its entirety, and Mayor Clough read a similar proclamation, both of which were then presented to Janice Patterson, Chair of the Westlake-North Olmsted Chapter of the League of Women Voters, and other members of the chapter in attendance.

ORDINANCE NO. 2020-17: AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CITY OF WESTLAKE, OHIO.

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 Getsay moved, seconded by Councilmember Nunnari, that Ordinance No. 2020-17 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-17 adopted.

ORDINANCE NO. 2020-18: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LPA AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AS TO THE CROCKER ROAD GUARDRAIL END TREATMENTS UPGRADE, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, 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 Getsay, that Ordinance No. 2020-18 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-18 adopted.

ORDINANCE NO. 2020-19: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW MODEL YEAR BUICK ENCLAVE WITH SELECTED OPTIONS, AND DECLARING AN EMERGENCY.

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 Getsay moved, seconded by Councilmember Nunnari, that Ordinance No. 2020-19 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-19 adopted.

ORDINANCE NO. 2020-20: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO (2) NEW MODEL YEAR FORD INTERCEPTOR SUV'S WITH SELECTED OPTIONS AND RELATED SAFETY EQUIPMENT FROM VARIOUS VENDORS FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, 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 Sullivan, that Ordinance No. 2020-20 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-20 adopted.

ORDINANCE NO. 2020-21: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO (2) NEW MODEL YEAR DODGE RAM PICK-UP TRUCKS WITH SELECTED OPTIONS

THROUGH THE STATE OF OHIO COOPERATIVE
PURCHASING PROGRAM, AND DECLARING AN
EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, 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 Nunnari, that Ordinance No. 2020-21 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-21 adopted.

ORDINANCE NO. 2020-22: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO (2) NEW MODEL YEAR FORD ESCAPE AWD SUV'S WITH SELECTED OPTIONS THROUGH THE CITY OF COLUMBUS, OHIO CONTRACT, AND DECLARING AN EMERGENCY.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, 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 Getsay, that Ordinance No. 2020-22 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-22 adopted.

ORDINANCE NO. 2020-23: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW MODEL YEAR FREIGHTLINER M2 LIFELINE CUSTOM HIGHLINER AMBULANCE WITH SELECTED OPTIONS THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, AND DECLARING AN EMERGENCY.

Councilmember Nunnari 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 Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2020-23 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-23 adopted.

ORDINANCE NO. 2020-24: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW MODEL YEAR BOBCAT FLAIL MOWER WITH SELECTED OPTIONS THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, 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 Nunnari, that Ordinance No. 2020-24 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2020-24 adopted.

ORDINANCE NO. 2020-25: AN ORDINANCE ACCEPTING A REVISED LOT SPLIT AND EASEMENT PLAT FOR PRIVATE UTILITY, RUBBISH REMOVAL ACCESS AND SANITARY SEWER EASEMENTS FROM PULTE HOMES OF OHIO, LLC, AND DECLARING AN EMERGENCY.

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 Sullivan moved, seconded by Councilmember Getsay, that Ordinance No. 2020-25 be adopted.

ROLL CALL ON ADOPTION:

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

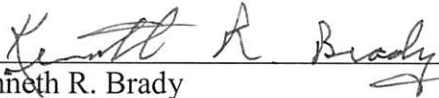
Nays: None; Ordinance No. 2020-25 adopted.

ADJOURNMENT:

President of Council Pro Tem Brady declared the meeting adjourned at 8:42 p.m.



Denise L. Rosenbaum, CMC
Clerk of Council



Kenneth R. Brady
President of Council Pro Tem