



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
MARCH 18, 2021**

The regular session of Council was called to order at 8:12 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, Mark R. Getsay.

Councilmember Getsay moved, seconded by Councilmember Sullivan, that Councilmember Brady be excused for cause.

Yeas: All.

Nays: None; motion carried.

Also present: Mayor Dennis Clough, Law Director Michael Maloney (via teleconference), Service Director Paul Quinn, Director of Engineering Robert Kelly, Finance Director Prashant Shah, Recreation Director Paula Horner, Planning Director James Bedell, Economic Development Manager Michelle Boczek, IT Infrastructure Manager Mike Stybel, Director of Inspections Donald Grayem, Director of Community Services Lydia Gadd, Police Chief Kevin Bielozer, Assistant Fire Chief Mike Freeman, Human Resources Manager Elise Auvil, 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 March 4, 2021, be waived and that they be approved as received.

VOICE VOTE:

Yeas: All.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Purchasing Director Larry Surber dated March 11, 2021, informing Council of 2021 expenditures with the vendors listed.

Communication from Purchasing Director Larry Surber dated March 11, 2021, informing Council of expenditures for Motorola Solutions, Inc. and the grant that will reimburse the city for 60% of the cost of this project.

Email from Anya Kwan, received March 17, 2021, withdrawing the conditional use permit application for a ballroom dance school at 26335 Center Ridge Road. (Ordinance No. 2021-32)

Notice from Ohio Division of Liquor Control received March 18, 2021, for a new D3 permit for Aristo Bistro LLC, dba Aristo Bistro, 25124 Center Ridge Road, Westlake, Ohio 44145.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, not to object to a new D3 permit for Aristo Bistro LLC, dba Aristo Bistro, 25124 Center Ridge Road, Westlake, Ohio 44145.

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

Nays: None; motion carried.

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his sixth report of the year. He then stated that the State of the City address is tentatively scheduled for May 11, 2021.

REPORTS OF STANDING COMMITTEES – PLANNING, ZONING, LEGISLATIVE COMMITTEE:

Councilmember Getsay reported on the March 11, 2021, Planning, Zoning, Legislative committee meeting.

Councilmember Getsay moved, seconded by Councilmember Sullivan, that the report of the March 11, 2021, Planning, Zoning, Legislative committee meeting be received and filed.

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

Nays: None; motion carried.

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, Getsay. Also present were Mayor Clough; Directors Maloney (via teleconference), Quinn, Kelly, Shah, Horner, Bedell, Boczek, Stybel, Grayem, Gadd, Bielozer, Freeman (Assistant), Auvil (Human Resources Manager); and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence and the status of the research on what constitutes a subdivision versus re-dividing property by multiple lot splits and assemblies. No committee meetings were scheduled.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, to adjourn to executive session to discuss the sale of property at 7:55 p.m.

ROLL CALL:

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

Nays: None; motion carried.

Also present were Mayor Clough and Planning Director Bedell.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to adjourn executive session at 8:09 p.m.

ROLL CALL:

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

Nays: None; motion carried.

Executive session adjourned at 8:09 p.m.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, to adjourn the Committee of the Whole meeting at 8:11 p.m.

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

Nays: None; motion carried.

Meeting immediately adjourned at 8:11 p.m.

LEGISLATION:

ORDINANCE NO. 2021-18: AN ORDINANCE AMENDING SUBSECTION 905.08(a) (SECOND READING) "SIDEWALK INSPECTION PROGRAM" OF CHAPTER 905 "SIDEWALK INSTALLATION AND REPLACEMENT." (First reading and referred to Service, Streets, Sidewalks, Road Drains committee 3/4/21)

ORDINANCE NO. 2021-27: AN ORDINANCE ACCEPTING THE CARLTON AVENUE (SECOND READING) ROADWAY DEDICATION #2 PLAT, AND DECLARING AN EMERGENCY. (First reading and referred to Public Grounds, Buildings, Recreation committee 3/4/21)

ORDINANCE NO. 2021-29: AN ORDINANCE AMENDING SECTION 1501.19 OF THE FIRE PREVENTION CODE AS TO FALSE ALARMS, 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 Nunnari moved, seconded by Councilmember Appel, that Ordinance No. 2021-29 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-29 adopted.

ORDINANCE NO. 2021-30: AN ORDINANCE SUPPLEMENTING SUBSECTION 1211.04(B)(1) OF SECTION 1211.04 "ACCESSORY USES" OF THE ZONING CODE AS TO FENCES.

Council President Killeen referred Ordinance No. 2021-30 to the planning, zoning, legislative committee.

ORDINANCE NO. 2021-31: AN ORDINANCE AMENDING SUBSECTIONS (f) AND (k) OF SECTION 167.20 "FAMILY AND MEDICAL LEAVE POLICY" OF CHAPTER 167 "EMPLOYEES GENERALLY," AND DECLARING AN EMERGENCY.

Council President Killeen referred Ordinance No. 2021-31 to the planning, zoning, legislative committee.

ORDINANCE NO. 2021-32: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A BALLROOM DANCE SCHOOL.

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.

ROLL CALL ON SUSPENSION:

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Nunnari, that Ordinance No. 2021-32 be adopted.

ROLL CALL ON ADOPTION:

Yeas: None.

Nays: Sullivan, O'Donnell, Getsay, Killeen, Appel, Nunnari; Ordinance No. 2021-32 defeated.

ORDINANCE NO. 2021-33: AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2013-112 AS TO A PROFESSIONAL SERVICES CONTRACT WITH BRANDSTETTER CARROLL, INC. FOR PROFESSIONAL ENGINEERING SERVICES, 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 Nunnari moved, seconded by Councilmember Sullivan, that Ordinance No. 2021-33 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-33 adopted.

ORDINANCE NO. 2021-34: 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 Nunnari moved, seconded by Councilmember Appel, that Ordinance No. 2021-34 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-34 adopted.

ORDINANCE NO. 2021-35: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 169 OF THE ADMINISTRATIVE CODE AS TO PERSONNEL IN THE COMMUNITY SERVICES DEPARTMENT, 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 Nunnari moved, seconded by Councilmember Getsay, that Ordinance No. 2021-35 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-35 adopted.

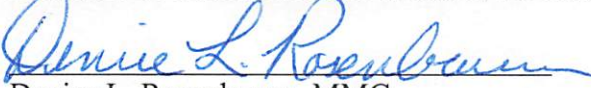
MISCELLANEOUS:

Finance Director Shah stated that the Internal Revenue Service (IRS) has extended the federal tax filing deadline to May 17, 2021. The State is expected to follow suit, and local taxes will most likely have an extended deadline also.

Council President Killeen stated that the city will be receiving federal COVID-19 relief funds. Mayor Clough explained that the funds, based on population and made in two payments, can be used for infrastructure, but more specific instructions are to follow. Westlake will receive approximately \$6.2 million.

ADJOURNMENT:

President of Council Killeen declared the meeting adjourned at 8:29 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



Michael F. Killeen
President of Council