



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
APRIL 1, 2021**

The regular session of Council was called to order at 8:00 p.m. by President of Council Michael F. Killeen.

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

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

Yeas: All.

Nays: None; motion carried.

Also present: Mayor Dennis Clough, Law Director Michael Maloney, Service Director Paul Quinn, Finance Director Prashant Shah, Recreation Director Paula Horner, Planning Director James Bedell, Director of Purchasing Larry Surber, IT Systems Administrator Nate Dreher, Director of Inspections Donald Grayem, 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 March 18, 2021, be waived and that they be approved as received.

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

Abstentions: Brady.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Mayor Clough dated March 29, 2021, requesting authorization to enter into a contract with Earth Consulting, Ltd. to provide professional services for environmental compliance and reporting of our required groundwater/assessment monitoring for a cost not to exceed \$38,410.00. (Ordinance No. 2021-43)

Communication from Mayor Clough dated March 29, 2021, requesting to accept the bid of Dura Mark, Inc. in the amount of \$250,000.00 as the lowest and most responsive bid for the pavement markings of certain streets and highways within the city of Westlake project. (Ordinance No. 2021-38)

Communication from Purchasing Director Larry Surber dated March 24, 2021, informing Council of the current encumbrances with the listed vendors.

Communication from Mayor Clough dated March 30, 2021, requesting authorization to enter into a contract with Earth Consulting, Ltd. to perform services as required by the Ohio Environmental Protection Agency for the groundwater assessment of Westlake's closed landfill in an amount not to exceed \$15,000.00. (Ordinance No. 2021-42)

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his seventh 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, Nunnari, Sullivan, O'Donnell, Brady, Getsay. Also present were Mayor Clough; Directors Maloney, Quinn, Shah, Horner, Bedell, Surber, Dreher, Grayem, Bielozer, Hughes; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, a payment to Fabrizi Trucking and a brief introduction to First Energy representative Dave Conley. The following committee meeting was scheduled: Planning, Zoning, Legislative committee, April 7 at 6:30 p.m.

Councilmember Brady moved, seconded by Councilmember Sullivan, to adjourn at 7:53 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:53 p.m.

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, to approve a payment to Fabrizi Trucking and Paving Co., Inc. in the amount of \$16,042.63 for pavement restoration following a watermain break at the intersection of Detroit and Columbia roads.

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

Nays: None; Motion carried.

LEGISLATION:

ORDINANCE NO. 2021-31: AN ORDINANCE AMENDING SUBSECTIONS (f) AND (k) (SECOND READING) OF SECTION 167.20 "FAMILY AND MEDICAL LEAVE POLICY" OF CHAPTER 167 "EMPLOYEES GENERALLY," AND DECLARING AN EMERGENCY. (First reading and referred to planning, zoning, legislative committee 3/18/21)

ORDINANCE NO. 2021-36: AN ORDINANCE ACCEPTING THE IN FEE SIMPLE SUBDIVISION PLAT (FOR RECORDING PURPOSES)

ONLY) AND THE UTILITY RIGHT-OF-WAY DEDICATION FOR THE RESIDENCES AT THE RESERVE TOWNHOMES FROM MALLARD COVE RESERVE, LLC, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2021-37: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AS TO THE PURCHASE OF ROAD SALT, AND DECLARING AN EMERGENCY.

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 Nunnari moved, seconded by Councilmember Getsay, that Resolution No. 2021-37 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2021-37 adopted.

ORDINANCE NO. 2021-38: AN ORDINANCE AUTHORIZING THE MAYOR TO EXERCISE THE SECOND APPLICATION OPTION OF THE CONTRACT WITH DURA MARK, INC. FOR THE PAVEMENT MARKINGS OF CERTAIN STREETS AND HIGHWAYS WITHIN THE CITY OF WESTLAKE, 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. 2021-38 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-38 adopted.

ORDINANCE NO. 2021-39: AN ORDINANCE ACCEPTING THE COMMUNITY RECYCLING AWARENESS GRANT FOR THE CITY OF WESTLAKE.

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. 2021-39 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-39 adopted.

RESOLUTION NO. 2021-40: A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPTING THE 2021-2022 ATTORNEY GENERAL'S DRUG USE PREVENTION GRANT.

Councilmember O'Donnell 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 Nunnari moved, seconded by Councilmember Getsay, that Resolution No. 2021-40 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2021-40 adopted.

ORDINANCE NO. 2021-41: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A TENTH AMENDED AGREEMENT FOR THE ADMINISTRATION OF THE CITY OF WESTLAKE GROUP HEALTH PLAN, 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. 2021-41 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-41 adopted.

ORDINANCE NO. 2021-42: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PERSONAL SERVICES AGREEMENT WITH EARTH CONSULTING, LTD. FOR GROUNDWATER ASSESSMENT SERVICES FOR THE FORMER WESTLAKE SANITARY LANDFILL, 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 Nunnari moved, seconded by Councilmember Getsay, that Ordinance No. 2021-42 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-42 adopted.

ORDINANCE NO. 2021-43: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PERSONAL SERVICES AGREEMENT WITH EARTH CONSULTING, LTD. FOR GROUNDWATER MONITORING FOR THE FORMER WESTLAKE SANITARY LANDFILL, 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. 2021-43 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-43 adopted.

MISCELLANEOUS:

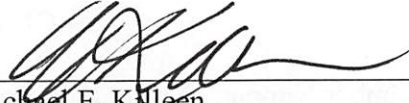
Mayor Clough announced, and Council President Killeen concurred, that Council will recess during the month of August this year.

ADJOURNMENT:

President of Council Killeen declared the meeting adjourned at 8:15 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



Michael F. Killeen
President of Council