



**WESTLAKE CITY COUNCIL MEETING  
PROCEEDINGS OF PUBLIC HEARINGS  
AND A REGULAR SESSION  
JUNE 3, 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 May 26, 2021, and June 2, 2021, regarding the following legislation:

ORDINANCE NO. 2021-16: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH USE AT A FAST FOOD RESTAURANT.

Planning Director Jim Bedell explained this amendment to the zoning code and the corresponding development plan.

Daniel White, 24756 Detroit Road, expressed concerns about noise and the minimum distance from residences for fast food restaurants.

There being no further comments from the audience, Council President Killeen declared the public hearing on Ordinance No. 2021-16 closed.

Public hearing was called to order by President of Council Michael F. Killeen at 8:10 p.m. in accordance with Article III, Section 13, of the Westlake City Charter and legal notice published in the West Life on May 26, 2021, and June 2, 2021, regarding the following legislation:

ORDINANCE NO. 2021-17: AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE CITY OF WESTLAKE, WHICH ZONE MAP IS PART OF THE ZONING CODE OF THE CITY OF WESTLAKE, BY CHANGING THE ZONING OF CERTAIN LAND LOCATED AT 28083 DETROIT ROAD FROM R-1F-80 DISTRICT TO R-MF-40 DISTRICT.

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

George Kopasakis, 28189 Detroit Road, whose residence abuts the property proposed to be rezoned, expressed concern about noise and the possible negative effects to his property value.

David Lynn, 27352 Sturbridge Lane, representing St. Paul Lutheran church and school abutting the property in question, was concerned that the 30 foot buffer is not enough and that 50 foot would be better; suggested a fence separating the property to prevent the use of the church's

parking lot as overflow parking; expressed concern about the increase in traffic in addition to the 100 cars and 13 buses dropping off and picking up children at the school.

Ed Pavicic, 1779 Granite Court, owner and developer of the property in question, explained what he proposes to build and that the rendering presented was only a conceptual plan; the rezoning depends on the outcome of the vote at the November election; and he is willing to meet with the neighboring property owners to address their concerns.

There being no further comments from the audience, Council President Killeen declared the public hearing on Ordinance No. 2021-17 closed.

\* \* \*

The regular session of Council was called to order at 8:23 p.m. by President of Council Michael F. Killeen.

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

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

Yeas: All.

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 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 Nunnari moved, seconded by Councilmember Appel, that the reading of the minutes of the regular session of May 20, 2021, be waived and that they be approved as received.

ROLL CALL:

Yeas: Killeen, Nunnari, Brady, Getsay.

Abstentions: Appel, O'Donnell.

Nays: None; motion carried.

**SELECTED CORRESPONDENCE:**

Conditional use permit application from NHN Properties LLC received May 26, 2021, for a drive through window/restaurant at 25288 Detroit Road, parcel numbers 213-09-014 through 017, 213-09-021, -022, -037. Council President Killeen referred this request to the planning, zoning, legislative committee.

**PETITIONS FROM THE PUBLIC:**

Daniel White, 24756 Detroit Road, expressed concerns again about noise affecting residences and changing the distance from residences for drive-thru restaurants. Councilmember Nunnari inquired if there was going to be any change to the required distance, and Planning Director Bedell stated he was not aware of any proposal to reduce it.

**REPORT OF THE MAYOR:**

Mayor Clough read his eleventh 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, O'Donnell, Brady, Getsay. Also present were Mayor Clough; Directors Maloney, Quinn, Kelly, Shah, Horner, Bedell, Surber, Stybel, Grayem, Gadd, Bielozzer, Hughes; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, the golf course study status and project financing, and drafting an ordinance to allow full-time employees at the Recreation Center to use the center's fitness equipment without membership fee. No committee meetings were scheduled.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to adjourn at 7:49 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:49 p.m.

**LEGISLATION:**

ORDINANCE NO. 2021-16: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH USE AT A FAST FOOD RESTAURANT. (First reading and referred to planning commission 3/4/21; planning commission recommended approval with condition 5/17/21; second reading, amended 5/20/21)

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2021-16 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-16 adopted.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to approve the **Chick-fil-A Development Plan** with the modifications and conditions listed in the report of the May 17, 2021, planning commission.

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

Nays: None; motion carried.

ORDINANCE NO. 2021-17: AN ORDINANCE PROVIDING FOR THE AMENDMENT  
(THIRD READING) OF THE ZONE MAP OF THE CITY OF WESTLAKE,  
WHICH ZONE MAP IS PART OF THE ZONING CODE OF  
THE CITY OF WESTLAKE, BY CHANGING THE ZONING  
OF CERTAIN LAND LOCATED AT 28083 DETROIT  
ROAD FROM R-1F-80 DISTRICT TO R-MF-40 DISTRICT.  
(First reading and referred to planning commission 3/4/21,  
planning commission recommended approval 5/10/21, second  
reading 5/20/21)

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2021-17 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-17 adopted.

ORDINANCE NO. 2021-64: AN ORDINANCE APPROVING THE PRELIMINARY  
(SECOND READING) PLAN OF HILLIARD MEADOWS MAJOR SUBDIVISION  
IN THE CITY OF WESTLAKE. (First reading 5/20/21)

ORDINANCE NO. 2021-67: AN ORDINANCE AUTHORIZING THE MAYOR TO  
ENTER INTO A STORM WATER DRAINAGE SYSTEM  
AGREEMENT WITH WESTSIDE CHRISTIAN ACADEMY,  
INC., AND DECLARING AN EMERGENCY.

Councilmember Nunnari moved, seconded by Councilmember Appel, 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. 2021-67 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-67 adopted.

ORDINANCE NO. 2021-68: AN ORDINANCE AUTHORIZING THE MAYOR TO  
ENTER INTO A CONTRACT WITH SNIDER  
RECREATION INC. FOR THE FURNISHING AND  
INSTALLATION OF PLAYGROUND EQUIPMENT FOR  
THE CLAGUE PARK PLAYGROUND PROJECT, AND  
DECLARING AN EMERGENCY.

Councilmember Appel 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 Appel moved, seconded by Councilmember Nunnari, that Ordinance No. 2021-68 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2021-68 adopted.

**MISCELLANEOUS:**

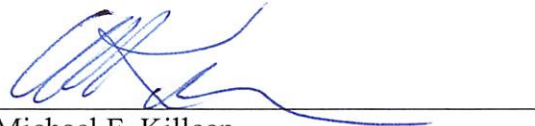
Councilmember Appel commended the service department for the clean-up efforts after the recent wind storm.

**ADJOURNMENT:**

President of Council Killeen declared the meeting adjourned at 8:37 p.m.



Denise L. Rosenbaum, MMC  
Clerk of Council



Michael F. Killeen  
President of Council