



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
SEPTEMBER 16, 2021**

The regular session of Council was called to order at 8:00 p.m. by President of Council Pro Tem Mark R. Getsay.

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

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that President of Council Killeen and Councilmembers Appel and Brady 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, Economic Development Manager Michelle Boczek, Director of Purchasing Larry Surber, Director of Inspections Donald Grayem, Director of Community Services Lydia Gadd, Police Chief Kevin Bielozer, Clerk of Council Denise L. Rosenbaum.

APPROVAL OF MINUTES:

Approval of the minutes of the regular session of September 2, 2021, was deferred to the October 7, 2021, Council meeting.

SELECTED CORRESPONDENCE:

Notice from Ohio Division of Liquor Control received September 10, 2021, for stock C1, C2, D6, D8 permits for Cost Plus Inc. dba Cost Plus World Market, 307 Main St. 1st Floor, Westlake, Ohio 44145.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, not to object to stock C1, C2, D6, D8 permits for Cost Plus Inc. dba Cost Plus World Market, 307 Main St. 1st Floor, Westlake, Ohio 44145.

Yeas: All.

Nays: None; motion carried.

Communication from Purchasing Director Larry Surber dated September 10, 2021, informing Council of 2021 expenditures with the vendors listed.

Letter from Sandee Kodysh, Westlake City Schools Transportation department, received September 16, 2021, resubmitting a request from March of 2019 to change the name of Koyo Drive to School Bus Lane. Council President Pro Tem Getsay referred this request to the Planning, Zoning, Legislative committee.

Communication from Finance Director Prashant Shah received September 16, 2021, requesting authorization of a payment to Tokio Marine HCC Public Risk Group in the amount of \$5,000.00 towards deductible expenses in the Ketchesin v. City of Westlake legal proceedings.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to authorize a payment to Tokio Marine HCC Public Risk Group in the amount of \$5,000.00 towards deductible expenses in the Ketchesin v. City of Westlake legal proceedings.

Yeas: All.

Nays: None; motion carried.

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his sixteenth report of the year.

REPORTS OF ADMINISTRATIVE OFFICIALS:

Finance Director Shah reported that on September 9, 2021, the city refinanced the TIF bonds for American Greetings/Crocker Park in the amount of \$47,900,000.00 to realize a savings of approximately \$4,000,000.00 over the life of the bonds which still mature on December 1, 2044.

REPORTS OF STANDING COMMITTEES – COMMITTEE OF THE WHOLE:

President of Council Pro Tem Getsay reported on the Committee of the Whole meeting held this date at 7:31 p.m. Present were Councilmembers Nunnari, Sullivan, O'Donnell, Getsay. Also present were Mayor Clough; Directors Maloney, Quinn, Kelly, Shah, Horner, Bedell, Boczek, Surber, Grayem, Gadd, Bielozer; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, the planning commission report and an issue with the audio/visual system in the Council Chambers. The following committee meetings were scheduled: Planning, Zoning, Legislative committee, September 27 at 6:30 p.m.; Committee of the Whole, September 27 at 7:00 p.m.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, to adjourn at 7:42 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:42 p.m.

REPORTS OF OTHER BOARDS AND COMMISSIONS – PLANNING COMMISSION:

Councilmember Nunnari reported on the September 13, 2021, planning commission meeting advising that the commission took the following actions: tabled **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**, to the October 4, 2021, meeting; **Westlake Middle School Sign Plan & Site Improvements (pkg lot) 2240 & 2260 Dover Center, PP#21229009**: Applicant withdrew request, no action necessary; **Cahoon Nursery Lot Assembly, 27630 Detroit Rd., PP#21213006 & 064**: Findings of Fact 1. This is needed for any future development and it is the City's practice that developments covering multiple parcels are assembled into a single parcel. 2. There are no additional or increases in legal non-conformities as a result of this action. Motion: Mr. VanDyke moved, seconded by Mr. Nunnari to approve the Cahoon Nursery lot assembly involving permanent parcel numbers 212-13-006 & 064, with the condition that approval is subject to the plat meeting the requirements of the County and State as indicated in the Ohio Revised Code and approval by the Engineering Department in compliance with the code and the ordinances of the City of Westlake; **Dollar Bank Site Improvements (canopy), 26895 Center Ridge Rd., PP#21501040**: Findings of Fact 1. This request adds a canopy over the drive-thru window to provide shelter from the elements. 2. The only modification is for the roof color that is not natural copper, or copper patina, dark green or dark brown. Motion: Mr. VanDyke moved, seconded by Mr. Nunnari to recommend approval of the Dollar Bank Site Improvements (canopy) with the following: 1. Modification for the standing seam metal roof in light tan color. 2. Condition that safety signs indicating the clearance height and containing no commercial message of any sort are incorporated into the design of the canopy. 3. Condition that the Dollar Bank will contact the Planning Department prior to replacing any exterior light fixtures; **Stonehouse Grill Site Improvements (patio), 24850 Center Ridge Rd., PP#21328013**: Mr. Jones abstained from discussion due to a conflict of interest. Findings of Fact 1. The proposal improves the dining experience and is an attractive addition to the business district. 2. The proposal is not expected to impact nearby office or residential uses and requires no modifications. Motion: Mr. VanDyke moved, seconded by Mr. Nunnari to recommend approval of the Stonehouse Grill Site Improvements (patio) with the following: 1. Boulders are incorporated into the landscaping bed south of the patio for vehicle impact protection. 2. Two additional trees are planted on the property to be in locations approved by the Planning Department. 3. Column lights utilize LED 2700K, 450 lumens maximum bulbs or LED flame effect light bulbs. 4. Approval is subject to comments in Part III of the 9/10/21 staff report and approval of the final plans by the Building and Engineering Departments in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission; **Lenscrafters Storefront, 247 Main Street, PP#21126302**: Findings of Fact 1. Overall, the design is in accordance with Style #6 of the Design Guidelines and blends with the modern design of the floors above. 2. The aluminum storefront system and composite panels are appropriate. 3. Signage has not been submitted for approval. Motion: Mr. VanDyke moved, seconded by Mr. Nunnari to recommend approval of the Lenscrafters storefront plan; tabled **Ordinance 2021-92 Conditional Use Permit (Chipotle), 25288 Detroit Rd., PP#21309014 to 017, 021, 022 & 037** to the October 4, 2021, meeting. Meeting adjourned at 9:00 p.m. The next meeting is scheduled for Monday, 10/4/2021.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, to approve the **Dollar Bank Site Improvements (canopy)** with the modification and conditions listed in the report of the September 13, 2021, planning commission.

Yeas: All.

Nays: None; motion carried.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, to approve the **Stonehouse Grill Site Improvements (patio)** with the conditions listed in the report of the September 13, 2021, planning commission.

Yeas: All.

Nays: None; motion carried.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, to approve the **Lenscrafters Storefront**.

Yeas: All.

Nays: None; motion carried.

LEGISLATION:

Council President Pro Tem Getsay stated that because there were only four Councilmembers present, legislation could not be acted upon.

ORDINANCE NO. 2021-102: AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CITY OF WESTLAKE, OHIO.

RESOLUTION NO. 2021-103: A RESOLUTION REQUESTING THE FISCAL OFFICER OF CUYAHOGA COUNTY TO ADVANCE FUNDS TO THE CITY OF WESTLAKE, OHIO, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2021-104: AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A PROPOSAL FOR THE PURCHASE OF MULTI-PERIL PROPERTY AND LIABILITY INSURANCE, AUTO LIABILITY AND AUTO PHYSICAL DAMAGE INSURANCE, LAW ENFORCEMENT OFFICERS LIABILITY AND OTHER COVERAGE REQUIRED BY THE CITY, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2021-105: AN ORDINANCE ACCEPTING A SUBDIVISION-IN FEE AND EASEMENT PLAT FOR PRIVATE UTILITY, RUBBISH REMOVAL ACCESS AND SANITARY SEWER EASEMENTS FROM PULTE HOMES OF OHIO, LLC, AND DECLARING AN EMERGENCY.

MISCELLANEOUS:

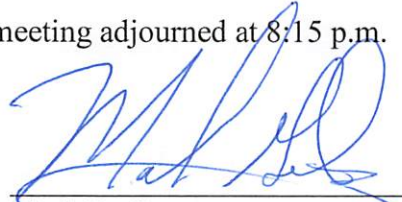
Mayor Clough requested that, in response to inquiries from residents, some guidelines or legislation be drafted to regulate Airbnbs in Westlake.

ADJOURNMENT:

President of Council Pro Tem Getsay declared the meeting adjourned at 8:15 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



Mark R. Getsay
President of Council Pro Tem