



**WESTLAKE CITY COUNCIL MEETING
JANUARY 2, 2014
PROCEEDINGS OF AN ORGANIZATIONAL
AND REGULAR SESSION**

The meeting was called to order at 8:00 p.m. by President of Council Michael F. Killeen, in accordance with Article III, Section 8 of the City Charter.

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

Also present: Mayor Dennis Clough, Law Director John Wheeler, Service Director Paul Quinn, Director of Engineering Robert Kelly, Finance Director Prashant Shah, Recreation Director Michael Rump, Planning Director James Bedell, Assistant Director of Purchasing Larry Surber, Director of Inspections Donald Grayem, Acting Police Chief Kevin Bielozer, Acting Fire Chief Jim Hughes, Clerk of Council Denise L. Rosenbaum.

CERTIFICATION OF OFFICERS BY BOARD OF ELECTIONS:

Clerk of Council Rosenbaum stated that the following officers who were elected at the November 5, 2013, General Election, had received their Certificate of Election from the Cuyahoga County Board of Elections:

Dennis M. Clough	Mayor
John D. Wheeler	Director of Law
Michael F. Killeen	President of Council
Lynda M. Appel	Council, Ward 1
Nick C. Nunnari	Council, Ward 2
Dennis J. Sullivan	Council, Ward 3
Michael F. O'Donnell	Council, Ward 4
Kenneth R. Brady	Council, Ward 5
Mark R. Getsay	Council, Ward 6

The Mayor was sworn in on January 1, 2014, by the Honorable Judge Robert McClelland. On January 2, 2014, the Law Director, President of Council Killeen and Councilmembers Brady, Getsay and O'Donnell were sworn in by the Honorable Justice Terrence O'Donnell. Councilmember Sullivan was sworn in by the Honorable Judge Thomas F. O'Malley. Councilmember Appel was sworn in by Attorney Andrea Rocco, Cuyahoga County Clerk of Courts. Councilmember Nunnari was sworn in by Magistrate David Mills.

CONFIRMATION OF REAPPOINTMENT OF CLERK OF COUNCIL:

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, that Denise L. Rosenbaum be reappointed as Clerk of Council for the 2014-2017 term.

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

Nays: None, motion carried.

Ms. Rosenbaum was sworn in by Attorney Andrea Rocco, Cuyahoga County Clerk of Courts.

Councilmember Getsay moved, seconded by Councilmember O'Donnell, to appoint Clerk of Council Denise L. Rosenbaum as Council's designee for House Bill 9 training for the 2014-2017 term.

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

Nays: None; motion carried.

NAMING OF STANDING COMMITTEES OF COUNCIL BY THE PRESIDENT OF COUNCIL:

President of Council Killeen read the Standing Committees of Council for 2014:

AD HOC INFORMATION TECHNOLOGY:

M. O'Donnell, Chairperson

N. Nunnari

D. Sullivan

FINANCE & WAGES:

M. Killeen, Chairperson

K. Brady

M. Getsay

PLANNING, ZONING, LEGISLATIVE, BUILDING CODES:

D. Sullivan, Chairperson

K. Brady

M. Getsay

PUBLIC GROUNDS, BUILDINGS, PUBLIC TRANSPORTATION, RECREATION, CIVIL SERVICE:

K. Brady, Chairperson

L. Appel

M. O'Donnell

SAFETY, UTILITIES, INDUSTRIAL DEVELOPMENT, WELFARE:

M. O'Donnell, Chairperson

L. Appel

N. Nunnari

SANITATION:

M. O'Donnell, Interim Chairperson through recess 2014

N. Nunnari, Chairperson after recess 2014

D. Sullivan

SERVICE, STREETS, SIDEWALKS, ROAD DRAINS:

D. Sullivan, Interim Chairperson through recess 2014
L. Appel, Chairperson after recess 2014
K. Brady

PLANNING COMMISSION REPRESENTATIVE:

M. Getsay

RECREATION COMMISSION REPRESENTATIVE:

K. Brady

The Ad Hoc Sidewalk and Ad Hoc Inspection of Rental/Abandoned Homes committees were not reconstituted as there is no longer a need for them at this time.

CONFIRMATION OF APPOINTMENT OF PLANNING COMMISSION REPRESENTATIVE:

Councilmember Sullivan moved, seconded by Councilmember Brady, to confirm the Council President's appointment of Councilmember Mark Getsay as the Planning Commission representative.

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

Abstentions: Getsay.

Nays: None; motion carried.

CONFIRMATION OF MAYOR'S APPOINTMENTS OF DIRECTORS:

See under Selected Correspondence.

CONFIRMATION OF MAYOR'S APPOINTMENTS OF COMMISSION MEMBERS:

See under Selected Correspondence.

APPROVAL OF MINUTES:

Councilmember O'Donnell moved, seconded by Councilmember Getsay, that the reading of the minutes of the regular session of December 19, 2013, be waived and that they be approved as received.

VOICE VOTE:

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

Abstentions: Appel, Nunnari.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Notice from Ohio Division of Liquor Control received December 30, 2013, for a new D5 permit for Bradcent Ltd., 30855 Center Ridge Road, Westlake, Ohio.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, not to object to a new D5 permit for Bradcent Ltd., 30855 Center Ridge Road, Westlake, Ohio.

Yeas: All.

Nays: None; motion carried.

Communication from Mayor Clough dated December 27, 2013, requesting authorization to enter into a maintenance agreement with B&C Communications for the WESTCOM Central Dispatch Center and to approve Super Blanket Purchase Order requests for WESTCOM, Police and Fire departments in an amount not to exceed \$25,860.00. (Ordinance No. 2014-1)

Communication from Mayor Clough dated December 27, 2013, requesting authorization to allow the city of Westlake to participate with the Ohio Department of Administration (ODAS), Ohio Department of Transportation (ODOT), General Services Administrative (GSA), U.S. Communities Government Purchasing Alliance, National Joint Powers Alliance (NJPA), National Institute of Government Purchases (NIGP), and any other Governmental Cooperative Programs in 2014. (Ordinance No. 2014-2)

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of Paul Quinn as Director of Public Service for the city of Westlake effective January 1, 2014.

Councilmember O'Donnell moved, seconded by Councilmember Brady, to confirm the appointment of Paul Quinn as Director of Public Service for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of Larry Surber as Director of Purchasing for the city of Westlake effective January 1, 2014.

Councilmember Getsay moved, seconded by Councilmember Brady, to confirm the appointment of Larry Surber as Director of Purchasing for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of Prashant Shah as Director of Finance for the city of Westlake effective January 1, 2014.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, to confirm the appointment of Prashant Shah as Director of Finance for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of Joyce Able Schroth as Director of Community Services for the city of Westlake effective January 1, 2014.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, to confirm the appointment of Joyce Able Schroth as Director of Community Services for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of James Bedell as Director of Planning and Economic Development for the city of Westlake effective January 1, 2014.

Councilmember Sullivan moved, seconded by Councilmember Getsay, to confirm the appointment of James Bedell as Director of Planning and Economic Development for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of Donald Grayem as Director of Inspections for the city of Westlake effective January 1, 2014.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, to confirm the appointment of Donald Grayem as Director of Inspections for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting confirmation of the appointment of Robert Kelly as Director of Engineering for the city of Westlake effective January 1, 2014.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to confirm the appointment of Robert Kelly as Director of Engineering for the city of Westlake effective January 1, 2014.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting approval of the reappointment of Bryan Baesel to the Westlake Board of Zoning Appeals with a term expiring on December 31, 2017.

Councilmember O'Donnell moved, seconded by Councilmember Getsay, to approve the reappointment of Bryan Baesel to the Westlake Board of Zoning Appeals with a term expiring on December 31, 2017.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting approval of the reappointment of Scott Fatzinger to the Westlake Planning Commission with a term expiring on December 31, 2017.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, to approve the reappointment of Scott Fatzinger to the Westlake Planning Commission with a term expiring on December 31, 2017.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting approval of the reappointment of Margie Rossander to the Westlake Tree Commission with a term expiring on December 31, 2015.

Councilmember Brady moved, seconded by Councilmember Getsay, to approve the reappointment of Margie Rossander to the Westlake Tree Commission with a term expiring on December 31, 2015.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting approval of the reappointment of Diane Morris to the Westlake Tree Commission with a term expiring on December 31, 2015.

Councilmember Brady moved, seconded by Councilmember O'Donnell, to approve the reappointment of Diane Morris to the Westlake Tree Commission with a term expiring on December 31, 2015.

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

Nays: None; motion carried.

Communication from Mayor Clough dated December 30, 2013, requesting approval of the reappointment of Mary Beth Schneidler to the Westlake Tree Commission with a term expiring on December 31, 2015.

Councilmember Brady moved, seconded by Councilmember Getsay, to approve the reappointment of Mary Beth Schneidler to the Westlake Tree Commission with a term expiring on December 31, 2015.

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

Nays: None; motion carried.

Communication from Law Director John Wheeler dated January 2, 2014, requesting confirmation of the appointment of Sean Kelleher to the position of Assistant Director of Law – Criminal I.

Councilmember O'Donnell moved, seconded by Councilmember Brady, to confirm the appointment of Sean Kelleher to the position of Assistant Director of Law – Criminal I.

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

Nays: None; motion carried.

Communication from Law Director John Wheeler dated January 2, 2014, requesting confirmation of the appointment of Robin Leasure to the position of Assistant Director of Law – Civil I.

Councilmember Brady moved, seconded by Councilmember Getsay, to confirm the appointment of Robin Leasure to the position of Assistant Director of Law – Civil I.

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

Nays: None; motion carried.

Communication from Law Director John Wheeler dated January 2, 2014, requesting confirmation of the appointment of Gregory Sponseller to the position of Assistant Director of Law – Criminal II.

Councilmember Brady moved, seconded by Councilmember Getsay, to confirm the appointment of Gregory Sponseller to the position of Assistant Director of Law – Criminal II.

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

Nays: None; motion carried.

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his first report of the year.

REPORTS OF ADMINISTRATIVE OFFICIALS:

None.

REPORTS OF STANDING COMMITTEES – COMMITTEE OF THE WHOLE:

President of Council Killeen reported on the Committee of the Whole meeting held this date at 7:43 p.m. Present were Councilmembers Killeen, Appel, Nunnari, Sullivan, O'Donnell, Brady, Getsay. Also present were Mayor Clough; Directors Wheeler, Quinn, Kelly, Shah, Rump, Bedell, Surber, Grayem, Bielozer, Hughes. Agenda items were discussed as well as selected correspondence, the 2014 standing committees and assignments, setting the public hearing on Ordinance No. 2013-190, and the appointing of the Clerk of Council as Council's designee for House Bill 9 training. No meetings were scheduled.

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

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:49 p.m.

Council President Killeen set a public hearing on Ordinance No. 2013-190 for January 16, 2014.

Council President Killeen designated Councilmember Brady as Council President Pro Tem for the January 16, 2014, Council meeting as he will not be able to attend that meeting.

REPORTS OF OTHER BOARDS AND COMMISSIONS:

None.

LEGISLATION:

ORDINANCE NO. 2013-195: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE MOBILE DATA TERMINALS AND RELATED EQUIPMENT FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY. (SECOND READING) (First reading 12/19/13.)

ORDINANCE NO. 2014-1: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT FOR THE WESTSHORE CENTRAL DISPATCH CENTER WITH B&C COMMUNICATIONS AND TO APPROVE SUPER BLANKET PURCHASE ORDER REQUESTS FOR WESTCOM, POLICE AND FIRE, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Brady, 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 Getsay, that Ordinance No. 2014-1 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-1 adopted.

ORDINANCE NO. 2014-2: AN ORDINANCE AUTHORIZING THE ASSISTANT DIRECTOR OF PURCHASING TO CONTINUE TO PARTICIPATE IN THE OHIO DEPARTMENT OF ADMINISTRATION (ODAS), OHIO DEPARTMENT OF TRANSPORTATION (ODOT), GENERAL SERVICES ADMINISTRATION (GSA), U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE, NATIONAL JOINT POWERS ALLIANCE (NJPA), NATIONAL INSTITUTE OF GOVERNMENT PURCHASERS (NIGP), AND ANY OTHER GOVERNMENTAL COOPERATIVE PROGRAMS, 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 O'Donnell moved, seconded by Councilmember Sullivan, that Ordinance No. 2014-2 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-2 adopted.

MISCELLANEOUS:

Mayor Clough commended all the department directors for their hard work as well as those who serve voluntarily on boards and commissions for the city of Westlake.

ADJOURNMENT:

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

Denise L. Rosenbaum
Clerk of Council

Michael F. Killeen
President of Council