



**WESTLAKE CITY COUNCIL MEETING
MAY 15, 2014
PROCEEDINGS OF A REGULAR SESSION**

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 Lynda M. Appel, Nick C. Nunnari, Dennis J. Sullivan, Michael F. O'Donnell, Kenneth R. Brady, Mark R. Getsay.

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

APPROVAL OF MINUTES:

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that the reading of the minutes of the regular session of May 1, 2014, be waived and that they be approved as received.

VOICE VOTE:

Yeas: All.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Director of Inspections Donald Grayem dated May 2, 2014, stating that John Kohr from Polaris Engineering & Surveying, representing Sovran Self Storage, is requesting a conditional use permit to store recreational vehicles in an outdoor parking facility located at 24940 Detroit Road. Council President Killeen referred this request to the Planning/Zoning/Legislative committee.

Communication from Mayor Clough dated May 9, 2014, requesting authorization to purchase one KIP 7170 Plotter with selected options from North Coast Systems, LLC, in an amount not to exceed \$16,000.00. (Ordinance No. 2014-84)

Communication from Mayor Clough dated May 9, 2014, requesting to amend Ordinance No. 2014-75 to include Contract 4 and revise the contract amount to \$3,118,517.05. (Ordinance No. 2014-93)

Communication from Mayor Clough dated May 12, 2014, requesting authorization to purchase landscaping products from John Deere Landscaping in an amount not to exceed \$35,000.00. (Ordinance No. 2014-87)

Communication from Mayor Clough dated May 12, 2014, requesting authorization to purchase one 2015 Ford F550 cab and chassis/Versalift VST-40 insulated Aerial Tower unit with selected options through the Ohio State Term Schedule purchasing program from Utility Truck Equipment, Inc. in an amount not to exceed \$112,500.00. (Ordinance No. 2014-85)

Email from Pastor Paul Endrei, Church on the Rise, dated May 9, 2014, requesting a 90-day extension for the public hearing and third reading of Ordinance No. 2013-197 to be before September 6, 2014.

Councilmember Getsay moved, seconded by Councilmember Sullivan, to grant a 90-day extension for the public hearing and third reading of Ordinance No. 2013-197 to be before September 6, 2014.

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

Nays: None; motion carried.

Council President Killeen presented a certificate to Otto Watana, a St. Ignatius High School government student, in recognition of his attendance at Westlake City Council meetings and meeting with various directors to learn about local government as part of his spring semester class.

PETITIONS FROM THE PUBLIC:

Robert Koenig, 29181 Schwartz Road, inquired about the video tapes of Council meetings and how long they are required to be kept.

REPORT OF THE MAYOR:

Mayor Clough read his tenth report of the year.

REPORTS OF ADMINISTRATIVE OFFICIALS:

None.

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

Councilmember Sullivan reported on the May 7, 2014, Planning/Zoning/Legislative committee meeting.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that the report of the May 7, 2014, Planning/Zoning/Legislative committee meeting be received and filed.

Yeas: Appel, Nunnari, Sullivan, O'Donnell, Brady, 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, Brady, Getsay. Also present were Mayor Clough; Directors Leasure (Assistant), Quinn, Kelly, Shah, DeMinico, Bedell, Surber, Grayem, Bielozer, Hughes. Agenda items were discussed as well as selected correspondence, proposed legislation to be added to the agenda and an update on the storm flooding damage and clean-up process. No meetings were scheduled.

Councilmember Nunnari moved, seconded by Councilmember O'Donnell, to adjourn at 7:54 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:54 p.m.

REPORTS OF OTHER BOARDS AND COMMISSIONS:

None.

LEGISLATION:

ORDINANCE NO. 2014-57: AN ORDINANCE APPROVING THE REVISED
(THIRD READING) PRELIMINARY PLAN OF THE STONE CREEK VILLAGE
MAJOR SUBDIVISION IN THE CITY OF WESTLAKE.
(First reading 4/17/14, second reading 5/1/14.)

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, that Ordinance No. 2014-57 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-57 adopted.

ORDINANCE NO. 2014-77: AN ORDINANCE FIXING THE COMPENSATION OF
(SECOND READING) SALARIED AND HOURLY RATE EMPLOYEES IN THE
SEVERAL DEPARTMENTS OF THE CITY OF
WESTLAKE, AND REPEALING ALL OTHER
ORDINANCES IN CONFLICT HEREWITH, AND
DECLARING AN EMERGENCY. (First reading and referred
to finance committee 5/1/14.)

ORDINANCE NO. 2014-81: AN ORDINANCE TO REVISE THE CODIFIED
ORDINANCES BY ADOPTING CURRENT
REPLACEMENT PAGES.

Councilmember O'Donnell 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 Getsay moved, seconded by Councilmember Brady, that Ordinance No. 2014-81 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-81 adopted.

ORDINANCE NO. 2014-82: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR OCCUPATIONAL HEALTH CLINIC SERVICES.

Council President Killeen referred Ordinance No. 2014-82 to the planning commission.

ORDINANCE NO. 2014-83: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR AN ADULT DAY CENTER.

Council President Killeen referred Ordinance No. 2014-83 to the planning commission.

ORDINANCE NO. 2014-84: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) KIP, MODEL 7170 PLOTTER WITH SELECTED OPTIONS LESS TRADE-IN OF ONE (1) KIP 3000 PLOTTER, 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 O'Donnell moved, seconded by Councilmember Brady, that Ordinance No. 2014-84 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-84 adopted.

ORDINANCE NO. 2014-85: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) 2015 FORD F550 CAB AND CHASSIS AERIAL TRUCK THROUGH OHIO STATE TERM SCHEDULE PURCHASING PROGRAM, 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 Brady moved, seconded by Councilmember Nunnari, that Ordinance No. 2014-85 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-85 adopted.

ORDINANCE NO. 2014-86: AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CITY OF WESTLAKE, OHIO.

Councilmember Brady moved, seconded by Councilmember Getsay, 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 Getsay moved, seconded by Councilmember Brady, that Ordinance No. 2014-86 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-86 adopted.

ORDINANCE NO. 2014-87: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TURF MAINTENANCE PRODUCTS FROM JOHN DEERE LANDSCAPING, AND DECLARING AN EMERGENCY.

Councilmember Brady 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 Sullivan moved, seconded by Councilmember Getsay, that Ordinance No. 2014-87 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-87 adopted.

ORDINANCE NO. 2014-88: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DESIGN-BUILD SOLUTIONS, INC. FOR REPAIRS ON THE WESTLAKE RECREATION CENTER THROUGH THE OHIO STATE TERM SCHEDULE PURCHASING PROGRAM, 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 Brady moved, seconded by Councilmember Getsay, that Ordinance No. 2014-88 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-88 adopted.

RESOLUTION NO. 2014-89: A RESOLUTION OF COMMENDATION AND
 APPRECIATION FOR EDWARD G. HACK FOR HIS
 MANY YEARS OF DEDICATED SERVICE TO THE CITY
 OF WESTLAKE.

Councilmember Brady 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 O'Donnell moved, seconded by Councilmember Getsay, that Resolution No. 2014-89 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2014-89 adopted.

RESOLUTION NO. 2014-90: A RESOLUTION OF COMMENDATION AND
 APPRECIATION FOR JAMES P. CONNOLE FOR HIS
 MANY YEARS OF DEDICATED SERVICE TO THE CITY
 OF WESTLAKE.

Councilmember Nunnari moved, seconded by Councilmember O'Donnell, 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 Sullivan moved, seconded by Councilmember Nunnari, that Resolution No. 2014-90 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2014-90 adopted.

ORDINANCE NO. 2014-91: AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2013-22 AS TO THE EMPLOYMENT OF ADDITIONAL LEGAL COUNSEL, AND DECLARING AN EMERGENCY.

Councilmember Getsay 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 O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2014-91 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-91 adopted.

ORDINANCE NO. 2014-92: AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2010-34 AS TO THE EMPLOYMENT OF ADDITIONAL LEGAL COUNSEL TO ASSIST IN LEGAL MATTERS, AND DECLARING AN EMERGENCY.

Councilmember Nunnari 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 Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2014-92 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-92 adopted.

Councilmember O'Donnell moved, seconded by Councilmember Getsay, that Ordinance Nos. 2014-93 and 94 be added to the agenda.

ROLL CALL ON ADDING TO AGENDA:

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

Nays: None; Ordinance Nos. 2014-93 and 94 added to agenda.

ORDINANCE NO. 2014-93: AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 2014-75 AS TO A CONTRACT WITH SPECIALIZED CONSTRUCTION, AND DECLARING AN EMERGENCY.

Councilmember Getsay 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. 2014-93 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-93 adopted.

ORDINANCE NO. 2014-94: AN ORDINANCE SUPPLEMENTING SUBSECTIONS 1203.03 AND 1218.03(h) OF THE ZONING CODE AS TO DEFINITIONS AND PERMITTED USES IN INDUSTRIAL DISTRICTS.

This legislation is a result of the planning commission's recommendation to Council during its review of the determination of similar use request by the Kimble Company, which will subsequently be addressed through this legislation.

Council President Killeen referred Ordinance No. 2014-94 to the planning commission.

MISCELLANEOUS:

None.

ADJOURNMENT:

President of Council Killeen declared the meeting adjourned at 8:45 p.m.

Denise L. Rosenbaum
Clerk of Council

Michael F. Killeen
President of Council