



**WESTLAKE CITY COUNCIL MEETING  
JUNE 5, 2014  
PROCEEDINGS OF A REGULAR SESSION**

The regular session of Council was called to order at 8:01 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, Law Director John Wheeler, Service Director Paul Quinn, Director of Engineering Robert Kelly, Finance Director Prashant Shah, Recreation Director Bob DeMinico, Planning Director James Bedell, Director of Inspections Donald Grayem, Director of Community Services Lydia Gadd, 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 Sullivan, that the reading of the minutes of the regular session of May 15, 2014, be waived and that they be approved as received.

VOICE VOTE:

Yeas: All.

Nays: None; motion carried.

**SELECTED CORRESPONDENCE:**

Communication from Mayor Clough dated June 2, 2014, requesting confirmation of the Mayor and Council President Michael Killeen as representatives to the Tax Incentive Review Council.

Councilmember O'Donnell moved, seconded by Councilmember Brady, to confirm the appointments of the Mayor and Council President Michael Killeen as representatives to the Tax Incentive Review Council.

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

Abstentions: Killeen.

Nays: None; motion carried.

Communication from Mayor Clough dated June 2, 2014, requesting authorization to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.

Councilmember Appel moved, seconded by Councilmember Sullivan, to authorize the administration to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.

Yeas: All.

Nays: None; motion carried.

Communication from Mayor Clough dated June 2, 2014, requesting authorization to go out to bid for the citywide signal upgrade.

Councilmember Brady moved, seconded by Councilmember Nunnari, to authorize the administration to go out to bid for the citywide signal upgrade.

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

Nays: None; motion carried.

Communication from Mayor Clough dated June 2, 2014, requesting to approve four weeks of vacation for Director of Community Services Lydia Gadd. (Ordinance No. 2014-99)

**PETITIONS FROM THE PUBLIC:**

Jim Coughlin, 2526 Forest Parkway, commented in favor of the Verizon cell tower at St. John Medical Center.

Amy and Pete Mogyordy, 30588 Center Ridge Road, were present in regards to the Madison Eye Care development plan but decided not to comment.

Robert Koenig, 29181 Schwartz Road, had questions regarding the Verizon cell tower at St. John Medical Center and its possible effects on the health of residents on Schwartz Road.

Mihaela Fulop, 29423 Hummingbird Circle, was opposed to the Verizon cell tower, expressed concerns over levels of radiation, and requested that Chapter 1224 of the zoning code be amended to better protect citizens.

Council President Killeen and Law Director Wheeler explained that many aspects of cell towers are regulated by the Federal Communications Commission (FCC) which pre-empts the city from regulating health and environmental concerns.

**REPORT OF THE MAYOR:**

Mayor Clough read his eleventh 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 7:33 p.m. Present were Councilmembers Killeen, Appel, Nunnari, Sullivan, O'Donnell, Brady, Getsay. Also present were Mayor Clough; Directors Wheeler, Quinn, Kelly, Shah, DeMinico,

Bedell, Boczek (Economic Development Manager), Grayem, Gadd, Biezozer, Hughes. Agenda items were discussed as well as selected correspondence, the planning commission reports and proposed legislation to be added to the agenda. The following meeting was scheduled: Planning/Zoning/Legislative committee, June 17 at 7 p.m.

Councilmember O'Donnell moved, seconded by Councilmember Brady, to adjourn at 7:57 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 7:57 p.m.

#### **REPORTS OF OTHER BOARDS AND COMMISSIONS – PLANNING COMMISSION:**

Councilmember Getsay reported on the May 19, 2014, planning commission meeting advising that the commission took the following actions: tabled the **Kings Tree Apartments Revisions to Development Plan (approved 6/2012), 25776, 25796 & 25808 Center Ridge, 213-23-023, 024 & 029**, to the June 2, 2014, meeting; tabled the **Livingston Villas Development Plan (nursing home), Crocker Rd. (north of 3550), PP#216-10-023**, to the July 7, 2014, meeting; recommended approval of **Ordinance 2014-34**: rezoning certain land located on the east side of Crocker Road and the south side of Center Ridge Road, being part of PP# 217-28-004 & 217-28-006, from R-1F-80 District to Office Building District: The planning commission made the following findings of fact: 1. The proposed rezoning is in accordance with the Guide Plan's Future Land Use Map and the Zoning Code's Purpose Statement for Office Building Districts. 2. The proposed rezoning meets the criteria for rezoning listed in Part III of the planning commission staff report. **Tugwell Lot Assembly**, 23782 Cornwell Dr., PP#214-09-045 & 114: The planning commission made the following findings of fact: 1. The depth to width ratio exceeds the maximum permitted by .5. 2. The assembly eliminates the current legally nonconforming lot that is only 15,000 s.f. 3. The assembly eliminates a landlocked parcel. **Motion**: based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to approve the Tugwell Lot Assembly with the condition that the depth to width ratio be approved at 4:1. **Pat O'Brien Development Plan minor revision**, (security gates), 25100 Detroit Rd., PP# 213-09-026: The planning commission made the following findings of fact: 1. The proposed gates encroach into the front yard and require a modification. 2. Performance standards for modification in 1220.06 are met. **Motion**: based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to recommend approval of the Pat O'Brien Development Plan minor revision (security gates) with the following conditions: 1. The approval is subject to 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. 2. The approval is subject to comments in Part III of the planning commission staff report. 3. A modification to allow a front yard setback of 21' for the gates is granted. **Sweeny Lot Assembly**, 30899 Sawgrass Lane and Block E, PP# 216-05-036 & 007: The planning commission made the following findings of fact: 1. Standards of the planning and platting code are met. 2. The assembly eliminates an unusable remainder parcel. 3. The developer has agreed to deed the property to the applicant. **Motion**: based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to approve the Sweeny Lot Assembly with the conditions in Part III of the planning commission staff report. **J. Jill Storefront and Sign Plan**, 177 Main St., PP# 211-25-004: The planning commission made the

following findings of fact: 1. Staff concurs with the sign calculations submitted for J. Jill which is a type #1 frontage area which allows all types of signs defined in the sign criteria. 2. The 47.81 sq. ft. of total signage requested falls within the 67.5 sq. ft. of sign area permitted. 3. Section 11.1 only permits three types of secondary signs, four are requested, so a modification is needed for one additional secondary sign type. **Motion:** based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to recommend approval of the proposed J. Jill storefront. **Motion:** based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to approve the J. Jill sign plan with a modification to allow one extra secondary sign type. Recommended approval of **Ordinance 2014-54:** code amendment to 1203.05 Automotive Uses. **Goddard School Lot Assembly**, 30502 Center Ridge Rd., PP#217-07-010 & 015: The planning commission made the following findings of fact: 1. The approval is for the assembly of property only and does not include the development of the play area as proposed by the applicant. **Motion:** based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to approve the Goddard School Lot Assembly with the conditions in Part III of the planning commission staff report. **Verizon Wireless Development Plans**, St. John Medical Center, 29000 Center Ridge Rd.: The planning commission made the following findings of fact: 1. There is an existing facility on the roof of St. John Medical Center and this meets the definition of a collocation defined by the FCC and backed up by several court cases. 2. A development plan is required, since the current conditional use permit did not include the proposed equipment shelter. 3. No modifications are required for this proposal. 4. This collocation replaces the CUP request for a monopole at Prince of Peace Lutheran Church. **Motion:** based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to recommend approval of the Verizon Wireless Development Plans with the following conditions: 1. Condition regarding the cladding/color of the proposed shelter. 2. Cover of coax cables routed up building walls and any other visible supports or structures, excluding the stealth pole, shall be colored to match the materials to which they are attached. 3. The approval is subject to approval of the final plans by the Building Department 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 resubmitted to the Planning Commission. 4. Condition that the color of the equipment shelter be administratively approved. **St. John Medical Center, minor revision to development plans, community garden**, 29000 Center Ridge Rd.: The planning commission made the following findings of fact: 1. This is a minor revision to an approved development plan. 2. A modification is required for the height of the fence. **Motion:** based on the findings of fact and comments received, Mr. Lamb moved and Mr. Getsay second to recommend approval of the St. John Medical Center, minor revision to development plans for a community garden with a 1' modification in the maximum height of the seasonal fence. Meeting adjourned at 9:48 p.m. The next regular meeting is scheduled for Monday, June 2, 2014, in the Westlake City Hall Council Chambers.

Councilmember Getsay moved, seconded by Councilmember Brady, to approve the **Pat O'Brien Development Plan minor revision**, (security gates), with the conditions listed in the report of the May 19, 2014, planning commission.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Sullivan, to approve the **J. Jill Storefront**.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Appel, to approve the **Verizon Wireless Development Plans**, with the conditions listed in the report of the May 19, 2014, planning commission.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Nunnari, to approve the **St. John Medical Center, minor revision to development plans for a community garden** with the modification listed in the report of the May 19, 2014, planning commission.

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

Nays: None; motion carried.

Councilmember Getsay reported on the June 2, 2014, planning commission meeting advising that the commission took the following actions: **Kings Tree Apartments Revisions to Development Plan (approved 6/2012), 25776, 25796 & 25808 Center Ridge, 213-23-023, 024 & 029:** The planning commission made the following findings of fact: 1. This revised development plan replaces the development plan that was approved in 2012. 2. The buildings are one story lower and are more in scale with nearby residential homes. 3. In order to approve the plan as submitted modifications are needed for building height, buffering, and curbing. 4. The opaque fences on the east and west property lines buffer adjacent properties. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Kings Tree Apartments revisions to Development Plan with the following conditions: 1. Comments in Part III of the staff report shall be addressed. 2. The 10' wide gravel access drive shown in the 5/10/14 plans is not approved. 3. A detail of the screening fences and landscape plan will be provided to staff to ensure that opacity requirements are met and to be administratively approved by planning staff and that the screening fences are lengthened as required. 4. The Engineering Department will not approve rolled asphalt curbs. 5. Modification for 1/2 story height increase on the rear elevation due to grade changes. 6. Modification for the buffering width required west of the loop road (3' modification) and east of the loop road (5' modification). 7. Subject to 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 resubmitted to the Planning Commission. **Beacon Westlake Lot Assembly, Viking Parkway, PP#211-01-006 & 211-01-015:** The planning commission made the following findings of fact: 1. The applicant has a buyer for Lot 3-R1 who does not wish to purchase property that is inaccessible to the east of a creek that runs through the property. 2. The lot split and assembly adds this inaccessible piece of property to the adjacent lot 2-R1 where it may be utilized for development and will therefore enhance the value of that lot. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the Beacon Westlake lot assembly with the conditions in Part III of the staff report. **Do Blow Dry Bar Sign Plan, 30323 Detroit Rd., PP#211-25-004:** The planning commission made the following findings of fact: 1. "Do Blow Dry Bar" is proposing to occupy a tenant space in the Promenade Shopping Center formerly occupied by "Just Dogs". 2. Promenade has a sign criterion which allows wall signage to be up to 66.66% of the total storefront width. 3. The proposed "Do Blow Dry Bar" sign is 94% of the 12' storefront width. 4. The Promenade sign criteria allows up to

20.1 sq. ft. of wall sign area for this tenant space. 5. The proposed "Do Blow Dry Bar" sign is 18 sq. ft. in area. 6. "Just Dogs" was administratively approved for a sign that was to be 69% of the stated storefront width (13.25') and 12.2 sq. ft. in area. 7. The "Just Dogs" sign was all caps, the "Do Blow Dry Bar" sign is lower case which results in greater variety of letter heights.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the Do Blow Dry Bar Sign Plan with the following conditions: 1. The waiver in sign width only applies to this particular tenant signage and does not transfer to a new tenant. **Uncle Bob's Self Storage Development Plan & Lot Assembly, 24940 Detroit Rd., PP#213-09-035:**

The planning commission made the following findings of fact: 1. The assembly plat is required in order to develop the properties to assemble the two properties that include the existing development and its proposed expansion. 2. A front yard setback modification will not impact neighboring properties, since this lot is located behind another building and they are providing additional screening. 3. The proposed outdoor storage requires an approved Conditional Use Permit and one is pending. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the assembly plat. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of Uncle Bob's Self Storage development plan with the following conditions: 1. This approval does not include outdoor recreational vehicle storage, since it requires an approved Conditional Use Permit and one is pending. 2. A 9.5' front yard setback modification is approved. 3. Retention basin calculations shall be submitted to the Engineering Department for their approval. 4. Restrict the color of Uncle Bob yellow on the man doors and change the color to color that matches the building and is administratively approved by planning staff. 5. The approval is subject to 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. **Security Self Storage Development Plan, 1099 Bradley Rd., PP#211-15-009:**

The planning commission made the following findings of fact: 1. The Guide Plan indicates the future use of this property as industrial and this is an industrial use. 2. The design of the building and architecture complements the existing facility that was constructed in 2007. 3. Strict adherence to the zoning code regarding parking is unnecessary, since this is not a manufacturing warehouse and parking is provided inside the building. 4. A reduction of the side yard setback along the north property line will provide for an indoor driveway that will improve the use of the building and offer screening and sound mitigation for the neighboring property. 5. The modifications are in accordance with 1220.06, Performance Standards and are offset by superior landscaping and exterior design for a building in the Exclusive Industrial District. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Security Self Storage development plan with the following conditions: 1. Comments in Part III of the staff report shall be addressed. 2. Modification of 15' to permit a 10' side yard setback along the north property line. 3. Modification to reduce required parking by 68 spaces. 4. Six parallel parking spaces located on the west side of the proposed building shall be striped. 5. Pavement markings and bollards shall be added for the exit on the east side of the building that opens unto the driveway. 6. The approval is subject to 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. **Madison Eye Care Development Plan & Lot Assembly, 26843- 26927 Detroit Rd., PP# 213-10-007, 008 & 009:**

The planning commission made the following

findings of fact: 1. The Guide Plan indicates the future use of this property as office. 2. The assembly plat is required in order to develop the properties. 3. Due to the contemporary design of the building, the architect chose wood like materials and a panel system that are not brick or masonry per the design review guidelines in section 1237.04, which requires a modification. 4. The modification is in accordance with 1220.06, Performance Standards. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the assembly plat. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Madison Eye Care development plan with the following conditions: 1. A modification is granted to permit the use of Certainteed – Lapsiding - Redwood and Tamlyn – Fry Reglet – Panel System. 2. HVAC screening details to be submitted to Planning Department for approval. 3. The approval is subject to comments in Part III of the planning commission staff report. 4. The approval is subject to 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. **AT&T Equipment Cabinet Development Plan, 27365 Detroit Rd., PP#212-22-003:** The planning commission made the following findings of fact: 1. The proposal meets the zoning requirements and no modifications are required. 2. The proposal improves the site by providing a screening hedge for the proposed and existing cabinet and other equipment at this location. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the AT&T Equipment Cabinet development plan. **Stone Creek Village Subdivision revised Lot Split & Assembly, 1860 Bassett Rd., PP#211-27-021, 028 & 034:** The planning commission made the following findings of fact: 1. The platting process mandates that there be only one parcel prior to approval of the final plat. 2. The geographic boundaries match the boundaries of the final plat for Stone Creek Subdivision. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the revised lot split and assembly for Stone Creek Village Subdivision. **Stone Creek Village Subdivision Final Plat, 1860 Bassett Rd., PP#211-27-021, 028 & 034:** The planning commission made the following findings of fact: 1. The subdivision is the same as the preliminary plat except for lot 15. 2. Lots 12 and 15 do not comply with applicable standards in Parts Eleven and Twelve of the Westlake Codified Ordinances. 3. Modification may be granted for these lots as they are in accordance with 1131.04 (e). 4. Proposed entranceway signage and landscaping of common areas require City approval. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Stone Creek Village Final Plat with the following conditions: 1. Modification is granted for an irregular shaped lot (#15). 2. Modification is granted for lots #12 and #15 that are not radial to the cul-de-sac. 3. That there be limited access only off Bassett Road for maintenance and emergency access to the retention basin and there is not a residential driveway off Bassett Road for subplot #15. **Crocker Park Revised PDP (w/K Block changes), within Crocker Park:** The planning commission made the following findings of fact: 1. The proposed PDP replaces the Woonerf with a safer pedestrian only alley. 2. The landscape/hardscape design has not been approved for Union Square or the pedestrian only alley. 3. The proposed change in Block K is in accordance with the paradigm that has been updated to reflect current and proposed development. **Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Crocker Park revised PDP with the following conditions: 1. Modification to permit the height of Building KSE-II to be 1 story and 30' in height; 2. Modification to allow total development of 3,040,974 s.f. in Blocks A thru K; 3. Condition that, if constructed, the alternate drive from Devon Oaks Assisted Living Facility at 2345 Crocker Road to South Corporate Drive is subject

to Engineering Department approval. 4. Condition to allow up to 9.89 dwellings per acre for the combined Blocks A thru K; 5. Condition to allow the inclusion of the expanded J space in Block I land area calculation to meet the current 7,500 s.f. minimum; 6. Modification to allow the percentage of attached single family and townhouses to the total residential square footage to be 23.1% versus 40%. 7. Modification for a side setback of nonresidential use (garage H) to single family district (Lakewood Country Club land) 0' versus 50' and for a driveway setback buffer of 0' versus 100' 8. Condition to establish a setback for non-residential building (AG) to adjacent PUD residential (Wyndgate) building setback of 120' and drive setback and buffer of 50'; 9. Modification for Front (Crocker Road) Building setback of 96'4" versus 110' as exists along Crocker Road due to road widening; 10. Modification for DSE building for 2 stories and 40'; 11. Modification for GNE building of 1 story and 20' height; 12. Modification for the GNW building of a 1 story modification and 20' height; 13. Modification for the GSW building of a 1 story modification and 20' height; 14. Modification for the GSE building of a 1 story modification and 20' height; 15. Modification for the HE (American Greetings) building for a 4' height increase; 16. Modification for the KS building (hotel) of a 1 story and 15' height; 17. Modification for the KN building for a 1 story reduction; 18. Condition that all frontage streets (not alleyways) maintain a ratio of street width to the average building height (of the two opposing building block faces) of not less than 1:1.0; 19. Condition that the service alleyways be not less than 20' (one-way) and 24' (two-way) and where there are loading areas an additional loading width of not less than 8 feet so that no standing or stopped vehicle blocks the clear passage of trucks or emergency fire vehicles; 20. Condition that parking be provided (per the Wells parking analysis) and available for each construction phase; 21. Condition that American Avenue align with the opposite office driveway for a single signaled intersection; 22. Condition that the roads and drives immediately adjacent to off-site residential uses be screened to reduce visibility, noise and light intrusion with "superior buffering and landscaping", mounding, walls, fences or other methods within the buffer area; 23. Modification that the exterior of garages F, G & H facing the perimeter of Crocker Park provide "varied setbacks or other measures to reduce the monotony of external appearance" and with designs to obscure and/or screen the garage façade with "superior buffering and landscaping" in the buffer area and provide "provisions for public security and crime prevention"; 24. Condition that at each phase of development, trees shall be documented and provided (preserved or planted) to comply with the tree preservation ordinance; 25. Condition for the KW building a 1-story modification (to 5 stories) and a 15' height modification. Meeting adjourned at 9:08 p.m. The next regular meeting is scheduled for Monday, July 7, 2014, in the Westlake City Hall Council Chambers.

Councilmember Getsay moved, seconded by Councilmember Sullivan, to approve the **Kings Tree Apartments Revisions to Development Plan** with the conditions/modifications listed in the report of the June 2, 2014, planning commission.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Appel, to approve the **Uncle Bob's Self Storage Development Plan** with the conditions/modifications listed in the report of the June 2, 2014, planning commission.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Sullivan, to approve the **Security Self Storage Development Plan** with the conditions/modifications listed in the report of the



June 2, 2014, planning commission, with an additional condition that the reduction in parking be contingent on the use of the building as a storage facility.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Brady, to approve the **Madison Eye Care Development Plan** with the conditions/modifications listed in the report of the June 2, 2014, planning commission.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Sullivan, to approve the **AT&T Equipment Cabinet Development Plan** with a condition that the screening plantings be new and maintained by AT&T for three years.

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

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Sullivan, to approve the **Crocker Park Revised PDP** with the conditions/modifications listed in the report of the June 2, 2014, planning commission.

Yeas: Brady, Getsay, Killeen, Appel, Nunnari, Sullivan.

Abstentions: O'Donnell.

Nays: None; motion carried.

**LEGISLATION:**

ORDINANCE NO. 2014-34: 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 ON THE EAST SIDE OF CROCKER ROAD AND THE SOUTH SIDE OF CENTER RIDGE ROAD, BEING PART OF PERMANENT PARCEL NOS. 217-28-004 AND 217-28-006, FROM R-1F-80 DISTRICT TO OFFICE BUILDING DISTRICT. (First reading and referred to planning commission 3/6/14, planning commission recommended approval 5/19/14.)

Council President Killeen set a public hearing on Ordinance No. 2014-34 for June 19, 2014.

ORDINANCE NO. 2014-54: AN ORDINANCE AMENDING SUBSECTION 1203.05(b) OF SECTION 1203.05 OF THE ZONING CODE AS TO AUTOMOTIVE USES. (First reading and referred to planning commission 4/17/14, planning commission recommended approval 5/19/14.)

Council President Killeen set a public hearing on Ordinance No. 2014-54 for June 19, 2014.

ORDINANCE NO. 2014-95: AN ORDINANCE AMENDING APPROPRIATIONS FOR

THE CITY OF WESTLAKE, OHIO.

Councilmember O'Donnell 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 Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2014-95 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-95 adopted.

ORDINANCE NO. 2014-96: AN ORDINANCE ACCEPTING PERMANENT TRAFFIC CONTROLLER, LOOP DETECTOR AND UTILITY EASEMENT FROM ELIZA JENNINGS SERVICE CARE NETWORK.

Councilmember Getsay 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 O'Donnell moved, seconded by Councilmember Brady, that Ordinance No. 2014-96 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-96 adopted.

ORDINANCE NO. 2014-97: AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2010-139 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: Appel, Nunnari, Sullivan, Brady, Getsay, Killeen.

Abstentions: O'Donnell.

Nays: None; motion carried.

Councilmember Getsay moved, seconded by Councilmember Brady, that Ordinance No. 2014-97 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Appel, Nunnari, Sullivan, Brady, Getsay, Killeen.  
Abstentions: O'Donnell.  
Nays: None; Ordinance No. 2014-97 adopted.

**ORDINANCE NO. 2014-98: AN ORDINANCE ACCEPTING PERMANENT TRAFFIC CONTROLLER, LOOP DETECTOR AND UTILITY EASEMENT FROM FSW PROPERTIES, LLC.**

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 Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2014-98 be adopted.

**ROLL CALL ON ADOPTION:**

Yeas: Nunnari, Sullivan, O'Donnell, Brady, Getsay, Killeen, Appel.  
Nays: None; Ordinance No. 2014-98 adopted.

**ORDINANCE NO. 2014-99: AN ORDINANCE ESTABLISHING THE VACATION LEAVE ACCUMULATION OF LYDIA GADD.**

Council President Killeen referred Ordinance No. 2014-99 to the finance committee.

Councilmember O'Donnell moved, seconded by Councilmember Brady, that Resolution No. 2014-100 and Ordinance No. 2014-101 be added to the agenda.

**ROLL CALL ON ADDING TO AGENDA:**

Yeas: Sullivan, O'Donnell, Brady, Getsay, Killeen, Appel, Nunnari.  
Nays: None; Resolution No. 2014-100 and Ordinance No. 2014-101 added to agenda.

**RESOLUTION NO. 2014-100: A RESOLUTION AUTHORIZING THE MAYOR TO SEEK FUNDING THROUGH NOACA FOR CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM GRANT, 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 Brady moved, seconded by Councilmember Nunnari, that Resolution No. 2014-100 be adopted.

**ROLL CALL ON ADOPTION:**

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

Nays: None; Resolution No. 2014-100 adopted.

ORDINANCE NO. 2014-101: AN ORDINANCE APPROVING (FOR RECORDING PURPOSES ONLY) THE FINAL PLAT OF THE STONE CREEK VILLAGE MAJOR SUBDIVISION, IN THE CITY OF WESTLAKE.

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 Getsay moved, seconded by Councilmember Brady, that Ordinance No. 2014-101 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2014-101 adopted.

**MISCELLANEOUS:**

None.

**ADJOURNMENT:**

President of Council Killeen declared the meeting adjourned at 9:08 p.m.

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Denise L. Rosenbaum  
Clerk of Council

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Michael F. Killeen  
President of Council