



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
MARCH 19, 2015**

The regular session of Council was called to order at 8:08 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 Purchasing Larry Surber, 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 Appel moved, seconded by Councilmember Getsay, that the reading of the minutes of the regular session of March 5, 2015, be waived and that they be approved as received.

VOICE VOTE:

Yeas: Killeen, Appel, Nunnari, Getsay.

Abstentions: Sullivan, O'Donnell, Brady.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Notice from Ohio Division of Liquor Control received March 11, 2015, for stock C1 and C2 permits for Ganesha Food Inc. dba Convenient Food Mart, 29233 Center Ridge Road, Westlake, Ohio.

Councilmember Appel moved, seconded by Councilmember Brady, not to object to stock C1 and C2 permits for Ganesha Food Inc. dba Convenient Food Mart, 29233 Center Ridge Road, Westlake, Ohio.

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

Nays: None; motion carried.

Communication from Director of Recreation Bob DeMinico dated March 11, 2015, stating that the Recreation Commission, at its March 10, 2015, meeting, recommended that Council approve the listed changes in Clague Cabin rentals.

Councilmember Brady moved, seconded by Councilmember Appel, to approve the Recreation Commission's listed changes in rates and procedures for Clague Cabin rentals.

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

Nays: None; motion carried.

Communication from Mayor Clough dated March 16, 2015, requesting authorization of super blanket purchase order requests and to approve the purchase of two lateral cameras through the state of Ohio cooperative purchasing program from MTech Company in an amount not to exceed \$35,000.00 for the 2015 calendar year. (Ordinance No. 2015-44)

Communication from Mayor Clough dated March 16, 2015, requesting authorization to purchase one new current model year Ford Edge with selected options through the city of Columbus solicitation for light duty trucks from Byers Ford in an amount not to exceed \$27,000.00. (Ordinance No. 2015-43)

Communication from Mayor Clough dated March 16, 2015, requesting authorization to purchase one new current model year Polaris Ranger with selected options from All Ohio Motorsports and the safety related equipment from multiple vendors in an amount not to exceed \$19,000.00. (Ordinance No. 2015-45)

Communication from Mayor Clough dated March 16, 2015, requesting authorization to purchase one new 2015 Buick Enclave from Morris Buick GMC and to authorize the sale or trade in of the 2008 Buick Enclave in an amount not to exceed \$40,000.00. (Ordinance No. 2015-42)

Communication from Mayor Clough dated March 16, 2015, requesting a meeting of the Service, Streets, Sidewalks and Road Drains committee to discuss the 2015 roadway and infrastructure program.

Rezoning request from Donna Anderson of Schneider's Mobile Homes, LLC, received March 18, 2015, to change the zoning of PPN# 215-01-011, 215-01-013, 215-01-014, 215-01-015 and 215-01-029 from general business and R-MF-40 to R-MF-24 to eliminate split zoning to facilitate redevelopment. Council President Killeen referred this to the Planning/Zoning/Legislative committee.

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his sixth report of the year.

REPORTS OF ADMINISTRATIVE OFFICIALS:

None.

REPORTS OF STANDING COMMITTEES – PUBLIC GROUNDS, BUILDINGS AND RECREATION COMMITTEE:

Councilmember Brady reported on the March 16, 2015, Public Grounds, Buildings and Recreation committee meeting.

Councilmember Brady moved, seconded by Councilmember O'Donnell, that the report of the March 16, 2015, Public Grounds, Buildings and Recreation committee meeting be received and filed.

Yeas: All.

Nays: None; motion carried.

COMMITTEE OF THE WHOLE:

President of Council Killeen reported on the Committee of the Whole meeting held this date at 7:33 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, Surber, Grayem, Gadd, Bielozer, Hughes and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence and an outstanding planning commission report item. The following meetings were scheduled: Committee of the Whole, March 25 at 6:30 p.m. (tentative); Planning/Zoning/Legislative committee, March 25 at 6:45 p.m.; Service, Streets, Sidewalks and Road Drains committee, March 25 at 7 p.m.; Safety, Utilities committee, April 21 at 7 p.m. (tentative).

Councilmember Sullivan moved, seconded by Councilmember Nunnari, to adjourn to executive session to discuss litigation at 7:52 p.m.

ROLL CALL:

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

Nays: None; motion carried.

Also present were Mayor Clough and Law Director Wheeler.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to adjourn executive session at 8:06 p.m.

ROLL CALL:

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

Nays: None; motion carried.

Meeting adjourned at 8:07 p.m.

REPORTS OF OTHER BOARDS AND COMMISSIONS – PLANNING COMMISSION:

Councilmember Getsay moved, seconded by Councilmember Nunnari, to approve the **Westlake High School Baseball Field** minor revision to approved Development Plan (score board @ baseball field) with the condition listed in the report of the March 2, 2015, planning commission.

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

Abstentions: Appel.

Nays: None; motion carried.

LEGISLATION:

ORDINANCE NO. 2015-34: AN ORDINANCE AMENDING APPROPRIATIONS FOR
(SECOND READING) THE CITY OF WESTLAKE, OHIO. (First reading 3/5/15.)

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. 2015-34 be amended by substitution of an amended ordinance.

ROLL CALL ON AMENDMENT BY SUBSTITUTION:

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

Nays: None; Ordinance No. 2015-34 amended by substitution.

Councilmember Brady moved, seconded by Councilmember Nunnari, that Ordinance No. 2015-34 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-34 amended, adopted.

ORDINANCE NO. 2015-35: AN ORDINANCE SUPPLEMENTING CHAPTER 521
(SECOND READING) "HEALTH, SAFETY AND SANITATION" OF THE
CODIFIED ORDINANCES, AND DECLARING AN
EMERGENCY. (First reading and referred to Safety
committee 3/5/15.)

ORDINANCE NO. 2015-36: AN ORDINANCE AUTHORIZING THE MAYOR TO
(SECOND READING) ENTER INTO A MAINTENANCE AGREEMENT AND
AUTHORIZE PURCHASE ORDER REQUESTS WITH B&C
COMMUNICATIONS, AND DECLARING AN
EMERGENCY. (First reading 3/5/15.)

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 Getsay moved, seconded by Councilmember Brady, that Ordinance No. 2015-36 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-36 adopted.

ORDINANCE NO. 2015-37: AN ORDINANCE ACCEPTING A BID AND
(SECOND READING) AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH MILLER BUILDERS FOR
CONSTRUCTION OF A SALT STORAGE BUILDING FOR
THE CITY OF WESTLAKE, AND DECLARING AN
EMERGENCY. (First reading 3/5/15.)

Councilmember Nunnari 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 Brady moved, seconded by Councilmember Getsay, that Ordinance No. 2015-37 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-37 adopted.

ORDINANCE NO. 2015-38: AN ORDINANCE ACCEPTING A BID AND
(SECOND READING) AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH MILLER BUILDERS FOR THE
CONSTRUCTION OF THE WESTLAKE SERVICE
GARAGE TIPPING PAD, AND DECLARING AN
EMERGENCY. (First reading 3/5/15.)

Councilmember Nunnari 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 Brady moved, seconded by Councilmember Nunnari, that Ordinance No. 2015-38 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-38 adopted.

ORDINANCE NO. 2015-39: AN ORDINANCE AUTHORIZING THE MAYOR TO
(SECOND READING) PURCHASE ONE (1) NEW FORD F450 4X4 CAB AND
CHASSIS THROUGH THE STATE OF OHIO
COOPERATIVE PURCHASING PROGRAM, AND
DECLARING AN EMERGENCY. (First reading 3/5/15.)

Councilmember Nunnari 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 Nunnari, that Ordinance No. 2015-39 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-39 adopted.

ORDINANCE NO. 2015-40: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW FORD PICK-UP TRUCK THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY. (First reading 3/5/15.)
(SECOND READING)

Councilmember Appel 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 Appel moved, seconded by Councilmember Brady, that Ordinance No. 2015-40 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-40 adopted.

ORDINANCE NO. 2015-41: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PERSONAL SERVICES AGREEMENT WITH EARTH CONSULTING, LTD. FOR GROUNDWATER MONITORING FOR THE FORMER WESTLAKE SANITARY LANDFILL, AND DECLARING AN EMERGENCY.

Councilmember Brady 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. 2015-41 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-41 adopted.

ORDINANCE NO. 2015-42: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW BUICK ENCLAVE, AND DECLARING AN EMERGENCY.

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 O'Donnell moved, seconded by Councilmember Appel, that Ordinance No. 2015-42 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-42 adopted.

ORDINANCE NO. 2015-43: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ONE (1) NEW FORD EDGE THROUGH THE CITY OF COLUMBUS, OHIO CONTRACT, AND DECLARING AN EMERGENCY.

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 O'Donnell moved, seconded by Councilmember Appel, that Ordinance No. 2015-43 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-43 adopted.

ORDINANCE NO. 2015-44: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE TWO LATERAL CAMERAS AND AUTHORIZE PURCHASE ORDER REQUESTS WITH MTECH COMPANY, 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 Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2015-44 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-44 adopted.

ORDINANCE NO. 2015-45: AN ORDINANCE ACCEPTING A QUOTE AND AUTHORIZING THE MAYOR TO PURCHASE ONE (1) UTILITY TERRAIN VEHICLE AND NECESSARY SAFETY EQUIPMENT, AND DECLARING AN EMERGENCY.

Councilmember Nunnari 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 Nunnari, that Ordinance No. 2015-45 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-45 adopted.

MISCELLANEOUS:

None.

ADJOURNMENT:

President of Council Killeen declared the meeting adjourned at 8:34 p.m.

Denise L. Rosenbaum
Clerk of Council

Michael F. Killeen
President of Council