



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
JULY 2, 2015**

Prior to the start of the Council meeting, the City of Westlake Fire Department was awarded the American Heart Association Lifeline EMS Silver Performance Achievement award. Mr. Bill Young, President of the St. John Medical Center, expressed appreciation for the fire department and recognized the strong partnership between them and the hospital. Fire Chief Hughes thanked the fire department personnel for their hard work and dedication and Council for their support. Mayor Clough and Council President Killeen commended and congratulated the fire department for their achievement.

The regular session of Council was called to order at 8:17 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 Captain Guy Turner, 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 June 18, 2015, be waived and that they be approved as received.

VOICE VOTE:

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

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Mayor Clough dated June 29, 2015, requesting authorization to purchase seven Octane elliptical machines with the trade-in of twelve LF Inspire elliptical machines in an amount not to exceed \$22,000.00 from G&G Fitness. (Ordinance No. 2015-90)

Communication from Mayor Clough dated June 29, 2015, requesting authorization to purchase five Precor elliptical crosstrainers from Commercial Fitness Solutions, Inc. in an amount not to exceed \$22,000.00. (Ordinance No. 2015-91)

Communication from Mayor Clough dated June 29, 2015, requesting authorization to purchase sodium chloride through the Ohio Department of Transportation sodium chloride bid from Cargill at the bid amount of \$52.89 per ton. (Ordinance No. 2015-92)

Communication from Mayor Clough dated June 29, 2015, requesting authorization to accept the bid of Brandstetter Carroll, Inc. in an amount not to exceed \$429,900.00 as the most responsive bid for the Clague Park Master Plan Refinement Study and Aquatic Center design contract. (Ordinance No. 2015-94)

PETITIONS FROM THE PUBLIC:

Greg Gonda, 23820 Bonny Bank Drive, and Joan Szabo, 23837 Bonny Bank Drive, expressed concerns about flooding on their properties and in their homes in the neighborhood, and a nearby drainage ditch behind their properties, which is on private property on Clague Road, that needs to be cleared out to allow proper drainage. Law Director Wheeler explained a court case that involved this property and offered to meet with them and the property owner for a possible resolution of the situation.

REPORT OF THE MAYOR:

Mayor Clough read his thirteenth report of the year.

REPORTS OF STANDING COMMITTEES – FINANCE COMMITTEE:

Council President Killeen reported on the June 30, 2015, Finance committee meeting.

Councilmember Brady moved, seconded by Councilmember Appel, that the report of the June 30, 2015, Finance 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 7:31 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, Turner (Captain), Hughes and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, proposed legislation to be added to the agenda, and the compensation and water studies. The following meetings were scheduled: Sanitation committee, July 14 at 6:30 p.m.; Finance committee, July 16 at 6:30 p.m.

Councilmember Nunnari moved, seconded by Councilmember O'Donnell, to adjourn at 8:09 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 8:09 p.m.

LEGISLATION:

ORDINANCE NO. 2015-56: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO THE MARKET SQUARE OPERATION AND MAINTENANCE AGREEMENT WITH CROCKER PARK MANAGEMENT, LLC, AND DECLARING AN EMERGENCY. (First reading and referred to Public Grounds, Buildings, Recreation committee 4/16/15, second reading 5/7/15, removed from agenda 6/18/15.)
(THIRD READING)

Councilmember Getsay moved, seconded by Councilmember Nunnari, that Ordinance No. 2015-56 be amended by substitution of an amended ordinance.

ROLL CALL ON AMENDMENT BY SUBSTITUTION:

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

Nays: None; Ordinance No. 2015-56 amended by substitution.

Councilmember Getsay moved, seconded by Councilmember Brady, that Ordinance No. 2015-56 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-56 amended, adopted.

RESOLUTION NO. 2015-89: A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION FOR THE CITY OF WESTLAKE, OHIO FOR THE FISCAL YEAR OF 2016. (First reading and referred to finance committee 6/18/15.)
(SECOND READING)

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 Nunnari moved, seconded by Councilmember O'Donnell, that Resolution No. 2015-89 be amended by substitution of an amended resolution.

ROLL CALL ON AMENDMENT BY SUBSTITUTION:

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

Nays: None; Resolution No. 2015-89 amended by substitution.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Resolution No. 2015-89 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2015-89 amended, adopted.

ORDINANCE NO. 2015-90: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE SEVEN (7) OCTANE ELLIPTICAL MACHINES FOR USE IN THE RECREATION DEPARTMENT, 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 Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2015-90 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-90 adopted.

ORDINANCE NO. 2015-91: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE FIVE (5) PRECOR ELLIPTICAL CROSSTRAINERS FOR USE IN THE RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY.

Councilmember Appel 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. 2015-91 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-91 adopted.

ORDINANCE NO. 2015-92: AN ORDINANCE AUTHORIZING THE MAYOR TO PARTICIPATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S BID FOR SODIUM CHLORIDE FOR THE SERVICE DEPARTMENT IN ACCORDANCE WITH SECTION 5513.01(B) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Councilmember Sullivan 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 Appel moved, seconded by Councilmember Brady, that Ordinance No. 2015-92 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-92 adopted.

ORDINANCE NO. 2015-93: AN ORDINANCE APPROVING A CHANGE ORDER FOR THE CROCKER PARK PHASE III SITE INFRASTRUCTURE AND PARKING GARAGE PROJECT, AND DECLARING AN EMERGENCY.

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

Abstentions: O'Donnell.

Nays: None; motion carried.

Councilmember Brady moved, seconded by Councilmember Getsay, that Ordinance No. 2015-93 be adopted.

ROLL CALL ON ADOPTION:

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

Abstentions: O'Donnell.

Nays: None; Ordinance No. 2015-93 adopted.

ORDINANCE NO. 2015-94: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BRANDSTETTER CARROLL INC. FOR PROFESSIONAL ENGINEERING SERVICES, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2015-95: AN ORDINANCE AMENDING SUBSECTION 1371.04(C)(1) OF SECTION 1371.04 "HYDRANT STANDARDS" OF THE BUILDING CODE.

Councilmember Nunnari 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 Nunnari, that Ordinance No. 2015-95 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-95 adopted.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance Nos. 2015-96 and 97 be added to the agenda.

ROLL CALL ON ADDING TO AGENDA:

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

Nays: None; Ordinance Nos. 2015-96 and 97 added to agenda.

ORDINANCE NO. 2015-96: AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF WESTLAKE A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 4 OF THE CITY CHARTER TO RENEW AN EXISTING TAX LEVY FOR THE PURPOSE OF PROVIDING FUNDS TO PAY FOR THE SALARIES AND OTHER EXPENSES OF THE POLICE AND FIRE DEPARTMENTS FOR A PERIOD OF FIVE YEARS, 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. 2015-96 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-96 adopted.

ORDINANCE NO. 2015-97: AN ORDINANCE AMENDING EXHIBIT C OF ORDINANCE NO. 2013-175 AS TO MARKET SQUARE DEVELOPMENT AGREEMENT, AND DECLARING AN EMERGENCY.

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 Brady moved, seconded by Councilmember Getsay, that Ordinance No. 2015-97 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2015-97 adopted.

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