



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A PUBLIC HEARING
AND A REGULAR SESSION
FEBRUARY 2, 2023**

Public hearing was called to order by President of Council David S. Greenspan at 8:00 p.m. in accordance with Article III, Section 13, of the Westlake City Charter regarding the following legislation:

ORDINANCE NO. 2022-122: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A RECREATIONAL USE.

Planning Director Jim Bedell explained this amendment to the zoning code.

There being no comments from the audience, Council President Greenspan declared the public hearing on Ordinance No. 2022-122 closed.

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The regular session of Council was called to order at 8:02 p.m. by President of Council David S. Greenspan.

Present: President of Council David S. Greenspan; Councilmembers Duane Van Dyke, Nick C. Nunnari, Dennis J. Sullivan, Michael F. O'Donnell, Amy G. Havelka, Mark R. Getsay.

Also present: Mayor Dennis Clough, Law Director Michael Maloney, Service Director Paul Quinn, Acting Director of Engineering Jim Smolik, Finance Director Prashant Shah, Recreation Director Paula Horner, Planning Director James Bedell, Economic Development Manager Michelle Boczek, Director of Purchasing Larry Surber, IT Infrastructure Manager Mike Stybel, Director of Inspections Donald Grayem, Director of Community Services Lydia Gadd, Police Chief Kevin Bielozer, Clerk of Council Denise L. Rosenbaum.

APPROVAL OF MINUTES:

Councilmember Havelka moved, seconded by Councilmember Nunnari, that the reading of the minutes of the regular session of January 19, 2023, be waived and that they be approved as received.

Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Mayor Clough dated January 24, 2023, requesting to accept the professional services proposal of LJB Inc. for the total amount of \$244,000.00 for the further design and turnkey implementations of quadrant 2 and 3 of the GIS project. (Ordinance No. 2023-14)

Communication from Purchasing Director Surber dated January 27, 2023, informing Council of the contract with Interstate Gas Supply, Inc. for supplying natural gas.

Communication from Purchasing Director Surber dated January 26, 2023, informing Council of the 2023 expenditures with the vendors listed.

Communication from Mayor Clough dated January 30, 2023, requesting authorization to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.

Councilmember Nunnari moved, seconded by Councilmember O'Donnell, to authorize the administration to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.

Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.

Nays: None; motion carried.

PETITIONS FROM THE PUBLIC:

None.

REPORT OF THE MAYOR:

Mayor Clough read his third report of the year.

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

Councilmember Sullivan reported on the January 24, 2023, planning, zoning, legislative committee meeting.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that the report of the January 24, 2023, planning, zoning, legislative committee meeting be received and filed.

ROLL CALL:

Yeas: Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan.

Nays: None; motion carried.

Council President Greenspan referred Ordinance No. 2023-6 to the planning commission.

COMMITTEE OF THE WHOLE:

Council President Greenspan reported on the January 24, 2023, Committee of the Whole meeting.

Councilmember Getsay moved, seconded by Councilmember Havelka, that the report of the January 24, 2023, Committee of the Whole meeting be received and filed.

ROLL CALL:

Yeas: Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke.

Nays: None; motion carried.

COMMITTEE OF THE WHOLE:

President of Council Greenspan reported on the Committee of the Whole meeting held this date at 7:30 p.m. Present were Councilmembers Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay. Also present were Mayor Clough; Directors Maloney, Quinn, Smolik (Acting), Shah, Horner, Bedell, Boczek, Surber, Stybel, Grayem, Gadd, Bielozer; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, this year's pre-audit meeting, pending items before Council and the moratorium timeline. The following committee meetings were either scheduled or re-announced: Facilities Planning and Space Utilization subcommittee, February 4, 9:00-11:00 a.m.; Finance committee, February 16 at 7:00 p.m.

Meeting adjourned at 7:56 p.m.

LEGISLATION:

ORDINANCE NO. 2022-122: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A RECREATIONAL USE. (First reading and referred to planning commission 12/1/22, planning commission recommended approval 1/9/23, second reading 1/19/23)
(THIRD READING)

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2022-122 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari.

Nays: None; Ordinance No. 2022-122 adopted.

ORDINANCE NO. 2022-139: AN ORDINANCE AMENDING SECTIONS 152.04 AND 152.05 OF THE ADMINISTRATIVE CODE AS TO EMPLOYEES WITHIN THE DEPARTMENT OF RECREATION, AND DECLARING AN EMERGENCY. (First reading and referred to finance committee 12/15/22, second reading 1/19/23)
(THIRD READING)

Councilmember Havelka moved, seconded by Councilmember Nunnari, that Ordinance No. 2022-139 be adopted.

ROLL CALL ON ADOPTION:

Yeas: O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan.

Nays: None; Ordinance No. 2022-139 adopted.

ORDINANCE NO. 2023-2: AN ORDINANCE REDIVIDING THE CITY OF WESTLAKE INTO WARDS AND ESTABLISHING THE BOUNDARIES THEREOF, AND DECLARING AN EMERGENCY. (First reading 1/5/23, second reading 1/19/23)
(THIRD READING)

Councilmember Getsay moved, seconded by Councilmember Van Dyke, that Ordinance No. 2023-2 be amended by replacing the map (Exhibit A) with the proposed ward map Alt E distributed this night.

ROLL CALL ON AMENDMENT:

Yeas: Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell.

Nays: None; Ordinance No. 2023-2 amended.

Councilmember Getsay moved, seconded by Councilmember Van Dyke, that Ordinance No. 2023-2 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell.

Nays: None; Ordinance No. 2023-2 adopted as amended.

**ORDINANCE NO. 2023-4: AN ORDINANCE AMENDING SECTION 957.01
(THIRD READING) "ESTABLISHMENT OF FEE" OF THE CODIFIED
ORDINANCES OF THE CITY OF WESTLAKE, AND
DECLARING AN EMERGENCY. (First reading and referred
to finance committee 1/5/23, second reading 1/19/23)**

Councilmember Havelka moved, seconded by Councilmember Van Dyke, that Ordinance No. 2023-4 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka.

Nays: None; Ordinance No. 2023-4 adopted.

**ORDINANCE NO. 2023-7: 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. (First reading,
amended 1/19/23)**

**ORDINANCE NO. 2023-9: AN ORDINANCE APPROVING THE PRELIMINARY
(SECOND READING) PLAN OF LINCOLN AND BRADLEY MAJOR
SUBDIVISION IN THE CITY OF WESTLAKE. (First
reading 1/19/23)**

LEGISLATION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES:

Councilmember O'Donnell moved, seconded by Councilmember Havelka, that the rule requiring ordinances/resolutions to be read in full on three separate dates be suspended, and that the following be placed on third reading.

ROLL CALL ON SUSPENSION:

Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.

Nays: None; motion carried.

**ORDINANCE NO. 2023-11: AN ORDINANCE TO REVISE THE CODIFIED
ORDINANCES BY ADOPTING CURRENT
REPLACEMENT PAGES.**

Councilmember Van Dyke moved, seconded by Councilmember Nunnari, that Ordinance No. 2023-11 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan.

Nays: None; Ordinance No. 2023-11 adopted.

ORDINANCE NO. 2023-12: AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TO THE CITY OF CLEVELAND, DIVISION OF WATER, THE CITY OF WESTLAKE'S ANNUAL CHARGE FOR FIRE HYDRANT USAGE, AND DECLARING AN EMERGENCY.

Councilmember Nunnari moved, seconded by Councilmember Havelka, that Ordinance No. 2023-12 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke.

Nays: None; Ordinance No. 2023-12 adopted.

RESOLUTION NO. 2023-13: A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT THE 2023/2024 EMS GRANT THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES FOR TRAINING AND MEDICAL EQUIPMENT.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Resolution No. 2023-13 be adopted.

ROLL CALL ON ADOPTION:

Yeas: Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari.

Nays: None; Resolution No. 2023-13 adopted.

ORDINANCE NO. 2023-14: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH LJB INC. FOR PROFESSIONAL SERVICES, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2023-14 be adopted.

ROLL CALL ON ADOPTION:

Yeas: O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan.

Nays: None; Ordinance No. 2023-14 adopted.

FIRST READING:

ORDINANCE NO. 2023-10: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR A DAYCARE.

Council President Greenspan referred Ordinance No. 2023-10 to the planning commission.

ORDINANCE NO. 2023-15: AN ORDINANCE AMENDING VARIOUS SECTIONS OF

CHAPTER 707 AS TO OUTDOOR DINING FACILITIES,
AND DECLARING AN EMERGENCY.

Council President Greenspan referred Ordinance No. 2023-15 to the planning commission.

ADJOURNMENT:

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that the meeting adjourn.

Yeas: All.

Nays: None; motion carried.

President of Council Greenspan declared the meeting adjourned at 8:19 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



David S. Greenspan
President of Council