



**WESTLAKE CITY COUNCIL MEETING  
PROCEEDINGS OF A REGULAR SESSION  
FEBRUARY 17, 2022**

The regular session of Council was called to order at 8:45 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, Director of Engineering Robert Kelly, Finance Director Prashant Shah, Recreation Director Paula Horner, Planning Director James Bedell, 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, Fire Chief Jim Hughes, Clerk of Council Denise L. Rosenbaum.

**APPROVAL OF MINUTES:**

Councilmember Sullivan moved, seconded by Councilmember Havelka, that the reading of the minutes of the regular session of February 3, 2022, be waived and that they be approved as received.

VOICE VOTE:

Yeas: All.

Nays: None; motion carried.

**SELECTED CORRESPONDENCE:**

Communication from Mayor Clough dated February 15, 2022, requesting authorization for a payment to Nels E. Nelson, Labor Arbitrator, in the amount of \$3,796.86 towards arbitration compensation and expenses.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, to authorize a payment to Nels E. Nelson, Labor Arbitrator, in the amount of \$3,796.86 towards arbitration compensation and expenses.

VOICE VOTE:

Yeas: All.

Nays: None; motion carried.

Communication from Purchasing Director Larry Surber dated February 11, 2022, informing Council of the 2022 expenditures with the vendors listed.

Communication from Mayor Clough dated February 16, 2022, requesting a meeting of the Service, Streets, Sidewalks, Road Drains committee to discuss the 2022 projects listed. Council President Greenspan referred this to said committee.

Communication from Mayor Clough dated February 16, 2022, requesting authorization to prepare plans and specifications for the demolition of the Parkside middle school.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to authorize the administration to prepare plans and specifications for the demolition of the Parkside middle school.

**VOICE VOTE:**

Yeas: All.

Nays: None; motion carried.

**PETITIONS FROM THE PUBLIC:**

None.

**REPORT OF THE MAYOR:**

Mayor Clough read his fourth report of the year.

**REPORTS OF STANDING COMMITTEES – JOINT COMMITTEE OF THE WHOLE AND PLANNING COMMISSION:**

Council President Greenspan reported on the February 7, 2022, Joint Committee of the Whole and Planning Commission meeting.

Councilmember Getsay moved, seconded by Councilmember Nunnari, that the report of the February 7, 2022, Joint Committee of the Whole and Planning Commission meeting be received and filed.

**VOICE VOTE:**

Yeas: All.

Nays: None; motion carried.

**JOINT COMMITTEE OF THE WHOLE AND RECREATION COMMISSION:**

Council President Greenspan reported on the February 15, 2022, Joint Committee of the Whole and Recreation Commission meeting.

Councilmember O'Donnell moved, seconded by Councilmember Havelka, that the report of the February 15, 2022, Joint Committee of the Whole and Recreation Commission meeting be received and filed.

**VOICE VOTE:**

Yeas: All.

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, Kelly, Shah, Horner, Bedell, Surber, Stybel, Grayem, Gadd, Bielozer, Hughes; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence; the planning commission report; including the demolition of the old city hall with the Parkside demolition; a letter from Westlake Schools superintendent regarding the agreement for Parkside school; and a reminder to Councilmembers to attend Sunshine Law training. The following committee meetings were scheduled: Service, Streets, Sidewalks, Road Drains committee, February 24 at 6:00 p.m.; and Sanitation committee, February 24 at 6:30 p.m.

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, to adjourn to executive session to discuss litigation at 8:23 p.m.

**ROLL CALL:**

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

Nays: None; motion carried.

Also present were Mayor Clough, Law Director Maloney and Planning Director Bedell.

Councilmember O'Donnell moved, seconded by Councilmember Havelka, to adjourn executive session at 8:42 p.m.

**ROLL CALL:**

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

Nays: None; motion carried.

Executive session adjourned at 8:42 p.m.

Councilmember O'Donnell moved, seconded by Councilmember Sullivan, to adjourn at 8:44 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting immediately adjourned at 8:44 p.m.

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

Councilmember Van Dyke reported on the February 7, 2022, planning commission meeting advising that the commission took the following actions: tabled the **Starbucks Sign Plan, 30225 Detroit, PP#21125002** to the March 7, 2022, meeting; **Hair Therapy Sign Plan, 26945 Westwood Rd., PP#21510022**: Findings of Fact 1. The proposed sign requires modifications that are acceptable per Section 1220.06. 2. It provides business identification, as well as wayfinding for the business that is largely blocked from view for westbound drivers. 3. A condition is needed to be consistent with Section 1223.06 and only requires a slight shift of the sign by 4'. 4. There is no exterior illumination. Any future exterior illumination will need to comply with 1223.07 and be approved by the City. 5. The existing freestanding sign will be removed when the new sign is constructed, as only one freestanding sign is permitted. Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Hair

Therapy sign plan with the following: 1. Modification for an additional 2 s.f. of maximum sign area and to allow a monument sign when the principal building does not conform to the minimum building setback. 2. Condition that the sign be shifted to be 10' from the driveway and landscaping is added at the base of the sign with the design to be approved administratively;

**West Bay Plaza Master Sign Criteria revised, 30010 Detroit Rd.,**

**PP#21119023:** Findings of Fact 1. The proposal enhances the experience at West Bay Plaza by allowing pedestrian oriented signage. 2. This is a positive trend for this and other shopping centers. Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to approve the West Bay Plaza Master Sign Criteria revision as presented at the meeting regarding freestanding (a-frame sidewalk) signage being a minimum 3 s.f. to a maximum 8 s.f. depending on individual tenant

frontage; **Bailey Woods Major Subdivision Preliminary Plan (7 lots), 29883 & 29765 Center Ridge Rd., PP#21726004, 006, 007, 012:** Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Bailey Woods lot assembly plat with the condition that it meets the requirements of the County and State as indicated in the Ohio Revised Code; Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table the Bailey Woods Major Subdivision Preliminary Plan to March 7, 2022; **Westlake RV, Boat and Self Storage Development Plan, 29570 Clemens Rd., PP#21116017:** Findings of Fact 1. The proposal is a permitted conditional use and the conditional use permit was granted in 2021 (2020-133). 2. Modifications are required for the number of parking spaces, loading to be on the front of the building, for the main driveway to be 30', and for the use of stucco and are acceptable in accordance with 1220.06 Performance Standards. 3. Conditions are needed regarding curbing that is to be determined by the City Engineer during review of the construction drawing, signage that was shown on the building elevation requires future approval, exterior lighting that is being reviewed, and that a fence is required around any storm water control structure in excess of three feet in height for safety purposes. Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Westlake RV, Boat and Self Storage Development Plan with the following: 1. Modification for the total number of parking spaces to be 11, including 6 parallel parking spaces; for the loading spaces to be on the front of the building; for the west driveway to be 30' wide; and for stucco to be used as a building material. 2. Condition that curbing will be installed as required by the City Engineer; that signage will be submitted for approval at a future meeting; that exterior lighting will be approved administratively if in accordance with section 1230.03 and if it does not comply it will be returned to the Planning Commission for approval; and that a four-foot tall fence is required around any storm water control structure in excess of three feet in height. 3. Condition that approval is subject to comments in Part III of the 2/3/22 staff report and 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; tabled **Salty Mary's Oyster Bar and Tavern Sign Plan, 25600 Center Ridge Rd., PP# 21323014,** to the March 7, 2022, meeting. Meeting adjourned at 10:04 p.m. The next meeting is scheduled for Monday, 3/7/2022.

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Councilmember Van Dyke moved, seconded by Councilmember Sullivan, to approve the **Westlake RV, Boat and Self Storage Development Plan** with the modifications and conditions listed in the report of the February 7, 2022, planning commission.

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

Nays: None; motion carried.

**LEGISLATION:**

**RESOLUTION NO. 2022-13: A RESOLUTION OF COMMENDATION AND APPRECIATION FOR KENNETH R. BRADY FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE CITY OF WESTLAKE.**

Councilmember O'Donnell 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 Van Dyke moved, seconded by Councilmember O'Donnell, that Resolution No. 2022-13 be adopted.

**VOICE VOTE ON ADOPTION:**

**Yeas: All.**

**Nays: None; Resolution No. 2022-13 adopted.**

**ORDINANCE NO. 2022-14: AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES.**

Councilmember O'Donnell moved, seconded by Councilmember Havelka, 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. 2022-14 be adopted.

**VOICE VOTE ON ADOPTION:**

**Yeas: All.**

**Nays: None; Ordinance No. 2022-14 adopted.**

**ORDINANCE NO. 2022-15: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A STORM WATER DRAINAGE SYSTEMS AGREEMENT WITH PULTE HOMES OF OHIO, LLC, 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. 2022-15 be adopted.

**VOICE VOTE ON ADOPTION:**

**Yeas:** All.

**Nays:** None; Ordinance No. 2022-15 adopted.

**ORDINANCE NO. 2022-16: AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CITY OF WESTLAKE, OHIO.**

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 Havelka moved, seconded by Councilmember Sullivan, that Ordinance No. 2022-16 be adopted.

**VOICE VOTE ON ADOPTION:**

**Yeas:** All.

**Nays:** None; Ordinance No. 2022-16 adopted.

**ORDINANCE NO. 2022-17: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A STORM WATER DRAINAGE SYSTEMS AGREEMENT WITH ELAINE M. WEBSTER DECLARATION OF TRUST, 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 Van Dyke, that Ordinance No. 2022-17 be adopted.

**VOICE VOTE ON ADOPTION:**

**Yeas:** All.

**Nays:** None; Ordinance No. 2022-17 adopted.

**ORDINANCE NO. 2022-18: 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 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 Havelka, that Ordinance No. 2022-18 be adopted.

VOICE VOTE ON ADOPTION:

Yeas: All.

Nays: None; Ordinance No. 2022-18 adopted.

**ADJOURNMENT:**

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

Yeas: All.

Nays: None; motion carried.

President of Council Greenspan declared the meeting adjourned at 9:11 p.m.



Denise L. Rosenbaum, MMC  
Clerk of Council



David S. Greenspan  
President of Council