



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
MAY 5, 2022**

The regular session of Council was called to order at 8:22 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, Recreation Director Paula Horner, Planning Director James Bedell, Director of Purchasing Larry Surber, IT Infrastructure Manager Mike Stybel, Director of Inspections Donald Grayem, 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 April 21, 2022, 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 April 25, 2022, requesting to accept the bid of CATTS Construction as the lowest and most responsive bid for the Second and First Street waterline replacement and roadway rehabilitation project in an amount not to exceed \$1,592,208.55. (Ordinance No. 2022-48)

Notice from Ohio Division of Liquor Control received April 28, 2022, for transfer of C2, D1, D3, D3A, D3X and D6 permits from Signature of Solon LLC, Ballroom B & D, 25777 Detroit Road, 1st Floor & Patio, Westlake, Ohio 44145, to Levoy Venue Management LLC, 25777 Detroit Road, 1st Floor & Patio, Westlake, Ohio 44145.

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, not to object to transfer of C2, D1, D3, D3A, D3X and D6 permits from Signature of Solon LLC, Ballroom B & D, 25777 Detroit Road, 1st Floor & Patio, Westlake, Ohio 44145, to Levoy Venue Management LLC, 25777 Detroit Road, 1st Floor & Patio, Westlake, Ohio 44145.

Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.
Nays: None; motion carried.

Conditional use permit application from ADMA LLC, Josephine Savelli, received April 28, 2022, requesting to operate a dance, martial arts, gymnastics, fitness studio at 24272 Detroit Road, parcel 214-02-003. Council President Greenspan referred this request to the planning, zoning, legislative committee.

Communication from Mayor Clough dated April 29, 2022, requesting authorization to amend the professional services contract with Mott MacDonald for the I-90 Columbia Road westbound interchange improvement project for the additional amount of \$4,352.00. (Ordinance No. 2022-49)

Communication from Mayor Clough dated May 2, 2022, requesting authorization to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.

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

Yeas: Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan.
Nays: None; motion carried.

PETITIONS FROM THE PUBLIC:

Matt Kopack, 1841 Coe's Post Run, and Al Cardona, 29983 Adams Lane, both spoke on the need for more pickleball courts. Mayor Clough encouraged them to put the request in writing to the Recreation Commission and further stated that there will be six new pickleball courts in Tri-City park in addition to the courts in Westlake.

REPORT OF THE MAYOR:

Mayor Clough read his ninth report of the year.

REPORTS OF STANDING COMMITTEES – 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, Horner, Bedell, Surber, Stybel, Grayem, Bielozer, Hughes; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, a possible joint meeting with planning commission to discuss zoning matters, upcoming calendar dates of note, and reminders of financial disclosure filing and that the elected officials' training offered by CSU was cancelled. The following committee meeting was scheduled: Planning, Zoning, Legislative committee, May 24 at 6:30 p.m.

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, to adjourn to executive session to discuss litigation at 7:50 p.m.

ROLL CALL:

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

Nays: None; motion carried.

Also present were Mayor Clough and Law Director Maloney.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, to adjourn executive session at 8:17 p.m.

ROLL CALL:

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

Nays: None; motion carried.

Executive session immediately adjourned at 8:17 p.m.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, to adjourn at 8:22 p.m.

Yeas: All.

Nays: None; motion carried.

Meeting adjourned at 8:22 p.m.

LEGISLATION:

Council President Greenspan recused himself from the next item and assigned the Chair to Councilmember Sullivan.

ORDINANCE NO. 2022-38: AN ORDINANCE APPROVING THE PRELIMINARY
(THIRD READING) PLAN OF HILLIARD MEADOWS MAJOR SUBDIVISION
IN THE CITY OF WESTLAKE. (First reading 4/7/22, second
reading 4/21/22)

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2022-38 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2022-38 adopted.

Council President Greenspan resumed the Chair.

ORDINANCE NO. 2022-39: AN ORDINANCE ACCEPTING THE CARLTON AVENUE
(SECOND READING) ROADWAY DEDICATION #3 PLAT. (First reading 4/21/22)

ORDINANCE NO. 2022-40: AN ORDINANCE AUTHORIZING AND DIRECTING THE
(SECOND READING) PROPOSED AMENDMENT OF THE ZONING MAP OF
THE CITY WESTLAKE, CHANGING THE ZONING OF
CERTAIN LAND LOCATED AT 28189 AND 28239
DETROIT ROAD FROM R-1F-80 DISTRICT TO R-MF-40
DISTRICT, TO BE SUBMITTED TO THE ELECTORS AT A
REGULAR MUNICIPAL OR GENERAL ELECTION FOR
APPROVAL BY THE ELECTORATE, AND DECLARING
AN EMERGENCY. (First reading 4/21/22)

ORDINANCE NO. 2022-41: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE WESTLAKE CITY HALL EMPLOYEES ASSOCIATION, AND DECLARING AN EMERGENCY. (First reading 4/21/22)
(SECOND READING)

ORDINANCE NO. 2022-42: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1814, AFL-CIO, AND DECLARING AN EMERGENCY. (First reading 4/21/22)
(SECOND READING)

ORDINANCE NO. 2022-43: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, AND DECLARING AN EMERGENCY. (First reading 4/21/22)
(SECOND READING)

ORDINANCE NO. 2022-47: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SETTLEMENT AGREEMENT AS TO CASE NO. CV-21-956707, AND DECLARING AN EMERGENCY. (First reading 4/21/22)
(SECOND READING)

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.

ROLL CALL ON SUSPENSION:

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

Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Ordinance No. 2022-47 be adopted.

ROLL CALL ON ADOPTION:

Yeas: O'Donnell, Havelka, Greenspan, Nunnari.

Nays: Sullivan, Getsay, Van Dyke; Ordinance No. 2022-47 adopted.

ORDINANCE NO. 2022-48: AN ORDINANCE ACCEPTING A BID AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CATTS CONSTRUCTION, INC. FOR THE SECOND AND FIRST STREET WATERLINE REPLACEMENT AND ROADWAY REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.

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.

ROLL CALL ON SUSPENSION:

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

Nays: None; motion carried.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, that Ordinance No. 2022-48 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2022-48 adopted.

ORDINANCE NO. 2022-49: AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2020-28 AS TO A PROFESSIONAL SERVICES CONTRACT WITH MOTT MacDONALD FOR THE DESIGN OF PLANS FOR THE I-90/COLUMBIA ROAD INTERCHANGE IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

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.

ROLL CALL ON SUSPENSION:

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

Nays: None; motion carried.

Councilmember Nunnari moved, seconded by Councilmember Van Dyke, that Ordinance No. 2022-49 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2022-49 adopted.

MISCELLANEOUS:

Council President Greenspan recognized and thanked the clerk for her work on historical documentation of City Council records.

ADJOURNMENT:

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

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

Nays: None; motion carried.

President of Council Greenspan declared the meeting adjourned at 8:43 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



David S. Greenspan
President of Council