



**WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A REGULAR SESSION
JULY 7, 2022**

The regular session of Council was called to order at 8:15 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 Sergeant Ryan Pischel, Provisional Fire Chief Mike Freeman, Clerk of Council Denise L. Rosenbaum.

APPROVAL OF MINUTES:

Councilmember Nunnari moved, seconded by Councilmember Havelka, that the reading of the minutes of the regular session of June 16, 2022, be waived and that they be approved as received.

ROLL CALL:

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

Nays: None; motion carried.

SELECTED CORRESPONDENCE:

Communication from Purchasing Director Larry Surber dated June 13, 2022, informing Council of the 2022 Alpine Power Systems, Inc. expenditures.

Communication from Purchasing Director Larry Surber dated June 23, 2022, informing Council of the 2022 Wireless CCTV LLC and Flock Safety expenditures.

Conditional use permit application from Tammy Lyons, Inner Bliss Yoga Studio, received June 28, 2022, for a fitness use at 30311 Clemens Road. Council President Greenspan referred this to the planning, zoning, legislative committee.

PETITIONS FROM THE PUBLIC:

Liz Peschges, 28636 Touchstone Circle, commented on abortion laws, the Heartbeat Bill and Section 3, Article 18 of the Ohio Constitution.

REPORT OF THE MAYOR:

Mayor Clough read his thirteenth report of the year.

REPORTS OF STANDING COMMITTEES – SAFETY, UTILITIES COMMITTEE:

Councilmember Nunnari reported on the June 22, 2022, Safety, Utilities committee meeting.

Councilmember Havelka moved, seconded by Councilmember Sullivan, that the report of the June 22, 2022, Safety, Utilities committee meeting be received and filed.

ROLL CALL:

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

Nays: None; motion carried.

PLANNING, ZONING, LEGISLATIVE COMMITTEE:

Councilmember Sullivan reported on the June 22, 2022, Planning, Zoning, Legislative committee meeting.

Councilmember Sullivan moved, seconded by Councilmember O'Donnell, that the report of the June 22, 2022, 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.

FINANCE COMMITTEE:

Council President Greenspan reported on the June 22, 2022, Finance committee meeting.

Council President Greenspan moved, seconded by Councilmember Getsay, that the report of the June 22, 2022, Finance committee meeting be received and filed.

ROLL CALL:

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

Nays: None; motion carried.

Council President Greenspan reported on the June 29, 2022, Finance committee meeting.

Council President Greenspan moved, seconded by Councilmember Havelka, that the report of the June 29, 2022, Finance committee meeting be received and filed.

ROLL CALL:

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

Nays: None; motion carried.

PUBLIC GROUNDS, BUILDINGS, RECREATION COMMITTEE:

Councilmember Getsay reported on the June 29, 2022, Public Grounds, Buildings, Recreation committee meeting.

Councilmember Getsay moved, seconded by Councilmember Nunnari, that the report of the June 29, 2022, Public Grounds, Buildings, Recreation committee meeting be received and filed.

ROLL CALL:

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

Nays: None; motion carried.

Councilmember Van Dyke voiced concerns about opening up the Recreation Center to non-residents and suggested reviewing other options and waiting another year to realize any recovery from the setbacks of the pandemic. Councilmember Sullivan was also not in favor of non-resident memberships and preferred exploring creative marketing from within.

Council President Greenspan moved, seconded by Councilmember O'Donnell, to approve the offering of 500 non-resident memberships to the Westlake Recreation Center under the terms listed in the Mayor's memo dated June 15, 2022.

ROLL CALL:

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

Nays: Van Dyke, Sullivan; motion carried.

COMMITTEE OF THE WHOLE:

Council President Greenspan reported on the July 7, 2022, Committee of the Whole meeting.

Council President Greenspan moved, seconded by Councilmember Nunnari, that the report of the July 7, 2022, Committee of the Whole meeting be received and filed.

ROLL CALL:

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

Nays: None; motion carried.

COMMITTEE OF THE WHOLE:

President of Council Greenspan reported on the Committee of the Whole meeting held this date at 7:43 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, Pischel (Sergeant), Freeman (Provisional); and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence and the penalty code section for having chickens on less than 2 acres. The following committee meetings were scheduled: Planning, Zoning, Legislative committee, July 14 at 6:30 p.m.; Committee of the Whole, July 14 at 7:00 p.m.

The meeting adjourned at 8:09 p.m.

LEGISLATION:

RESOLUTION NO. 2022-58: A RESOLUTION OPPOSING OHIO HOUSE BILL 563

(THIRD READING) WHICH PROPOSES TO LIMIT LOCAL REGULATION OF SHORT TERM RENTAL PROPERTIES. (First reading 6/2/22, second reading 6/16/22)

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Resolution No. 2022-58 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Resolution No. 2022-58 adopted.

ORDINANCE NO. 2022-60: AN ORDINANCE FIXING THE COMPENSATION OF SALARIED AND HOURLY RATE EMPLOYEES IN THE SEVERAL DEPARTMENTS OF THE CITY OF WESTLAKE, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH. (First reading and referred to finance committee 6/2/22)
(SECOND READING)

ORDINANCE NO. 2022-61: AN ORDINANCE ESTABLISHING THE COMPENSATION FOR THE MAYOR FOR THE CITY OF WESTLAKE. (First reading and referred to finance committee 6/2/22)
(SECOND READING)

Councilmember Havelka moved, seconded by Councilmember Getsay, that Ordinance No. 2022-61 be amended as recommended at the June 29, 2022, finance committee meeting.

ROLL CALL:

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

Nays: Sullivan; motion carried.

Councilmember Getsay moved, seconded by Councilmember Havelka, that Ordinance No. 2022-61 be amended by reducing the annual salary years of experience rate of \$1,500 to \$1,250.

ROLL CALL:

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

Nays: Nunnari; motion carried.

Councilmember Getsay moved, seconded by Councilmember Havelka, that Ordinance No. 2022-61 be amended by changing the maximum years from 15 to 20.

ROLL CALL:

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

Nays: Nunnari, Sullivan; motion carried.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2022-61 be amended by changing the effective date of the mayor's salary to be effective January 1, 2023, through December 31, 2024.

ROLL CALL:

Yeas: Nunnari, Sullivan.

Nays: Van Dyke, O'Donnell, Havelka, Getsay, Greenspan; motion failed.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2022-61 be amended by changing the maximum years from 20 back to 15.

ROLL CALL:

Yeas: Nunnari, Sullivan.

Nays: Van Dyke, O'Donnell, Havelka, Getsay, Greenspan; motion failed.

ORDINANCE NO. 2022-62: AN ORDINANCE FIXING THE COMPENSATION OF DEPARTMENT HEADS OF THE CITY OF WESTLAKE, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH. (First reading and referred to finance committee 6/2/22)
(SECOND READING)

ORDINANCE NO. 2022-70: AN ORDINANCE SETTING FORTH THE COMPENSATION OF SALARIED AND HOURLY RATE EMPLOYEES IN THE LAW DEPARTMENT OF THE CITY OF WESTLAKE, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH. (First reading and referred to finance committee 6/16/22)
(SECOND READING)

Councilmember Havelka moved, seconded by Councilmember Getsay, that Ordinance No. 2022-70 be amended as recommended at the June 22, 2022, finance committee meeting.

ROLL CALL ON AMENDMENT:

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

Nays: None; Ordinance No. 2022-70 amended.

ORDINANCE NO. 2022-71: AN ORDINANCE REPEALING SUBSECTION (h)(13) OF SECTION 1218.03 "SCHEDULE OF PERMITTED BUILDINGS AND USES" AS TO RECREATIONAL USES IN THE EXCLUSIVE INDUSTRIAL DISTRICT OF THE ZONING CODE. (First reading and referred to planning, zoning, legislative committee 6/16/22)
(SECOND READING)

Councilmember O'Donnell moved, seconded by Councilmember Van Dyke, that Ordinance No. 2022-71 be amended by adding the repealing of 1218.03(h)(8), par 3 golf course.

ROLL CALL ON AMENDMENT:

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

Nays: None; Ordinance No. 2022-71 amended.

Council President Greenspan referred Ordinance No. 2022-71 as amended to the planning commission.

ORDINANCE NO. 2022-72: 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 6/16/22)
(SECOND READING)

MISCELLANEOUS:

Council President Greenspan referred the matter of the penalty code for having chickens on less than 2 acres discussed in tonight's caucus meeting to the planning, zoning, legislative committee.

Councilmember Sullivan expressed concern about a message sign on a front lawn and its effect on people viewing it as they pass by and stated that Council and the administration are aware of it but are limited as to what can be done about it. Councilmember Nunnari concurred that the sign is upsetting.

ADJOURNMENT:

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

Yeas: All.

Nays: None; motion carried.

President of Council Greenspan declared the meeting adjourned at 9:09 p.m.



Denise L. Rosenbaum, MMC
Clerk of Council



David S. Greenspan
President of Council