



**WESTLAKE CITY COUNCIL MEETING  
PROCEEDINGS OF A PUBLIC HEARING  
AND A REGULAR SESSION  
JULY 20, 2023**

Public hearing was called to order by President of Council David S. Greenspan at 8:04 p.m. in accordance with Article III, Section 13, of the Westlake City Charter and legal notice published in the West Life on July 12, 2023, and July 19, 2023, regarding the following legislation:

ORDINANCE NO. 2023-53: AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE CITY OF WESTLAKE, WHICH ZONE MAP IS PART OF THE ZONING CODE OF THE CITY OF WESTLAKE, BY CHANGING THE ZONING OF CERTAIN LAND LOCATED AT THE NORTH SIDE OF CENTER RIDGE ROAD AT THE EAST CORPORATE LIMITS FROM R-1F-80 DISTRICT AND R-MF-24 DISTRICT TO SMALL SCALE RESIDENTIAL PUD DISTRICT.

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. 2023-53 closed.

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The regular session of Council was called to order at 8:09 p.m. by President of Council David S. Greenspan.

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

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Councilmember Getsay be excused for cause.

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

Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Councilmember Sullivan be excused for cause.

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

Nays: None; motion carried.

Also present: Mayor Dennis Clough, Law Director Michael Maloney, Deputy Service Director Chris Stuhm, Director of Engineering Jim Smolik, 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 Matt Moran, 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 July 6, 2023, be waived and that they be approved as received.

**ROLL CALL:**

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

Nays: None; motion carried.

**SELECTED CORRESPONDENCE:**

Notice from Ohio Division of Liquor Control received July 13, 2023, for transfer of a D5A permit from Morari Inc. dba Holiday Inn & Suites Westlake & Patio, 30500 Clemens Road, Westlake, Ohio 44145 to Morari LLC & Patio, 30500 Clemens Road, Westlake, Ohio 44145.

Councilmember O'Donnell moved, seconded by Councilmember Havelka, not to object to a transfer of a D5A permit from Morari Inc. dba Holiday Inn & Suites Westlake & Patio, 30500 Clemens Road, Westlake, Ohio 44145 to Morari LLC & Patio, 30500 Clemens Road, Westlake, Ohio 44145.

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

Nays: None; motion carried.

Notice from Ohio Division of Liquor Control received July 17, 2023, for a new D5J permit for Shake Shack Ohio LLC, 2209 Crocker Road, Suite E, Westlake, Ohio 44145.

Councilmember Havelka moved, seconded by Councilmember Nunnari, not to object to a new D5J permit for Shake Shack Ohio LLC, 2209 Crocker Road, Suite E, Westlake, Ohio 44145.

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

Nays: None; motion carried.

Communication from Mayor Clough dated July 17, 2023, requesting authorization to purchase tot pool improvements through Baynum Amusement Solutions in an amount not to exceed \$46,900.00. (Ordinance No. 2023-67)

Communication from Mayor Clough dated July 17, 2023, requesting authorization to purchase three Precor Functional Training Units and one Marpo Compact Rope Trainer with selected options through the Sourcewell cooperative purchasing program through Health & Fitness Equipment Centers and to authorize the trade-in of Nautilus & Marpo fitness equipment in an amount not to exceed \$35,500.00. (Ordinance No. 2023-66)

Communication from Mayor Clough dated July 18, 2023, requesting authorization to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.

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

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

Nays: None; motion carried.

**PETITIONS FROM THE PUBLIC:**

John Seavers, 24507 Hilliard Boulevard, commented on the proposed soccer complex at the former Parkside School site, the athletic fields in the city, and the need versus want of the number of fields and their locations. Mayor Clough responded that the city had hired experts to study the needs of the city and has been transparent during the process, listening to the concerns of the residents.

**REPORT OF THE MAYOR:**

Mayor Clough read his fourteenth report of the year.

**REPORTS OF STANDING COMMITTEES –COMMITTEE OF THE WHOLE:**

Council President Greenspan reported on the July 6, 2023, Committee of the Whole meeting.

Councilmember Havelka moved, seconded by Councilmember Nunnari, that the report of the July 6, 2023, Committee of the Whole meeting be received and filed.

**ROLL CALL:**

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

Nays: None; motion carried.

**COMMITTEE OF THE WHOLE:**

President of Council Greenspan reported on the Committee of the Whole meeting held this date at 7:33 p.m. Present were Councilmembers Greenspan, Van Dyke, Nunnari, O'Donnell, Havelka. Also present were Mayor Clough; Directors Maloney, Stuhm (Deputy), Smolik, Shah, Horner, Bedell, Surber, Stybel, Grayem, Gadd, Bielozer, Moran; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence and the planning commission report. Another historical video produced by the high school was played. The following committee meeting was re-announced: Committee of the Whole, July 24 at 7:00 p.m.

The meeting adjourned at 8:04 p.m.

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

Council President Greenspan moved, seconded by Councilmember Nunnari, to approve the preliminary development plan option SD1.2 Option 3 for Vuila Way in connection with the proposed rezoning (Ordinance No. 2023-53).

ROLL CALL:

Yeas: None.

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

Councilmember Van Dyke moved, seconded by Councilmember Nunnari, to approve the preliminary development plan option SD1.0.

ROLL CALL:

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

Nays: None; motion carried.

Councilmember Van Dyke reported on the July 10, 2023, Planning Commission meeting advising that the commission took the following actions: **IMCD, sign plan, 2 Equity Way, PP#21120001**: Motion: Ms. Smith moved, seconded by Mr. Van Dyke to approve the IMCD Sign plan with the following: 1. Modification for the sign to exceed 24.75 s.f. 2. Condition that interior illumination emits no more than 10.00 Footcandles (equivalent to 10.00 Lumen per square foot) of light when measured at night, three feet perpendicular from the center of any sign face, in accordance with WCO 1223.07; tabled the **Clear Choice Dental sign plan, 2205 Crocker Rd., PP#21126076**, to the August 14, 2023 meeting; tabled **Ordinance 2023-15 code amendments to Chapter 707 as to outdoor dining facilities, ref. 2/2/23**, to the August 14, 2023 meeting. Meeting adjourned at 7:26 p.m. The next regular meeting is scheduled for Monday, 8/14/2023.

LEGISLATION:

ORDINANCE NO. 2023-53:  
(THIRD READING)

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE CITY OF WESTLAKE, WHICH ZONE MAP IS PART OF THE ZONING CODE OF THE CITY OF WESTLAKE, BY CHANGING THE ZONING OF CERTAIN LAND LOCATED AT THE NORTH SIDE OF CENTER RIDGE ROAD AT THE EAST CORPORATE LIMITS FROM R-1F-80 DISTRICT AND R-MF-24 DISTRICT TO SMALL SCALE RESIDENTIAL PUD DISTRICT. (First reading and referred to planning commission 6/15/23, planning commission recommended approval 7/5/23, second reading 7/6/23)

Council President Greenspan moved, seconded by Councilmember O'Donnell, that Ordinance No. 2023-53 be amended by removing the preliminary development plan drawings from Exhibit "A."

ROLL CALL ON AMENDMENT:

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

Nays: None; Ordinance No. 2023-53 amended.

Councilmember Van Dyke moved, seconded by Councilmember Nunnari, that Ordinance No. 2023-53 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2023-53 adopted as amended.

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, O'Donnell, Havelka.

Nays: None; motion carried.

ORDINANCE NO. 2023-60: AN ORDINANCE AUTHORIZING AND DIRECTING THE PROPOSED AMENDMENT OF THE ZONING MAP OF THE CITY OF WESTLAKE, CHANGING THE ZONING OF CERTAIN LAND LOCATED AT THE NORTH SIDE OF CENTER RIDGE ROAD AT THE EAST CORPORATE LIMITS FROM R-1F-80 DISTRICT AND R-MF-24 DISTRICT TO SMALL SCALE RESIDENTIAL PUD DISTRICT, TO BE SUBMITTED TO THE ELECTORS AT A REGULAR MUNICIPAL OR GENERAL ELECTION FOR APPROVAL BY THE ELECTORATE, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Van Dyke, that Ordinance No. 2023-60 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2023-60 adopted.

ORDINANCE NO. 2023-62: AN ORDINANCE AMENDING APPROPRIATIONS FOR THE CITY OF WESTLAKE, OHIO.

Councilmember Nunnari moved, seconded by Councilmember Havelka, that Ordinance No. 2023-62 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2023-62 adopted.

ORDINANCE NO. 2023-63: AN ORDINANCE ACCEPTING AN EASEMENT FROM HOPE POINTE PLACE, LTD, FOR THE INSTALLATION AND MAINTENANCE OF A WATER MAIN FOR HOPE POINTE PLACE IN THE CITY OF WESTLAKE.

Councilmember Havelka moved, seconded by Councilmember Nunnari, that Ordinance No. 2023-63 be adopted.

ROLL CALL ON ADOPTION:

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

Nays: None; Ordinance No. 2023-63 adopted.

RESOLUTION NO. 2023-64: A RESOLUTION ESTABLISHING A PICK UP OF VOLUNTARY CONTRIBUTIONS THROUGH PAYROLL

**REDUCTION FOR THE PURCHASE SERVICE CREDIT  
FOR POLICE, AND DECLARING AN EMERGENCY.**

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, that Resolution No. 2023-64 be adopted.

**ROLL CALL ON ADOPTION:**

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

**Nays:** None; Resolution No. 2023-64 adopted.

**RESOLUTION NO. 2023-65: A RESOLUTION ESTABLISHING A PICK UP OF VOLUNTARY CONTRIBUTIONS THROUGH PAYROLL REDUCTION FOR THE PURCHASE SERVICE CREDIT FOR FIRE, AND DECLARING AN EMERGENCY.**

Councilmember Nunnari moved, seconded by Councilmember Van Dyke, that Resolution No. 2023-65 be adopted.

**ROLL CALL ON ADOPTION:**

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

**Nays:** None; Resolution No. 2023-65 adopted.

**ORDINANCE NO. 2023-66: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE FITNESS EQUIPMENT WITH SELECTED OPTIONS, FOR THE DEPARTMENT OF RECREATION, AND DECLARING AN EMERGENCY.**

Councilmember Havelka moved, seconded by Councilmember Nunnari, that Ordinance No. 2023-66 be adopted.

**ROLL CALL ON ADOPTION:**

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

**Nays:** None; Ordinance No. 2023-66 adopted.

**ORDINANCE NO. 2023-67: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE RECREATION CENTER TOT POOL IMPROVEMENTS FOR THE DEPARTMENT OF RECREATION, AND DECLARING AN EMERGENCY.**

Councilmember Nunnari moved, seconded by Councilmember Van Dyke, that Ordinance No. 2023-67 be adopted.

**ROLL CALL ON ADOPTION:**

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

**Nays:** None; Ordinance No. 2023-67 adopted.

**ORDINANCE NO. 2023-61: AN ORDINANCE CONSIDERING A CONDITIONAL USE PERMIT FOR AN ATHLETIC TRAINING FACILITY.**  
**(FIRST READING)**

Council President Greenspan referred Ordinance No. 2023-61 to the planning commission.

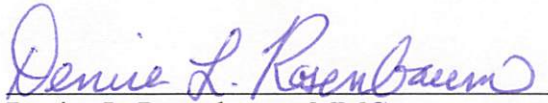
**ADJOURNMENT:**

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 8:39 p.m.



Denise L. Rosenbaum, MMC  
Clerk of Council



David S. Greenspan  
President of Council