The City of Westlake Ohio

MINUTES

www.cityofwestlake.org

OFFICE OF THE CITY COUNCIL

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WESTLAKE CITY COUNCIL MEETING
PROCEEDINGS OF A PUBLIC HEARING
AND A REGULAR SESSION
SEPTEMBER 4, 2025

Public hearing was called to order by President of Council David S. Greenspan at 8:36 p.m. in accordance with Article III, Section 13, of the Westlake City Charter regarding the following legislation:

ORDINANCE NO. 2025-57: AN ORDINANCE SUPPLEMENTING SUBSECTION 1218.03(h) OF THE ZONING CODE AS TO PERMITTED USES IN EXCLUSIVE INDUSTRIAL DISTRICTS.

There being no comments from the audience, Council President Greenspan declared the public hearing on Ordinance No. 2025-57 closed.

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The regular session of Council was called to order at 8:37 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 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 17, 2025, 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:

Conditional use permit application from Achill Enterprises, LLC dba Cahoon Nursery and Garden Center, received July 28, 2025, to redesign the sales and storage buildings and increase the parking area at 27630 Detroit Road (parcel 212-13-071) and 1480 Cahoon Road (parcel 212-13-060). Council President Greenspan referred this to the Planning, Zoning, Legislative Committee.

Notice from Ohio Division of Liquor Control received August 11, 2025, for a new D3 permit for Lopez Taqueria, LLC, 27020 Center Ridge Road, Westlake, Ohio 44145.

Councilmember O'Donnell moved, seconded by Councilmember Nunnari, not to object to a new D3 permit for Lopez Taqueria, LLC, 27020 Center Ridge Road, Westlake, Ohio 44145.
Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.
Nays: None; motion carried.

Notice from Ohio Division of Liquor Control received August 21, 2025, for a new D5A permit for WLOH Associates LLC, Courtyard Cleveland Westlake-N, 25050 Sperry Road, Westlake, Ohio 44145.

Councilmember Nunnari moved, seconded by Councilmember Sullivan, not to object to a new D5A permit for WLOH Associates LLC, Courtyard Cleveland Westlake-N, 25050 Sperry Road, Westlake, Ohio 44145.
Yeas: Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan.
Nays: None; motion carried.

Notice from Ohio Division of Liquor Control received August 22, 2025, for transfer of D5A, D6 permits from Schulte Catering Ohio LLC, 25050 Sperry Road, Westlake, Ohio 44145 to WLOH Associates LLC, Courtyard Cleveland Westlake-T, 25050 Sperry Road, Westlake, Ohio 44145.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, not to object to transfer of D5A, D6 permits from Schulte Catering Ohio LLC, 25050 Sperry Road, Westlake, Ohio 44145 to WLOH Associates LLC, Courtyard Cleveland Westlake-T, 25050 Sperry Road, Westlake, Ohio 44145.
Yeas: Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke.
Nays: None; motion carried.

Communication from Mayor Clough dated August 25, 2025, requesting authorization to purchase audio/visual equipment through the State of Ohio cooperative purchasing program from AVI-SPL LLC in an amount not to exceed $173,005.27. (Ordinance No. 2025-91)

Communication from Mayor Clough dated August 19, 2025, requesting confirmation of the appointment of Michael Anderton to the Westlake Parks & Recreation Commission with a term expiring on December 31, 2028.

Councilmember Getsay moved, seconded by Councilmember Nunnari, to confirm the appointment of Michael Anderton to the Westlake Parks & Recreation Commission with a term expiring on December 31, 2028.

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

Communication from Mayor Clough dated August 25, 2025, 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 Sullivan, to authorize the administration to sell the listed items through the GovDeals auction site for the reserve amount listed or higher.
Yeas: O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan.
Nays: None; motion carried.

PETITIONS FROM THE PUBLIC:

Chris Belcastro, 1492 Westford Circle, Apt. 303, commented on a dangerous configuration of the left turning lanes at the intersection of Crocker and Detroit roads. Mayor Clough stated the engineering department will look into it.

REPORT OF THE MAYOR:

Mayor Clough read his fifteenth report of the year.

REPORTS OF STANDING COMMITTEES – COMMITTEE OF THE WHOLE:

Council President Greenspan reported on the July 17, 2025, Committee of the Whole meeting.

Councilmember Havelka moved, seconded by Councilmember Getsay, that the report of the July 17, 2025, Committee of the Whole meeting be received and filed.
ROLL CALL:
Yeas: Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell.
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, Stuhm, Smolik, Shah, Horner, Bedell, Surber, Stybel, Grayem, Gadd, Bielozer, Moran; and Clerk Rosenbaum. Agenda items were discussed as well as selected correspondence, the planning commission report and extending the review time of an ordinance in the Planning, Zoning, Legislative Committee. The following committee meetings were scheduled: Ad Hoc Information Technology Committee, September 15 at 6:30 p.m.; Planning, Zoning, Legislative Committee, September 15 at 6:45 p.m.; Committee of the Whole, September 15 at 7:00 p.m.

Councilmember Nunnari moved, seconded by Councilmember Van Dyke, to adjourn to executive session to discuss real estate and litigation at 7:57 p.m.
ROLL CALL:
Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.

Nays: None; motion carried.

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

Executive session adjourned at 8:35 p.m.

Meeting adjourned at 8:36 p.m.

REPORTS OF OTHER BOARDS AND COMMISSIONS – PLANNING COMMISSION:

Councilmember Van Dyke reported on the August 4, 2025, Planning Commission meeting advising that the commission took the following actions: **Ordinance 2025-58 conditional use permit for a drive-through (7 Brew), 29980 Detroit Rd., PP#21119023:** Mr. Jones moved, seconded by Ms. Smith to request a 60-day extension of time for Ordinance 2025-58. Mr. Jones moved, seconded by Ms. Smith to table Ordinance 2025-58 to September 8, 2025; tabled **7 Brew development plan, 29980 Detroit Rd., PP#21119023,** to September 8, 2025; tabled **The Church of Jesus Christ of Latter-day Saints development plan (pavilion), 25000 Westwood Rd., PP#21528020,** to September 8, 2025; **Westlake Assisted Living sign plan, 27633 Bassett Rd., PP#21231008:** Findings of Fact 1. The proposed monument sign complies with all applicable signage requirements with the exception of the setback from the right-of-way which is less than the 10-foot minimum required by code. Accordingly, a zoning modification is required. 2. The proposed setback modification is appropriate under Section 1223.13 due to the sign's design, site characteristics, surrounding context, and adjacent vegetation that would obstruct visibility if placed per standard code, thereby justifying the modification while preserving the intent of the sign regulations. Based upon the findings of fact, Mr. Jones moved, seconded by Ms. Smith to approve the Westlake Assisted Living sign plan with the following: 1. Modification for the sign to be less than 10' from the right-of-way; **Fastener Corporation of America sign plan, 1133 Bassett Rd., PP#21206015:** Findings of Fact 1. The proposed monument sign complies with all applicable signage requirements except for the setback from the right-of-way. 2. Granting a zoning modification to permit a reduced setback is not warranted, as the sign can be repositioned to meet code requirements without compromising its functionality. Therefore, addressing this noncompliance through a condition of approval is appropriate and consistent with zoning intent. Based upon the findings of fact, Mr. Jones moved, seconded by Ms. Smith to approve the Fastener Corporation of America sign plan with the following: 1. Condition that sign shall be set back a minimum of 10 feet from the right-of-way with the planting bed located at the base of the sign also be repositioned to align with the revised sign placement; **Mazzella sign plan, 870 Canterbury Rd., PP#21305020:** Findings of Fact 1. The proposed wall sign complies with all applicable signage requirements with the exception of its height above finished grade, which exceeds the 20-foot maximum permitted by code. Accordingly, a zoning modification is required. 2. The proposed sign height modification is appropriate under Section 1223.13, given the sign's design, site characteristics, surrounding context, and its placement, scale, and integration with the architectural character of the building thereby justifying the modification while preserving the intent of the sign regulations. Based upon the findings of fact, Mr. Jones moved, seconded by Ms. Smith to approve the Mazzella sign plan with the following: 1. Modification for the sign height to exceed twenty feet (20') above the finished grade below the sign; **Paymore sign plan, 30610 Detroit Rd., PP#21118019:** Findings of Fact 1. The proposed signage complies with the master signage plan except for the non-standard color and capsule

design that requires Planning Commission approval rather than qualifying for administrative approval. 2. Other signage within the shopping center has received approvals for deviations from the master signage plan, and these variations have not negatively impacted the overall aesthetic quality of the development. Based upon the findings of fact, Mr. Jones moved, seconded by Ms. Smith to approve the Paymore sign plan with the following: 1. Waiver from the master signage plan for the green color and inclusion of a capsule sign. Meeting adjourned at 9:22 p.m. The next regular meeting is scheduled for Monday, 9/8/2025.

Councilmember Van Dyke moved, seconded by Councilmember Sullivan, to grant a 60-day extension of time for **Ordinance No. 2025-58.**
Yeas: Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka.
Nays: None; motion carried.

LEGISLATION:

ORDINANCE NO. 2025-60: (FOURTH READING)	AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE SALE CONTRACT BETWEEN THE CITY OF WESTLAKE AND KBHR 570, LLC, AND DECLARING AN EMERGENCY. (First reading 6/24/25, second reading 7/3/25, third reading 7/17/25)

Councilmember O'Donnell moved, seconded by Councilmember Getsay, that Ordinance No. 2025-60 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.
Nays: None; Ordinance No. 2025-60 adopted.

ORDINANCE NO. 2025-57: (THIRD READING)	AN ORDINANCE SUPPLEMENTING SUBSECTION 1218.03(h) OF THE ZONING CODE AS TO PERMITTED USES IN EXCLUSIVE INDUSTRIAL DISTRICTS. (First reading and referred to planning commission 6/24/25, planning commission recommended approval 7/7/25, second reading 7/17/25)

Councilmember Van Dyke moved, seconded by Councilmember Havelka, that Ordinance No. 2025-57 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Van Dyke, Nunnari, Sullivan, Havelka.
Nays: O'Donnell, Getsay, Greenspan; Ordinance No. 2025-57 adopted.

LEGISLATION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES:

Councilmember Greenspan moved, seconded by Councilmember Sullivan, that the agenda be amended by moving Ordinance Nos. 2025-86, 87, 92 and 95 to the first reading section.
ROLL CALL ON AMENDING THE AGENDA:
Yeas: Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke.
Nays: None; motion carried.

Councilmember O'Donnell moved, seconded by Councilmember Havelka, that the rule requiring the remaining ordinances/resolutions in this section 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: Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke.
Nays: None; motion carried.

RESOLUTION NO. 2025-78: A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT THE 2025/2026 EMS GRANT THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES FOR TRAINING AND MEDICAL EQUIPMENT.

Councilmember Sullivan moved, seconded by Councilmember Havelka, that Resolution No. 2025-78 be adopted.
ROLL CALL ON ADOPTION:
Yeas: O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan.
Nays: None; Resolution No. 2025-78 adopted.

ORDINANCE NO. 2025-79: AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-79 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell.
Nays: None; Ordinance No. 2025-79 adopted.

ORDINANCE NO. 2025-80: AN ORDINANCE ACCEPTING THE OPIOID SETTLEMENT WITH VARIOUS OPIOID DISTRIBUTORS, AND DECLARING AN EMERGENCY.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-80 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka.
Nays: None; Ordinance No. 2025-80 adopted.

ORDINANCE NO. 2025-81: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO VARIOUS VENDOR AGREEMENTS AS TO EVENTS AT MARKET SQUARE, AND DECLARING AN EMERGENCY.

Councilmember Van Dyke moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-81 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.

Nays: None; Ordinance No. 2025-81 adopted.

ORDINANCE NO. 2025-88: AN ORDINANCE ACCEPTING AN EASEMENT FROM LEGACY WEST ESTATES, LLC, FOR THE INSTALLATION AND MAINTENANCE OF A WATER MAIN FOR LEGACY WEST ESTATES SUBDIVISION IN THE CITY OF WESTLAKE.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-88 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan.
Nays: None; Ordinance No. 2025-88 adopted.

ORDINANCE NO. 2025-89: AN ORDINANCE ACCEPTING THE ASSEMBLY AND RIGHT-OF-WAY EASEMENT DEDICATION PLAT (FOR RECORDING PURPOSES ONLY) FOR CARLTON AVENUE FROM MALLARD COVE PARTNERS PHASE 4, LLC, AND DECLARING AN EMERGENCY.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-89 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Nunnari, Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke.
Nays: None; Ordinance No. 2025-89 adopted.

ORDINANCE NO. 2025-90: AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 2024-41 AS TO A CONTRACT WITH DON WARTKO CONSTRUCTION, INC. FOR THE BASSETT ROAD AND SUNSET DRIVE WATERLINE REPLACEMENT AND ROADWAY REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-90 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Sullivan, O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari.
Nays: None; Ordinance No. 2025-90 adopted.

ORDINANCE NO. 2025-91: AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE AUDIO/VISUAL EQUIPMENT FOR THE DEPARTMENT OF RECREATION THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, AND DECLARING AN EMERGENCY.

Councilmember Sullivan moved, seconded by Councilmember Nunnari, that Ordinance No. 2025-91 be adopted.
ROLL CALL ON ADOPTION:

Yeas: O'Donnell, Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan.
Nays: None; Ordinance No. 2025-91 adopted.

ORDINANCE NO. 2025-93: AN ORDINANCE AMENDING AND SUPPLEMENTING SUBSECTION 751.03(b) OF SECTION 751.03 "SALES ON PRIVATE PROPERTY" OF CHAPTER 751 "PEDDLERS, SOLICITORS AND CANVASSERS" OF THE BUSINESS REGULATION CODE, AND DECLARING AN EMERGENCY.

Councilmember Sullivan moved, seconded by Councilmember Van Dyke, that Ordinance No. 2025-93 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Havelka, Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell.
Nays: None; Ordinance No. 2025-93 adopted.

ORDINANCE NO. 2025-94: AN ORDINANCE AMENDING SECTION 1303.06 "AMENDMENTS" OF THE BUILDING CODE, AND DECLARING AN EMERGENCY.

Councilmember O'Donnell moved, seconded by Councilmember Van Dyke, that Ordinance No. 2025-94 be adopted.
ROLL CALL ON ADOPTION:
Yeas: Getsay, Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka.
Nays: None; Ordinance No. 2025-94 adopted.

FIRST READING:

ORDINANCE NO. 2025-82: 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 AND DECLARING AN EMERGENCY.

Council President Greenspan referred Ordinance No. 2025-82 to the Committee of the Whole.

ORDINANCE NO. 2025-83: AN ORDINANCE ESTABLISHING THE COMPENSATION FOR THE MAYOR AND DIRECTOR OF LAW FOR THE CITY OF WESTLAKE.

Council President Greenspan referred Ordinance No. 2025-83 to the Committee of the Whole.

ORDINANCE NO. 2025-84: AN ORDINANCE FIXING THE COMPENSATION OF THE DEPARTMENT HEADS OF THE CITY OF WESTLAKE AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

Council President Greenspan referred Ordinance No. 2025-84 to the Committee of the Whole.

ORDINANCE NO. 2025-85: 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.

Council President Greenspan referred Ordinance No. 2025-85 to the Committee of the Whole.

ORDINANCE NO. 2025-86: AN ORDINANCE AMENDING SECTION 167.23 ENTITLED "EMPLOYEE INCENTIVE PROGRAM" OF CHAPTER 167 ENTITLED "EMPLOYEES GENERALLY."

Council President Greenspan referred Ordinance No. 2025-86 to the Committee of the Whole.

ORDINANCE NO. 2025-87: AN ORDINANCE AMENDING SUBSECTIONS (a) AND (g) OF SECTION 167.06 OF CHAPTER 167 OF THE CODIFIED ORDINANCES OF THE CITY OF WESTLAKE AS TO HOLIDAYS FOR CERTAIN EMPLOYEES.

Council President Greenspan referred Ordinance No. 2025-87 to the Committee of the Whole.

ORDINANCE NO. 2025-92: AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 2024-92 AS TO A CONTRACT WITH RJ PLATTEN CONTRACTING FOR THE PARKSIDE ATHLETIC FIELDS PROJECT, AND DECLARING AN EMERGENCY.

Council President Greenspan referred Ordinance No. 2025-92 to the Committee of the Whole.

ORDINANCE NO. 2025-95: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 907 "DRAINAGE DITCHES" OF PART NINE OF THE CODIFIED ORDINANCES OF THE CITY OF WESTLAKE, AND DECLARING AN EMERGENCY.

Council President Greenspan referred Ordinance No. 2025-95 to the Committee of the Whole.

MISCELLANEOUS:

Councilmember Sullivan moved, seconded by Councilmember Nunnari, to extend the time by 60 days for the Planning, Zoning, Legislative committee to consider Ordinance No. 2025-66.
ROLL CALL:
Yeas: Greenspan, Van Dyke, Nunnari, Sullivan, O'Donnell, Havelka, Getsay.
Nays: None; motion carried.

ADJOURNMENT:

Councilmember O'Donnell moved, seconded by Councilmember Van Dyke, that the meeting adjourn.
Yeas: All.
Nays: None; motion carried.

President of Council Greenspan declared the meeting adjourned at 9:05 p.m.

Denise L. Rosenbaum, MMC
Clerk of Council

David S. Greenspan
President of Council