DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
OCTOBER 19, 2009
7:30 P.M.

The Regular Meetings of Lakewood City Council shall be held on the first and third Mondays of each month at 7:30 P.M., except that when such meeting date falls on a holiday such meeting shall instead be held on the following day. A Docket and Agenda of the business proposed to be transacted by Council will be available in the Clerk's Office and both branches of the Lakewood Public Library after noon on Friday before a Council meeting.

Section 121.08 of the Codified Ordinances of the City of Lakewood establishes rules for the public to follow when speaking before Council:

ADDRESSING COUNCIL – The President may recognize any non-member for addressing Council on any question then pending. In such cases, the person recognized shall address the chair, state his or her name and address and the subject matter he or she desires to discuss. Speakers must be courteous in their language and avoid personalities. When addressed by the Chair, the speaker must yield the floor and comply with all rulings of the chair, said rulings not being open to debate. Except with permission of Council specifically given, speakers shall be limited to five minutes. No person who has had the floor shall again be recognized until all others desiring an opportunity to speak have been given an opportunity to do so.

AGENDA ITEMS PROTOCOL:

The Clerk at the beginning of the meeting will present the AGENDA ITEMS sign-in sheet to the President of Council. Speakers will be called to address Council by the Chair. A citizen must first write his or her name, address and agenda item number on the designated sign-in sheet in order to be recognized.

PUBLIC COMMENT PROTOCOL:

The clerk at the end of the meeting will present the PUBLIC COMMENT sign-in sheet to the President of Council. Public Comment will be welcomed at the end of a Council Meeting on miscellaneous issues or issues other than agenda items. A citizen must first write his or her name, address and topic on the designated sign-in sheet in order to be recognized. The forum is not designed to be a question and answer session.

I. Pledge of Allegiance
II. Moment of Silence
III. Roll Call
Reading and disposal of the Minutes of the Regular Meeting of Council held October 5, 2009.
Reports, legislation and communications from Members of Council, the Mayor and other City Officials.

******OLD BUSINESS******

1. Finance Committee Report regarding 1. Resolution No. 8373-09. 2. Budget Strategy (To Be Provided)

2. **RESOLUTION NO. 8373-09** – A RESOLUTION to take effect immediately provided it received the affirmative vote of at lest five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor to submit the Fiscal Year (FY) 2010 One-Year Action Plan of the Consolidated Plan, which includes dollar allocations and activities for federal Community Development Block Grant (CDBG) fund sand Emergency Shelter Grant (ESG) funds, and incorporates the City's application for CDBG funds, ESG Funds, HOME Investment Partnership funds, and any other entitlement funds from the U.S. Department of Housing and Urban Development, and all amendments thereto and all understandings and assurances contained their, to the U.S. Department of Housing and Urban Development (HUD). This will also authorize the submission of the Five-Year Consolidated Plan for 2010-2015 HUD. (REFERRED TO THE FINANCE COMMITTEE 10/5/09) (Pg. 5)

3. Finance Chairman Summers Introduction of and submission of Audit Committee's Annual Report.

4. Rules & Ordinances Committee Report regarding Ordinances 56-09, 71-09, and Item Removal from Committee. (Pg.14)

5. **ORDINANCE NO. 73-09** – AN ORDINANCE to create a new section within Chapter 144, Civil Service Commission, of the Codified Ordinances of the City of Lakewood to authorize and set out the method of Original Appointments to the Division of Police, to include a combination of appointment from a certified list and lateral entry hire. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 10/5/09) (Pg. 15)

6. **ORDINANCE NO. 74-09** – AN ORDINANCE authorizing the Mayor, on behalf of the City, to enter into a two year agreement with Cuyahoga County, the lead entity in the Cuyahoga Housing Consortium ("Consortium") and various lending institutions and individuals participating in the Lakewood HOME Program ("Program") for an amount not to exceed $249,947. (PLACED ON 1ST READING & REFERRED TO THE HOUSING COMMITTEE 10/5/09) (Pg.18)

7. **ORDINANCE NO. 75-09** – AN ORDINANCE authorizing the Mayor, on behalf of the City, to enter into an agreement with Cuyahoga Housing Consortium for an additional $300,000 in HOME funds for the construction of single family homes in areas where properties need to be razed. (PLACED ON 1ST READING & REFERRED TO THE HOUSING COMMITTEE 10/5/09) (Pg. 19)

****NEW BUSINESS****

8. Communication from Councilmember Bullock regarding Resolution to Express the City's Commitment to the Principles of Buying American Products and Services Using Funds received Under the American Recovery and Investment Act. (Pg. 20)

9. **RESOLUTION NO. 8376-09** – A RESOLUTION to encourage the use of federal economic recovery funds to promote goods and services made or performed by American citizens and companies. (Pg. 21)

10. Communication from Finance Director Pae regarding Purchasing and Contracting Ordinance FY 2009. (Pg.23)

11. **ORDINANCE NO. 89-08B** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 89-08A, adopted April 20, 2009 for the purpose of adding, deleting, and increasing contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2009 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg.24)

12. **ORDINANCE NO. 76-09 -** AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at lease five (5) members elected to council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance to enter into an agreement with the Beck Center facilitating the pass through of Energy Efficiency and Conservation Block Grand Funds in the amount of $57,000 in accordance with the award received from the Department of Energy for such purposes. (Pg.31)

13. Communication from Public Works Director Beno regarding Safe Routes to Schools Grant. (Pg.33)

14. **RESOLUTION NO. 8377-09** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the City of Lakewood to execute and file an application with the Ohio Department of Transportation, Safe Routes to School Project. (Pg. 34)

15. Communication from Police Chief Malley regarding Resolution for University Hospital/Cuyahoga County High Visibility Enforcement Grants. (Pg. 36)

16. **RESOLUTION NO. 8378-09** – A RESOLUTION authorizing the Mayor, as Safety Director, to enter into agreements on behalf of the City to accept and expend grant funds, in an amount totaling $13,214.25, from University Hospitals Health System/Rainbow

Babies & Children's Hospital for the purpose of providing targeted enforcement activity within the City of Lakewood. (Pg.37)

17. Communication from Human Services Director Buckon regarding Cuyahoga County Options for Elders Program.

18. **ORDINANCE NO. 77-09** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Mayor or his designee, for and on behalf of the City of Lakewood to enter into an amended agreement with the Cuyahoga County Board of County Commissioners, Department of Senior & Adult Services, to provide home delivered meals, homemaker services, personal care services, and medical transportation services under the Cuyahoga County Options for Elders Program that will extend the current agreement through June 30, 2010. (Pg. 40)

8373-09

Referred to FINANCE CMTE 10/5/09

RESOLUTION NO. 8373-09 BY:

A RESOLUTION to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor to submit the Fiscal Year (FY) 2010 One-Year Action Plan of the Consolidated Plan, which includes dollar allocations and activities for federal Community Development Block Grant (CDBG) funds and Emergency Shelter Grant (ESG) funds, and incorporates the City's application for CDBG funds, ESG Funds, HOME Investment Partnership funds, and any other entitlement funds from the U.S. Department of Housing and Urban Development, and all amendments thereto and all understandings and assurances contained therein, to the U.S. Department of Housing and Urban Development (HUD). This will also authorize the submission of the Five-Year Consolidated Plan for 2010-2015 to HUD.

WHEREAS, the Secretary of HUD is authorized by various Federal Acts to make grants to units of general local government to finance community development programs; and

WHEREAS, HUD requires units of general local government to incorporate the Comprehensive Housing Affordability Strategy into a Consolidated Plan; and

WHEREAS, the City is annually required, with the participation and approval of its Citizens Advisory Committee (CAC), to submit a One-Year Action Plan update of its Consolidated Plan to serve as a planning document and application for fiscal year allocations for various HUD programs, including CDBG funds, ESG Funds, HOME Investment Partnership funds, and other HUD funds; and

WHEREAS, the City proposes to apply for FY 2010 federal grants and has, in that connection, and as required by and pursuant to the various Federal Acts and Regulations of HUD, prepared a FY 2010 One-Year Action Plan of the Consolidated Plan, which incorporates the City's application for federal CDBG funds, ESG Funds, HOME Investment Partnership funds, and other funds (if applicable), and community development objectives and projected use of funds, and which contains local objectives, a description of activities to be undertaken, a budget, and certifications in the form or assurances; and,

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this resolution is an emergency measure, and that this resolution shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that immediate action is necessary in order to meet the annual HUD application deadline for Federal funds. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That the Mayor is hereby authorized and directed to submit to HUD the FY 2010 One-Year Action Plan of the Consolidated Plan, as reviewed and approved by the CAC

which incorporates the City's application for federal CDBG funds, ESG Funds, HOME Investment Partnership funds, and other funds (if applicable), as indicated in Exhibit A, and all amendments thereto and all understandings and assurances contained therein.

Section 2. That the FY 2010 One-Year Action Plan of the Consolidated Plan, as reviewed and approved by the CAC, will reflect a multi-year certification for the expenditure of CDBG funds for FY 2008, FY 2009 and FY 2010.

Section 3. That the 2010-2015 Five-Year Consolidated Plan, as reviewed and approved by the CAC, will be submitted to HUD.

Section 4. That the Mayor is hereby authorized and directed to act in connection with submission of the FY 2010 One-Year Action Plan of the Consolidated Plan, to provide such additional information as may be required and to enter into any and all agreements necessary to accept funds under these programs.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 6. That this resolution is hereby declared to be a measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

_____
PRESIDENT

_____
CLERK OF COUNCIL

Approved: _____

_____
MAYOR

EXHIBIT A

FY 2010 Applications

Applicant	Program Name	Fund Type	Request Amount	CAC Final Recommendation Amount
COMMUNITY DEVELOPMENT BLOCK GRANT				
Beck Center	Art Education Scholarships	LMI Public Service	$40,000	**$10,000.00**
Cleveland Mediation Center	Homeless Prevention Mediation	LMI Public Service	$21,325	**$11,166.67**
Dept of Human Services, Div of Aging	Outreach & Case Management Services for Older Adults	LMI Public Service	$39,000	**$27,000.00**
Dept of Human Services, Div of Aging	Yard Service Program	LMI Public Service	$7,000	**$7,000.00**
Dept of Human Services, Div. of Early Childhood	Childcare Scholarship Assistance	LMI Public Service	$90,000	**$90,000.00**
Dept of Human Services, Div. of Early Childhood	Family Literacy	LMA Public Service	$8,000	**$8,000.00**
Dept of Planning and Development	Administration	Administration	$420,000	**$420,000.00**
Dept of Planning and Development	Economic Development Fund- LMI Job Creation	LMI Jobs	$100,000	**$100,000.00**
Dept of Planning and Development	YMCA Section 108 Obligation	Section 108	$55,000	**$55,000.00**
Dept of Planning and Development, Div of Community Development	Commercial Revitalization	SBA	$100,000	**$100,000.00**
Dept of Planning and Development, Div of Community Development	Low Interest Loan	LMI Housing	$350,000	**$350,000.00**
Dept of Planning and Development, Div of Community Development	Vacant Property Revitalization Program	LMI Housing	$50,000	**$50,000.00**
Dept of Public Safety, Div of Housing & Building	Project Pride Code Enforcement	LMA Housing	$150,000	**$150,000.00**
Dept of Public Works	Madison Park Improvements	LMA Public Facilities	$30,000	**$25,000.00**
Dept of Public Works, Div of Engineering	Street Reconstruction	LMA Public Facilities	$500,000	**$493,407.50**
Dept of Public Works, Div of Refuse	Special Refuse Collection	LMI Public Service	$53,250	**$46,329.17**
Lakewood Alive	Economic Development- Mainstreet Approach	LMI Jobs	$59,928	**$45,000.00**
Lakewood Alive	Outreach Services for Housing	LMI Public Service	$57,050	**$30,250.00**
Lakewood Christian Service Center	Supportive Housing	LMI Public Service	$25,830	**$17,346.67**
Lakewood Foundation	Community Leaf and Snow Program	LMI Public Service	$8,000	**$7,000.00**
North Coast Health Ministry	Medical Assistance	LMI Public Service	$57,500	**$57,500.00**
Spanish American Committee	Pre- to Post- Purchase Housing Program	LMI Public Service	$92,154	**$0.00**
		CAP		
	Total Public Services	15%	**23.8%**	**14.8%**
	Total Slum Blight	30%	**4.8%**	**4.8%**
	Total Administration	20%	**20.0%**	**20.0%**
	Total LMI Benefit	NA	**106%**	**95%**
CDBG TOTAL		**$2,100,000**	**$2,314,037**	**$2,100,000.00**

EXHIBIT A

FY 2010 Applications

Applicant	Program Name	Fund Type	Request Amount	CAC Final Recommendation Amount
EMERGENCY SHELTER GRANT				
Cleveland Mediation Center	Homeless Prevention Project	Homeless Prevention	$17,354	**$0.00**
Dept of Human Services, Div of Youth	H.O.M.E.S.	Essential Services	$34,100	**$26,091.67**
Domestic Violence Center	Shelter Services	Shelter Services	$31,500	**$22,375.00**
Lakewood Christian Service Center	Prevention of Homelessness Rent & Utilities Program	Homeless Prevention	$33,842	**$28,359.50**
Mental Health Services	Men's Shelter	Shelter Services	$19,453	**$6,711.92**
Mental Health Services	Women's Shelter	Shelter Services	$19,453	**$6,878.58**
Y-Haven	Transitional Housing	Shelter Services	$20,000	**$5,583.33**
		CAP		
	Total Esential Services	30%	**36%**	**27%**
	Total Homelessness Prevention	30%	**53%**	**30%**
	Total Shelter Services	NA	**94%**	**43%**
ESG TOTAL		**$96,000.00**	**$175,702**	**$96,000.00**

City of Lakewood
Audit Committee
Annual Report – 2008/2009 Year

October 2009

Summary of Contents / Timeline

2008 Year

Creation of the Audit Committee

Ordinance No.: 93-07 – Authorized the creation of the Audit Committee [November 2007]. Adopted on December 3, 2007 and approved on December 7, 2007.

- Purpose – to provide independent review and oversight of the City's financial reporting processes, internal controls, and independent auditor comments. To review financial statements, independent auditor reports and follow up on corrective actions.
- Membership – composed of the Lakewood City Council Finance Committee members, two Lakewood residents appointed by City Council and four Lakewood residents appointed by the Mayor.
- Terms – initially, one Council appointment and two Mayoral appointments shall serve for one year. Thereafter, each appointment and the remainder of all other initial appointments shall serve for a period of two years.
- Bylaws and General Rules of Operations – Committee shall meet at least on a quarterly basis. The Committee shall devise its own officers, governance, and place and time of assembly.

Formation of the Audit Committee

In March 2008, two individuals were appointed by City Council and four individuals were appointed by the Mayor of the City to serve on the Audit Committee along with the three members of the Council Finance Committee.

On May 27, 2008, the first meeting of the Audit Committee was held. The key purpose of the meeting was organizational and on-boarding in nature. The agenda included the following:

- Introductions of the committee members
- Review the Audit Committee Purpose
- Elect Committee Chair(Haber) and Committee Secretary (Cushing)
- Determine Meeting frequency – monthly, but not less than quarterly
- Review the 2006 Audit and Management Letter
- Update on the 2007 Audit that was currently in progress

In 2008, the Audit Committee held six meetings (May, June, August, September, October and November). Key accomplishments achieved during this time period were:

- Development of an Annual Meeting Planner used as a guide to insure the Committee addresses and discharges its responsibilities as listed in the Ordinance No.: 93-07. The major elements of the Planner are:
    - Committee Governance Activities
    - Review and Oversight of Financial Reporting Process and Comprehensive Framework of Internal Controls
    - Review and Oversight of the Independent Audit
    - Fraud, Abuse or Control Override
    - Other activities as determined by the Committee

- Held a private session with the Auditor of State, who conducted the 2007 Audit of the City of Lakewood.
- Met with the Chairperson of the Technology Working Governance Group to discuss the adequacy and security of the City's computerized information systems.
- The Finance Director attended each meeting and provided updates on the current year's financial performance and the budgeting process used in preparing the 2009 Budget.
- Provided oversight regarding the delay in the issuance of the 2007 CAFR and recommendations of corrective actions. Established a goal of having the 2008 Audit and CAFR to be completed by June 30, 2009. In 2009 the auditors did complete the fieldwork on schedule, but the release of the final audit for 2008 was delayed by the Auditor of State.
- Meet with representatives from the Auditor of State regarding their appointment as the independent auditor of the financial audit for the 2008 year.
- Developed a Self Evaluation Form that the Committee members completed to help to assess the progress of the committee in the initial year and to identify specific areas that the members thought needed further development.

2009 Year

So far in 2009, the Audit Committee held eight meetings (every month except for May). Key accomplishments achieved during this time period were (not listed in the correct time sequence):

- Key Activities for the 1st Quarter 2009 included the following:

    - Governance activities, which included the election of the Committee Chair and Secretary, recorded current and reappointed members and respective terms, re-affirm the Annual Meeting Planner and established monthly meetings.

- Review of the Finance Department's plan in preparation for the 2008 Audit. Also reviewed the final 2009 Budget.
- Meet with Director of Human Resources to review the contents and scope of the City's HR Policy Manual, City's Code of Conduct and the procedures for confidential, anonymous submission by employees regarding concerns or suspects of fraud. Discussed plans for ethics training scheduled for April 2009.
- Reviewed the results of the 2008 Self Evaluation.
- Pre-Engagement meeting with Auditor of State to review nature and scope, significant issues, planned resources and timing of the 2008 Performance and Financial Audits.

➢ Key Activities in the 2nd Quarter 2009 included the following:

- Received an update and status of the 2008 Audit and if there were any significant issues raised by the auditors (none reported).
- A summary review of the City's General Debt Obligations was presented by the Finance Director.
- Meet with the Finance Director and Assistant Finance Director, who provided an update on the financial results of the City for the first quarter of 2009.
- Meet in private session with the Auditor of State, who conducted the Financial Audit for the 2008 year.

➢ Key Activities in the 3rd Quarter 2009 included the following:

- Meet with the Finance Director and Assistant Finance Director, who provided an update on the financial results of the City for the second quarter and first half of 2009.
- Conducted a post review of the 2008 Audit findings, including a review of the administrative response to the findings and recommendations made by the Auditor of State.
- Provided oversight of the process used in the selection of the independent audit firm to perform the financial audit for five-years starting with the 2009 year.

➢ In addition to the above, other activities of the Committee included:

- Review of the City's third party bid process and various contract bids.
- Attended periodic meetings and seminars pertaining to the current events that may affect city governance and administration.

- Provided financial market analysis, opinions, and common business practice information to all committee members and administrative staff

➢ Other Comments:

- The Finance Director and or the Assistant Finance Director have attended all of the meetings of the Audit Committee in 2008 and 2009.
- Minutes from all of the Audit Committee meetings have been filed with the Clerk of Council.

Future Objectives – 2009 / 2010

➢ The Committee plans to continue to follow the activities, on a timely base, as described more specifically in the Annual Meeting Planner with the focus on providing an independent review and oversight of the City's financial reporting processes and internal controls.

➢ The Committee intends to continue to be a sounding board for the Finance Director, other members of the Administration and members of Council. To provide a relative and meaningful financial/business perspective to the financial issues facing the City of Lakewood.

➢ Specific areas of focus for the coming year include:

- Initial assessment of establishing a risk management process
- Capital Structure of the City currently and the potential impact of future funding requirements
- Financial Modeling beyond a one year time horizon
- Development of a Strategic Planning process

Respectively Submitted on behalf of the Audit Committee

Kenneth Haber
Chairperson, 2009

Committee Members:

William George, Mayoral Appointment

Charles Page, Mayoral Appointment
Raymond Cushing, Council Appointment
Kenneth Haber, Council Appointment
Clint Weddell, Mayoral Appointment
Jason Stewart, Mayoral Appointment (resigned as of May 2009)
Michael Summers, Councilman
Kevin Butler, Councilman
Mary Louise Madigan, Councilwoman

12650 DETROIT AVENUE 44107 (216) 529-6055 FAX (216) 226-3650

www.onelakewood.com

Lakewood City Council
MICHAEL DEVER, PRESIDENT
MARY LOUISE MADIGAN, VICE PRESIDENT

Council at Large
MICHAEL DEVER
NICKIE ANTONIO
BRIAN POWERS
MARY HAGAN, CLERK OF COUNCIL

Ward Council
WARD I – KEVIN M. BUTLER
WARD II – TOM BULLOCK
WARD III – MIKE SUMMERS
WARD IV – MARY LOUISE MADIGAN

Councilman Kevin Butler
butler@councilmanbutler.com
(216) 221-7953

October 19, 2009

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Dear Members of Council:

The Rules and Ordinances Committee convened on October 12, with Councilman Powers and me in attendance as committee members, along with several other councilmembers, members of the administration and representatives of the community.

The committee discussed and deferred Ord. 56-09, proposing to outlaw excessive vehicle idling, and Ord. 71-09, proposing to amend Sections 903.10 and 903.99 of the Codified Ordinances relating to sidewalk and tree lawn maintenance. We will continue to take those issues under advisement in future meetings

The committee also discussed a letter from Mayor FitzGerald dated June 16, 2008, in which the mayor proposed to address the length of time between the city's knowledge of a high-grass property and its abatement of that property (should the owner fail to have abated it first). Because Council and the mayor resolved that very issue by adopting an amended version of Ord. 59-09 on July 20, 2009, the Rules & Ordinances committee voted to remove the mayor's June 2008 communication from the committee docket as moot.

Please simply receive and file this report.

Very truly yours,

Kevin Butler

Kevin Butler
Councilman, Ward 1

PLACED ON FIRST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 10/5/09

ORDINANCE NO. 73-09 BY:

AN ORDINANCE to create a new section within Chapter 144, Civil Service Commission, of the Codified Ordinances of the City of Lakewood to authorize and set out the method of Original Appointments to the Division of Police, to include a combination of appointment from a certified list and lateral entry hire.

WHEREAS, this ordinance is necessary in that any Rules and Regulations of the Lakewood Civil Service Commission which differ from the Ohio Revised Code must be enacted by ordinance; and

WHEREAS, the Police Chief has requested the Civil Service Commission to amend its rules and regulations to allow for the Division of Police to make Lateral Hires without a competitive civil service examination; and

WHEREAS, upon review of the Rules and Regulations and the evidence presented to the Civil Service Commission, the Commission recommends that the inclusion of lateral entry requirements for Patrol Officer be reflected as described in the proposed ordinance. Now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That a new Section within Chapter 144, Civil Service Commission, of the Codified Ordinances of the City of Lakewood is hereby created to read as follows:

144.14 Original Appointment to the Division of Police

(a) There shall be two methods for original appointment of police officers to the Division of Police: Civil Service Examination with placement on the certified eligible list and Lateral Hire. In either case, candidates must conform to certain minimum qualifications of the City of Lakewood Civil Service Rules and Regulations.

1. Civil Service Examination Process –
Applicants are required to complete a written examination as well as a physical agility test. The Civil Service Commission shall certify the names in accordance with its rules and regulations.

Candidates appointed to Police Officer through these procedures will be hired at Grade III first year and must successfully complete an 18

month probationary period or as otherwise provided by the collective bargaining agreement.

2. Lateral Hire –
   Applicants will submit an employment application as well as a current certificate of physical agility to the Department of Human Resources. In addition, candidates must conform to all the minimum requirements of the Civil Service Rules and Regulations and all applicants for Lateral Hire shall meet the following prerequisites:

   A. Currently or have previously been employed as a peace officer;
   B. OPATA certified;
   C. For those previously employed there shall be no more than a one year break in service from previous employment as a peace officer;
   D. Current or previous peace officer employment must have been as a result of a civil service examination process.

   The Police Chief, in conjunction with the Director of Human Resources and the Public Safety Director, will review resumes and applications to determine which applicants meet the lateral entry criteria. Lateral Entry candidates may be required to submit to the following, including but not limited to, a thorough background investigation, polygraph examination, psychological and medical evaluation, oral interview and drug screening as stated in the Police General Order 91-014 Selection Process.

   Positions filled through these procedures are therefore exempt from competitive examination.

   Candidates appointed to Police Officer through these procedures will be hired at Grade III first year and must successfully complete an 18 month probationary period or as otherwise provided by the collective bargaining agreement.

   A. Seniority for lateral entry Police Officer will be based on the date of hire with the City of Lakewood.

   Employees selected through these procedures shall obtain and retain all other rights attributed to the classified service, following successful completion of the probationary period.

3. For every four (4) consecutive original appointments, not less than three (3) shall be from a certified eligible list and one (1) may be a lateral hire.

4. If a layoff list exists then the appointment will be subject to the City of Lakewood Civil Service Rules and Regulations.

5. The Civil Service Commission is authorized to promulgate rules and procedures for the administration of the test and selection methodology of both methods of original appointment not inconsistent with this Ordinance.

(b) Subsection (a) hereof is specifically intended to supersede State Code for Original Appointments to Patrol Officer positions in the Division of Police.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted:_____

_____
PRESIDENT

_____
CLERK

Approved:_____

_____
MAYOR

PLACED ON FIRST READING & REFERRED TO THE HOUSING COMMITTEE 10/5/09

Ordinance No. 74-09 By:

AN ORDINANCE authorizing the Mayor, on behalf of the City, to enter into a two year agreement with Cuyahoga County, the lead entity in the Cuyahoga Housing Consortium ("Consortium") and various lending institutions and individuals participating in the Lakewood HOME Program ("Program") for an amount not to exceed $249,947.

WHEREAS, the Cuyahoga Housing Consortium, has been designated by the U.s. Department of Housing and Urban Development (HUD) as a grantee of funds under HUD's Home Investment Partnership Program; and

WHEREAS, the City is a member of the Consortium and as such has been granted funds to assist eligible homebuyers; and

WHEREAS, the City has developed and implemented the Lakewood HOME Program to support home ownership affordability within the City among eligible homebuyers; and

WHEREAS, the City has modified the Program to improve home ownership affordability within the City among eligible homebuyers by providing additional down payment assistance and removing certain requirements making the program more beneficial to applicants; and

WHEREAS, continuation of the HOME Program will further promote home ownership of one and two-family property types. Now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That the Mayor, on behalf of the City, is hereby authorized and to enter into a two year agreement with Cuyahoga County, the lead entity in the Cuyahoga Housing Consortium ("Consortium") and various lending institutions and individuals participating in the Lakewood HOME Program ("Program") for an amount not to exceed $249,947; said agreements to contain such terms and conditions as deemed necessary by the Director of Law to protect the public interest.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of the Council and an of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____ _____
President of Council

_____
Clerk of Council

PLACED ON FIRST READING & REFERRED TO THE HOUSING COMMITTEE 10/5/09

ORDINANCE NO. 75-09

BY:

AN ORDINANCE authorizing the Mayor, on behalf of the City, to enter into an agreement with the Cuyahoga Housing Consortium for an additional $300,000 in HOME funds for the construction of single family homes in areas where properties need to be razed.

WHEREAS, the Cuyahoga Housing Consortium has approved $300,000 in HOME funds for the City of Lakewood to mitigate the razing of structures within the City; and

WHEREAS, these funds can be used to construct single family, energy efficient, historically sympathetic homes within the City of Lakewood. Now Therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO

Section 1. That the Mayor, on behalf of the City of Lakewood, is hereby authorized to enter into an agreement with the Cuyahoga Housing Consortium for an additional $300,000 in HOME funds for the construction of single family homes in areas where properties need to be razed.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

_____
President of Council

_____
Clerk of Council

Approved: _____

_____
Mayor

12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650
www.onelakewood.com
Lakewood City Council
MICHAEL W. DEVER PRESIDENT
MARY LOUISE MADIGAN, VICE PRESIDENT

Council at Large
NICKIE J. ANTONIO
MICHAEL W. DEVER
BRIAN E. POWERS

Ward Council
WARD I – KEVIN BUTLER
WARD II- THOMAS BULLOCK
WARD III –MICHAEL SUMMERS
WARD IV – MARY LOUISE MADIGAN

October 14, 2009

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Resolution to express the City's commitment to the principles of buying American products and services using funds received under the American Recovery and Investment Act

Dear Members of Council:

Lakewood has received economic renewal funds from the federal government under the American Recovery and Investment Act. The attached Resolution expresses the City's commitment to using monies coming from this source to maximize American job creation and retention. It calls upon Lakewood to use these funds whenever and wherever possible for the purchase of products and services from companies within the United States.

We are in the midst of a severe economic downturn, with consequences for many area workers. For example in our core industry of steel making, earlier this year only nine of 29 blast furnaces in the United States were making steel and several Northeast Ohio steel mills were idled, including those in Cleveland and Lorain, costing approximately 950 jobs, which paid good family wages. It makes eminent sense that we renew our commitment to buying American-made products and services with the funds that have been proscribed for these purposes.

Two polls from earlier this year show the public supports these principles. According to a Pew Charitable Trusts survey, 70 percent of Democrats, 66 percent of Republicans and 63 percent of Independents say the federal economic recovery plan should require that spending be limited to U.S.-made goods and services. In addition, a national Harris Interactive poll conducted for the Alliance for American Manufacturing found 84 percent favor "Buy American" requirements (66 percent strongly, 18 percent somewhat). Only 4 percent strongly oppose the requirement and 7 percent somewhat oppose it. The overwhelming support was consistent regardless of gender, age, income level, education, or region.

Let our City affirm what so many Americans support: that American Recovery and Investment Act funds should be used to create and retain American jobs by buying American products and services. We respectfully request your support and urge you to pass this resolution.

Sincerely,

Thomas R. Bullock III

Thomas R. Bullock III
Member of Council, Ward 2

RESOLUTION NO. 8376-09 BY:

A RESOLUTION to encourage the use of federal economic recovery funds to promote goods and services made or performed by American citizens and companies.

WHEREAS, The economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment; and

WHEREAS, Those same Americans are the taxpayers that provide the revenue needed to operate essential government services; and

WHEREAS, Congress has enacted an economic recovery package that will provide significant amounts of money to the cities and states and immediately will provide considerable infrastructure rebuilding, green energy projects, and other projects that will require manufactured components; and

WHEREAS, American taxpayer dollars should be spent to maximize the creation of American jobs and restore the economic vitality of our communities; and

WHEREAS, Any domestically produced products that are purchased with federal economic recovery plan funds will immediately help struggling American families and will stabilize our greater economy; and

WHEREAS, Any economic recovery plan spending should, to every extent possible and in accordance with state and federal law, include a commitment from the Governor to buy goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place; now therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. We the undersigned will work to maximize the creation of American jobs and restore economic growth and opportunity by spending American Recovery and Reinvestment Act funds on goods and services that both create jobs and help keep Americans employed.

Section 2. We commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any American Recovery and Reinvestment Act funds provided to the City of Lakewood by the American taxpayers.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal

requirements.

Adopted:_____

_____
PRESIDENT

_____
CLERK

Approved:_____

_____
MAYOR

12650 DETROIT AVENUE . 44107 . 216/529-6092 . FAX 216/529-6806

Jennifer R. Pae
Director of Finance

October 19, 2009

Lakewood City Council

Re: Purchasing and Contracting Ordinance FY2009

Dear Members of Council:

Attached are two pieces of legislation granting contracting authority to use funds obtained through a grant from the Ohio Department of Energy, Energy Efficiency and Conservation Block Grant (EECBG), to expend approximately $107,000 of a total grant award in the amount of $447,200.

The first ordinance amends Ordinance No. 89-08A and authorizes the City to enter into contracts for the professional engineering component required for this grant. Currently, $50,000 has been allocated to hire a consultant to compile Lakewood's Energy Efficiency and Conservation Strategy (EECS). The EECS is a requirement of the grant and will look at projects for the balance of this grant and beyond that can be put into place to make the City of Lakewood more energy efficient.

These initial funds were recently allocated on September 29th to Lakewood. The schedule for this grant is as follows; the EECS needs to be completed and submitted back to the Department of Energy within 120 days of this award with the preferred projects to expend the remaining grant funds within 18 months.

In addition, a portion of the grant was secured on behalf of the Beck Center for the Performing Arts for the installation of a new high efficiency boiler and air conditioning unit. The second piece of legislation will allow the City of Lakewood to enter into an agreement with the Beck Center to facilitate this pass through of funds in the amount of $57,000.

Suspension of the rules for immediate passage by Council this evening is respectfully requested

Respectfully,

Jen Pae, KES

Jennifer R. Pae
Director of Finance

ORDINANCE NO: 89-08B BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 89-08A, adopted April 20, 2009 for the purpose of adding, deleting, and increasing contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2009 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law.

WHEREAS, this Council desires to provide the authorization to the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2009 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law, and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary to provide for the usual daily operation of municipal departments in that delay could impair the City's ability to provide necessary services in a timely manner, now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO

Section 1. That Ordinance 89-08A, adopted April 20, 2009 currently reading as follows:

Section 1.That the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager be and are hereby authorized and directed to enter into a contract or contracts for supplies, services and equipment with the lowest and best bidder or bidders or as otherwise provided by law, as follows:

Professional services contracts included in the 2009 Budget are as follows:

1) Legal Services.....300,000
2) Recodification of Ordinances.....12,500
3) Financial Audit.....75,000
4) Hospitalization and Health Care Benefit Consulting Services.....50,000
5) Consultant for Workers Compensation.....40,000
6) Risk Management Consulting Services.....13,000
7) Healthcare, Physicals, Drug & Alcohol Testing.....20,000
8) Employee Assistance Program.....11,000
9) Supervisor / Manager / Employee Training.....75,000
10) Exams for Classified Positions.....75,000
11) Housing and Building Plans Examinations.....20,000
12) Lakewood Jail Medical Services.....100,000
13) Professional Musician Services – Winterhurst.....5,000
14) Band Concerts.....15,000
15) Cleveland State University Intern.....30,000
16) Municipal Engineering Consultant.....36,000

Sub-Total.....$877,500

Services contracts included in the 2009 Budget are as follows:

1) Government Agreements (WEB).....125,000
2) Government Agreements II.....30,000
3) Financial Institution Service Charges.....180,000
4) Electronic Payment Services.....30,000
5) Property & Liability Insurance Contracts.....450,000
6) Workers' Comp Stop Loss Insurance.....400,000
7) Life Insurance.....23,000
8) Hospitalization and Health Care Benefit Services.....6,600,000
9) Medical Claims Billing Service.....85,000
10) Sentenced Prisoners Full Jail Service.....400,000
11) Home Delivered Meals.....28,500
12) Distribution System Leak Survey.....30,000
13) Disposal of Screening and Grit (WWTP).....15,000
14) Excavation Spoils Disposal.....200,000
15) Street Sweeping & Catch Basin Debris Disposal.....60,000
16) Solid Waste Disposal Site.....900,000
17) Waste Collections – Condominiums.....70,000
18) Biosolids Disposal.....50,000
19) Receiving and Processing Yard Waste.....12,000
20) Roll-Off Box Construction Debris.....35,000
21) Organic Waste Disposal.....65,000
22) Crack Sealing Program.....60,000
23) Equipment Lease - Leaf Collection Project.....14,000

24) Temporary Services - Refuse Collection 100,000
25) Lab Analysis Service 15,000
26) Citywide Computer Hrdwr Op. Sys., & Software Maint. Conts 300,000
27) Communications Services 100,000
28) IT Help Desk Services 100,000
29) Cox Fiber Network Maintenance 10,000
30) Water Meter Program Maintenance 12,000
31) Telephone System Maintenance 10,000
32) Cellular Phone Service 45,000
33) Janitorial Services 20,000
34) Laundry Service-Police Department 12,500
35) Towing Services 10,000
36) HVAC Maintenance 42,000
37) Copier Maintenance Service 30,000
38) Postage, Mailing Services, Equipment Lease/Maintenance 225,000
39) Rental and Laundry of Uniforms 12,500
40) Advertising 50,000
41) Printing Services 140,000
42) CRIS/LEADS Fees 50,000
43) Fireworks Display 35,000
44) Police Canine & Handler Training 14,000

Sub-Total $11,195,500

Materials, supplies, and equipment authorized for purchase under the 2009 Budget are as follows:

1) Sand and Aggregate 45,000
2) Concrete Supplies 50,000
3) Asphalt Materials 40,000
4) Asphalt Cold Patch 30,000
5) Road Salt (Sodium Chloride) 375,000
6) Fire Hydrants, Sewer and Water Appurtenances 100,000
7) Water Meter Supplies & Materials 45,000
8) Sign Shop-Supplies, Blanks & Reflective Material 15,000
9) Polymer Flocculants 20,000
10) Wastewater Treatment Chemicals 120,000
11) Computer Supplies 40,000
12) Tires and Road Service 65,000
13) Automotive Repairs, Parts and Supplies 600,000
14) Oil and Lubricants 25,000
15) Fuel Supplies (Gasoline and Diesel) 700,000
16) Purchase of Uniforms and Gear 50,000
17) Electrical Supplies 50,000
18) Hardware Supplies 35,000
19) Janitorial Supplies 45,000
20) Lumber Supplies 25,000

21) Paper Supplies 25,000
22) Plumbing Supplies 35,000
23) Prisoner Food Supplies 60,000
24) Purchase Uniforms & Gear – Safety Forces 50,000
25) Pool Supplies – Chemicals 25,000
26) Landscape Materials 15,000
27) Office Supplies 50,000
28) Lease Copier Equipment 35,000
29) Subscriptions/Publications 30,000
30) Small Tools and Equipment 100,000
31) Computer Software 25,000
32) Communications – Equipment and Supplies 10,000
33) Ammunition 25,000

Sub-Total $2,960,000

Total $15,033,000

Is hereby amended to read as follows:

Section 1.That the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager be and are hereby authorized and directed to enter into a contract or contracts for supplies, services and equipment with the lowest and best bidder or bidders or as otherwise provided by law, as follows:

Professional services contracts included in the 2009 Budget are as follows:

1) Legal Services 300,000
2) Recodification of Ordinances 12,500
3) Financial Audit 75,000
4) Hospitalization and Health Care Benefit Consulting Services 50,000
5) Consultant for Workers Compensation 40,000
6) Risk Management Consulting Services 13,000
7) Healthcare, Physicals, Drug & Alcohol Testing 20,000
8) Employee Assistance Program 11,000
9) Supervisor / Manager / Employee Training 75,000
10) Exams for Classified Positions 75,000
11) Housing and Building Plans Examinations 20,000
12) Lakewood Jail Medical Services 100,000
13) Professional Musician Services – Winterhurst 5,000
14) Band Concerts 15,000
15) Cleveland State University Intern 30,000
16) Municipal Engineering Consultant 36,000
17) Energy Efficiency & Conservation Consultant 50,000

Sub-Total 27 **..... $927,500**

Services contracts included in the 2009 Budget are as follows:

1) Government Agreements (WEB) 125,000
2) Government Agreements II 30,000
3) Financial Institution Service Charges 180,000
4) Electronic Payment Services 30,000
5) Property & Liability Insurance Contracts 450,000
6) Workers' Comp Stop Loss Insurance 400,000
8) Life Insurance 23,000
8) Hospitalization and Health Care Benefit Services 6,600,000
9) Medical Claims Billing Service 85,000
10) Sentenced Prisoners Full Jail Service 400,000
12) Home Delivered Meals 28,500
12) Distribution System Leak Survey 30,000
13) Disposal of Screening and Grit (WWTP) 15,000
14) Excavation Spoils Disposal 200,000
15) Street Sweeping & Catch Basin Debris Disposal 60,000
16) Solid Waste Disposal Site 900,000
17) Waste Collections – Condominiums 70,000
18) Biosolids Disposal 50,000
19) Receiving and Processing Yard Waste 12,000
20) Roll-Off Box Construction Debris 35,000
21) Organic Waste Disposal 65,000
22) Crack Sealing Program 60,000
23) Equipment Lease - Leaf Collection Project 14,000
24) Temporary Services - Refuse Collection 100,000
25) Lab Analysis Service 15,000
26) Citywide Computer Hrdwr Op. Sys., & Software Maint. Conts 300,000
27) Communications Services 100,000
28) IT Help Desk Services 100,000
29) Cox Fiber Network Maintenance 10,000
30) Water Meter Program Maintenance 12,000
31) Telephone System Maintenance 10,000
32) Cellular Phone Service 45,000
33) Janitorial Services 20,000
34) Laundry Service-Police Department 12,500
35) Towing Services 10,000
36) HVAC Maintenance 42,000
37) Copier Maintenance Service 30,000
38) Postage, Mailing Services, Equipment Lease/Maintenance 225,000
39) Rental and Laundry of Uniforms 12,500
40) Advertising 50,000
41) Printing Services 140,000
42) CRIS/LEADS Fees 50,000
43) Fireworks Display 35,000
44) Police Canine & Handler Training 14,000

Sub-Total **$11,195,500**

Materials, supplies, and equipment authorized for purchase under the 2009 Budget are as follows:

1) Sand and Aggregate 45,000
2) Concrete Supplies 50,000
3) Asphalt Materials 40,000
4) Asphalt Cold Patch 30,000
5) Road Salt (Sodium Chloride) 375,000
6) Fire Hydrants, Sewer and Water Appurtenances 100,000
7) Water Meter Supplies & Materials 45,000
8) Sign Shop-Supplies, Blanks & Reflective Material 15,000
9) Polymer Flocculants 20,000
10) Wastewater Treatment Chemicals 120,000
11) Computer Supplies 40,000
12) Tires and Road Service 65,000
13) Automotive Repairs, Parts and Supplies 600,000
14) Oil and Lubricants 25,000
15) Fuel Supplies (Gasoline and Diesel) 700,000
16) Purchase of Uniforms and Gear 50,000
17) Electrical Supplies 50,000
18) Hardware Supplies 35,000
19) Janitorial Supplies 45,000
20) Lumber Supplies 25,000
21) Paper Supplies 25,000
22) Plumbing Supplies 35,000
23) Prisoner Food Supplies 60,000
24) Purchase Uniforms & Gear – Safety Forces 50,000
25) Pool Supplies – Chemicals 25,000
26) Landscape Materials 15,000
27) Office Supplies 50,000
28) Lease Copier Equipment 35,000
29) Subscriptions/Publications 30,000
30) Small Tools and Equipment 100,000
31) Computer Software 25,000
32) Communications – Equipment and Supplies 10,000
33) Ammunition 25,000

Sub-Total **$2,960,000**

Total **$15,083,000**

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Section 2. That contracts for supplies, services and equipment in excess of $7,500 and for professional services in excess of $5,000 shall not be awarded except as approved herein or further approved by Resolution of Council.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure for the reasons stated in the preamble hereof and provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____ _____
President

_____
Clerk

Approved: _____ _____
Mayor

ORDINANCE NO. 16-09 BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at lease five (5) members elected to council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance to enter into an agreement with the Beck Center facilitating the pass through of Energy Efficiency and Conservation Block Grant Funds in the amount of $57,000 in accordance with the award received from the Department of Energy for such purposes.

WHEREAS, the Beck Center, formerly Lakewood Little Theatre, has been a valued community and cultural arts institution and coveted asset to our City for more than 75 years; and

WHEREAS, the Beck Center is a non-profit, performing arts and arts education organization that provides professional and amateur theatrical productions, comprehensive and curriculum-based arts education in dance, music, theatre, visual arts, and creative art therapies; and

WHEREAS, a recent independent economic development study concluded that the Beck Center stimulates a total economic impact of over $10 million in an average year through salaries, vendor and visitor spending; and

WHEREAS, the City of Lakewood, as part of its grant application for Energy Efficiency and Conservation Block Grant Projects was able to secure nearly $57,000 in funds for reimbursement of the Beck Center for a new high efficiency boiler and air conditioning system; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that these funds should be made available immediately to the Beck Center upon receipt by the City of Lakewood in order to facilitate their energy efficient project immediately to allow benefits of the project to be realized this heating season. Now Therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That the Director of Finance to enter into an agreement with the Beck Center facilitating the pass through of Energy Efficiency and Conservation Block Grant Funds in the amount of $57,000 in accordance with the award received from the Department of Energy for such purposes, in a form approved by the Director of Law.

Section 2. . It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____ _____
President

_____
Clerk

Approved_____ _____
Mayor

JOSEPH J. BENO, PE
DIRECTOR OF PUBLIC WORKS

DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENGINEERING AND CONSTRUCTION
12650 DETROIT AVENUE • 44107 • (216) 521-6692

October 19, 2009

RE: Safe Routes to Schools Grant

Dear Members of Council,

The City of Lakewood is applying to ODOT for a Safe Routes to Schools (SRTS) grant in the amount of $500,000. The SRTS Program provides grant monies for public improvements to infrastructure, such as sidewalks and crosswalks amenities, which would enhance the safety of the routes to Emerson and Horace Mann Elementary Schools. These schools are being targeted to build off of the School Travel Plan (STP) that was created for the 2007 grant application.

We appreciate you cooperation and ask you to pass this legislation so we can move forward with the grant application.

Sincerely,

Joseph J. Beno P.E.

RESOLUTION NO. 8371-09 BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the City of Lakewood to execute and file an application with the Ohio Department of Transportation, Safe Routes to School Project.

WHEREAS, the United States Congress has set aside monies for Safe Routes to School Projects through the State of Ohio, Department of Transportation; and

WHEREAS, Local Public Agencies (LPA's) can apply for these monies and be select3ed for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the School Travel Plan created in 2007 is a transportation activity that is eligible to receive federal funding; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of public property, health and safety, and to provide for the usual daily operation of municipal departments in that applications for assistance are due no later than November 2, 2009. Now Therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That the Director of Public Works is hereby authorized on behalf of the City of Lakewood to prepare and execute an application for SRTS funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

Section 2. The total cost of the project is estimated to be $500,000, of which the City of Lakewood , if awarded the funds, agrees to pay one hundred percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation

Section 3. Upon completion of the described Project, and unless otherwise agreed, the City of Lakewood shall: (1) provide adequate maintenance for the described Project in accordance with all applicable stat and federal laws, including, but not limited to 23 USC 116; (2) provide ample financial provisions, as necessary for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 4. If the application is approved for the funding, the Director of Public Works is hereby empowered on behalf of the City of Lakewood to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meeting open to the public in compliance with all legal requirements.

Section 6. That this Resolution is hereby declared to be an emergency measure necessary for the usual daily operation of City for the reasons set forth in the preamble to this Resolution, and provided it receives the affirmative vote of at least five of its members elected to Council, this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____ _____

President of Council

_____

Clerk of Council

Approved: _____ _____

Mayor

12650 Detroit Avenue • 44107
Timothy J. Malley Chief of Police

Division of Police
216-529-6750
FAX 216-521-7727
www.onelakewood.com

October 19, 2009

Lakewood City Council
12650 Detroit Ave.
Lakewood, Ohio 44107

RE: Resolution for University Hospital/ Cuyahoga County High Visibility Enforcement Grants.

Dear Members of Council;

The Lakewood Police Department has again partnered with University Hospitals with the Cuyahoga County High Visibility Enforcement Project, which targets enforcement and education about the most common causes of fatal and injury vehicle accidents in our county. In 2010 we will receive three grants from University Hospital;

1) High Visibility Enforcement Overtime Grant for speed and common accident causing violations in the amount of $6,881.91.
2) OVI Task Force Grant for enforcement of OVI laws in the amount of $5,126.32.
3) Safety Belt Use Grant in the amount of $1,206.02.

These enforcement grants will be utilized at different times throughout the year in conjunction with education by University Hospital and its partners in law enforcement in the County.

Attached please find a resolution for your consideration authorizing our acceptance of these grants.

Sincerely,

Chief Timothy J. Malley

RESOLUTION NO. 8378-09 BY:

A RESOLUTION authorizing the Mayor, as Safety Director, to enter into agreements on behalf of the City to accept and expend grant funds, in an amount totaling $13,214.25, from University Hospitals Health System/Rainbow Babies & Children's Hospital for the purpose of providing targeted enforcement activity within the City of Lakewood.

WHEREAS, the City of Lakewood has been awarded three grants for the purpose of target enforcement for the year 2010; and

WHEREAS, the awards include $6,881.91 for speed and common accident causing violations, $5,126.32 for enforcement of operating a vehicle while intoxicated, and $1,206.02 for safety belt enforcement; and

WHEREAS, University Hospital Health System/Rainbow Babies & Children's Hospital has received a Governor's Highway Safety Office (GHSO) High Visibility Enforcement Overtime grant from the Ohio Department of Public Safety (ODPS) for the purpose of decreasing fatalities and injuries due to motor vehicle crashes on Cuyahoga County roadways. Now, Therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, STATE OF OHIO

Section 1. That the Mayor, as Safety Director, is hereby authorized to enter into agreements on behalf of the City of Lakewood, to accept and expend grant funds, in an amount totaling $13,214.25, from University Hospitals Health System/Rainbow Babies & Children's Hospital for the purpose of providing targeted enforcement activity within the City of Lakewood.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberation of the Council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements.

Section 3. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set

forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

_____
President of Council

_____
Clerk of Council

Approved: _____

_____
Mayor

DEPARTMENT OF HUMAN SERVICES
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DOROTHY M. BUCKON
DIRECTOR OF HUMAN SERVICES

October 19, 2009

Lakewood City Council
Lakewood, OH 44107

RE: Cuyahoga County Options for Elders Program

Dear Members of Council:

Attached for your approval is an Emergency Ordinance authorizing the Mayor or his designee to enter into an amended contract with the Cuyahoga County Board of County Commissioners on behalf of the City of Lakewood, Department of Human Services, Division of Aging to extend the current agreement to enable continuation of services under the Cuyahoga County Options for Elders Program through June 30, 2010.

Cuyahoga County Options for Elders Program service components include home delivered meals, homemaker services, and medical transportation. The amended contract includes a change in the scope of service, extension of the term of service, a reduction in the contract value and billing rates.

I respectfully request passage of this Emergency Ordinance at the earliest possible date. Thank you for consideration of this request.

Sincerely,

Dorothy M. Buckon

Dorothy M. Buckon, Director
Department of Human Services

The City of Lakewood, Department of Human Services, provides a continuum of responsive programs and services that enhance and promote the health and well-being of individuals, families and the community.

ORDINANCE NO. 77-09 BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Mayor or his designee, for and on behalf of the City of Lakewood to enter into an amended agreement with the Cuyahoga County Board of County Commissioners, Department of Senior & Adult Services, to provide home delivered meals, homemaker services, personal care services, and medical transportation services under the Cuyahoga County Options for Elders Program that will extend the current agreement through June 30, 2010.

WHEREAS, the Cuyahoga County Board of County Commissioners is administering a program of grants under the Cuyahoga County Options for Elders Program, whereby this City may obtain funds to provide programs for persons 60 years of age or older, and;

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this resolution shall take effect at the earliest date possible as set forth in ARTICLE III, SECTONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that the signed contract must be submitted to the Cuyahoga County Board of County Commissioners prior to the November 19, 2009 meeting. Now Therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That the Mayor or his designee, for and on behalf of the City of Lakewood, is hereby authorized and directed to enter into an amended contract with the Cuyahoga County Board of County Commissioners, providing partial funding of the City's program under Cuyahoga County Options for Elders Program.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

_____
PRESIDENT

_____
CLERK

Approved: _____

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MAYOR