

**DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
APRIL 20, 2015
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 on the City's website www.onelakewood.com after 4 PM on the 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 & disposal of the minutes of the Regular Meeting of Council held April 6, 2016.

Reports, legislation and communications from Members of Council, the Mayor and other City Officials.

****OLD BUSINESS****

1. Committee of the Whole Reports of April 13, 2015, April 20, 2015 Committee meetings addressing Letter of Intent submitted to Lakewood City Council by the Lakewood Hospital Association (LHA) the Lakewood Hospital Foundation (LHF) and Cleveland Clinic, and Ordinance Nos. 1-15- & 17-15 (To Be Provided) Chair; Madigan.
2. **ORDINANCE NO. 1-15** – AN ORDINANCE to amend Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as 1207 Summit Avenue (PPN 311-31-094), 1206 Lakeland Avenue (PPN 311-31-095), 1600 Robinwood Avenue (PPN 314-12-040) and 1604 Robinwood Avenue (PPN 314-12-039) from R1H (Single Family, High Density) to C4 (Commercial, Public School). (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 1/5/16, 2ND READING 1/20/15. RECOMMENDED FOR ADOPTION BY PLANNING COMMISSION & REFERRED TO COMMITTEE OF THE WHOLE 3/16/15). (Pg. 5)
3. **ORDINANCE NO. 17-15** – AN ORDINANCE amending Section 1161.03(t), Supplemental Regulations for Specific Uses, of the Codified Ordinances of the City of Lakewood to allow outdoor dining year round where the patio is located fully on private property. (PLACED ON 1ST READING & REFERRED TO THE COMMITTEE OF THE WHOLE 3/16/15, 2ND READING 4/6/15) (Pg. 7)
4. Finance Committee Report regarding Ordinance Nos. 43-14A & 19-15. (To Be Provided). Chair; Nowlin.
5. **ORDINANCE NO. 43-14A** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 43-14, adopted December 15, 2014, authorizing 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 2015 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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 3/16/15, 2ND READING 4/6/15). (Pg. 17)
6. **ORDINANCE NO. 19-15** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance to enter into Equipment Leases in forms approved by the Director of Law on behalf of the City of Lakewood (“City”). (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 4/6/15)(Pg. 23)
7. Public Works Committee Report regarding Ordinance 12-15, Resolutions Nos. 8799-15, 8800-15. (To Be Provided). Chair; Juris.

8. **ORDINANCE NO. 12-15** - AN ORDINANCE amending Chapter 145, Keep Lakewood Beautiful Board, of the Codified Ordinances of the City of Lakewood, in order to update the code regulating the composition and duties of this board. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 2/17/15, 2ND READING 3/2/15)(Pg. 26)

9. **RESOLUTION NO. 8799-15** –A RESOLUTION to take effect immediately provided it receives the vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing 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 establish procedures for and engage in the process of letting of one or more contracts with one or more qualified entities for design and construction of digester upgrades and an electrical generation system at the wastewater treatment plant without the necessity of competitive bidding; and exempting the city from certain provisions with the Ohio Revised Code related to design-build contacting for the purpose of this project. (REFERRED TO THE PUBLIC WORKS COMMITTEE 3/16/15) (Pg. 31)

10. **RESOLUTION NO. 8800-15** A RESOLUTION to take effect immediately provided it receives the vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing 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 establish procedures for and engage in the process of letting of one or more contracts with one or more qualified entities for design and construction of corrections to the sewer system under the western Lakewood clean water pilot project without the necessity of competitive bidding; and exempting the city from certain provisions with the Ohio Revised Code related to design-build contacting for the purpose of this project. (REFERRED TO THE PUBLIC WORKS COMMITTEE 3/16/15)(Pg.34)

11. Communication from Planning & Development Director Siley regarding Planning Commission Recommendation for 14823 Lake Ave. & 14818 Clifton Blvd – Rezoning. (Pg. 37)

12. **ORDINANCE NO. 14-15** – AN ORDINANCE amending Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as a portion of 14823 lake Avenue from (PPN 312-15-022) R1H (Single Family, High Density) to R2 (Single and Two Family). (PLEASE SUBSTITUTE FOR ORDINANCE 14-15 PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 3/16/15, 2ND READING 4/6/15) (Pg. 38)

13. **ORDINANCE NO. 18-15** – AN ORDINANCE dedicating certain parcels of land located at 1347 St. Charles Avenue, known as St. Charles Green, as a public park, to be designated as “_____ Park.”. (PLACED ON 1ST READING & REFERED TO THE PLANNING COMMISSION 4/6/15)(Pg. 40)

******NEW BUSINESS******

14. Communication from Council President Madigan regarding appointing Colleen Zettler to the Citizens Advisory Committee. (Pg.43)
15. Communication from Councilmember Bullock regarding Report from Saturday Lakewood Farmers Market on its 2014 season. (Pg.44)
16. Communication from Mayor Summers regarding Mayoral appointments to the Lakewood Citizens Advisory Committee. (Pg.45)
17. Liquor Permit Application for D5 TREX to Voodoo Tuna, 15326 Detroit from Politix Lounge 4062 Mayfield Road, South Euclid, OH 441212. (Pg.46)

PLACED ON 1ST READING & REFERRED TO THE
PLANNING COMMISSION 1/5/15.
SECOND READING 1/20/15. REFERRED TO C.O.W.
3/16/15.

ORDINANCE NO. 1-15 BY:

AN ORDINANCE to amend Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as 1207 Summit Avenue (PPN 311-31-094), 1206 Lakeland Avenue (PPN 311-31-095), 1600 Robinwood Avenue (PPN 314-12-040) and 1604 Robinwood Avenue (PPN 314-12-039) from R1H (Single Family, High Density) to C4 (Commercial, Public School).

WHEREAS, it is necessary and desirable to rezone certain parcels of land in the City for the completion of school construction projects; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood be and the same is hereby amended by changing and revising the Zoning Map of the City from R1H (Single Family, High Density) to C4 (Commercial, Public School) for the following properties:

1) **1207 Summit Avenue, Lakewood, Ohio**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio; and known as being Sublot No. 167 in C.L. & L.R. Newell's Subdivision of Original Rockport Township Section No. 22, as shown by the recorded Plat in Volume 22, Page 5 of Cuyahoga County Records, and being 40 feet front on the Easterly side of Summit Avenue and extending back, of equal width, 126 feet, as appears by said plat.

Permanent Parcel Number 311-31-094

2) **1206 Lakeland Avenue, Lakewood, Ohio**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio; and known as Sublot No. 86 in the C.L. & L.R. Newell Subdivision of part of Original Rockport Township Section No. 22, as shown by the recorded plat in Volume 22 of Maps, Page 5 of Cuyahoga County Records, as appears by said plat.

Permanent Parcel Number: 311-31-095

3) **1600 Robinwood Avenue, Lakewood, Ohio**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio: and known as Sublot No. 129 in the Walton Brothers Lakewood Allotment of part of Original Rockport Township Section No. 22, as shown by the recorded plat in Volume 25 of Maps, Page 14 of Cuyahoga County Records.

Permanent Parcel Number: 314-12-040

4) **1604 Robinwood Avenue, Lakewood, Ohio**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio: and known as being Sublot No. 128 in Walton Brothers Lakewood Heights Allotment of part of Original Rockport Township Section No. 22, as shown by the recorded plat in Volume 25 of Maps, Page 14 of Cuyahoga County Records, and being 40 feet front on the Westerly side of Robinwood Avenue and extending back 150.63 feet on the Northerly line, 150.61 feet on the Southerly line and is 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel Number 314-12-039

Section 2. The Director of Planning and Development is hereby authorized and directed to make the reclassification change on the zoning map of the City of Lakewood, Ohio, in order to reflect the amendment designated in Section 1 of this ordinance.

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 OF COUNCIL

Approved: _____

MAYOR

PLACED ON 1ST READING & REFERRED TO THE
COMMITTEE OF THE WHOLE 3/16/15.
PLACED ON 2ND READING 4/6/15.

ORDINANCE NO. 17-15 BY:

AN ORDINANCE amending Section 1161.03(t), Supplemental Regulations for Specific Uses, of the Codified Ordinances of the City of Lakewood to allow outdoor dining year round where the patio is located fully on private property.

WHEREAS, the Planning Commission, in reviewing approval of any outdoor dining application under Chapter 1161, must consider impacts of any outdoor dining facility and balance those in relation to neighboring properties and land uses; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1161.03(t), Supplemental Regulations for Specific Users, of the Codified Ordinances of the City of Lakewood currently reading as follows:

1161.03 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES

...

- (t) Outdoor/Seasonal Dining Facility. Any person operating a restaurant, bar, tavern, or nightclub use (as used in this section, a "Restaurant Use") in the C1 Office, C2 Retail, C3 General Business, C4 Public School, ML and MH Multiple-Family Residential, PD Planned Development or I Industrial District (as used in this section, and together with any successors or assigns, an "Applicant") may be permitted to operate an Outdoor/Seasonal Dining Facility as a conditionally permitted accessory use subject to the following:
- (1) Upon the Applicant's application, filed with the Director of Planning (as used in this section, the "Director"), the Outdoor/Seasonal Dining Facility design shall be reviewed and approved by the Architectural Board of Review pursuant to Chapter 1325 of the Building Code. The Outdoor/Seasonal Dining Facility should be attractive and in accordance with the Architectural Board of Review's Outdoor Dining Design Guidelines and should promote pedestrian safety and a retail friendly atmosphere. The Applicant must comply with all applicable city, state and federal laws and regulations at all times. Applications for the Outdoor/Seasonal Dining Facility conditional use permit shall include the following items:
- A. A completed and signed Outdoor/Seasonal Dining Facility conditional use permit application form;
- B. A written description of the proposal and photographs of the area to be occupied by the proposed outdoor dining area;

- C. A detailed, labeled and scaled site plan and elevations of the location of the outdoor dining area, number and arrangement of tables and chairs, barriers, means of ingress and egress, sidewalk, above-ground utilities and any other sidewalk obstruction, parking and planter areas;
- D. Manufacturer's information and cut sheets on all proposed tables, chairs, barriers, lighting and accessory furniture;
- E. A signed statement by the owner of the building confirming the ownership of the building and, if the owner is not the Applicant, granting permission to the Applicant to pursue the conditional use permit;
- F. A detailed description of the type of food and beverage served at the establishment;
- G. When applicable, a copy of the Applicant's liquor permit and any other documentation giving the Applicant permission to serve alcohol;
- H. Copies of all required Cuyahoga County Board of Health documentation necessary to operate the facility; and
- I. Any additional documents reasonably deemed necessary by the Director.

Incomplete applications or applications deemed insufficient by the Director will not be accepted for review.

- (2) The Outdoor/Seasonal Dining Facility shall be located directly adjacent to the lawfully operating Restaurant Use with a valid food vendor's license and be directly under Applicant's control. The Outdoor/Seasonal Dining Facility may be located immediately adjacent to the front of the Restaurant Use, on the side or rear of the Restaurant Use or as approved by the Planning Commission.
- (3) The floor space of the Outdoor/Seasonal Dining Facility and any walkway connecting such facility with the Restaurant Use and the parking lot or any public or private sidewalk shall be constructed of an approved hard surface material.
- (4) The Applicant must keep the Outdoor/Seasonal Dining Facility sanitary, neat and clean at all times, free from accumulation of food, litter, snow, ice and other potentially dangerous or unsanitary matter.
- (5) The Outdoor/Seasonal Dining Facility must be in compliance with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. (as used in this section, the "ADA"), and at a minimum allow for 5 feet of continuous pedestrian access along the public sidewalk free from all obstruction, and must not create any pedestrian hazards.
- (6) An Applicant whose Restaurant Use is at an intersection of public streets shall not locate the Outdoor/Seasonal Dining Facility in a manner that will impede vehicular sight distance at that intersection. Setbacks from the intersection for the outdoor dining area will be

determined by the Planning Commission on an individual basis specific to individual site conditions after review and recommendation by the Director, Building Commissioner, Police Chief and Fire Chief.

- (7) The total number of seats for the Outdoor/Seasonal Dining Facility shall not exceed 25% of the maximum number of previously approved indoor seats for the Restaurant Use. The final number of seats for the Outdoor/Seasonal Dining Facility will be determined by the Planning Commission upon review of the amount of space available, the ADA and the Building Code.
- (8) Applicants who serve alcoholic beverages as part of their Restaurant Use must meet all requirements of the Ohio Department of Commerce, Division of Liquor Control, and the following standards:
 - A. Where an Outdoor/Seasonal Dining Facility or any portion of an Outdoor/Seasonal Dining Facility is located on public property, the owner of the facility shall sign a Use of Public Property Agreement approved by the Director of Law that indemnifies and holds the City harmless from any claims, liability or damages arising from the operation or location of the Outdoor/Seasonal Dining Facility, and shall provide an insurance policy in an amount approved by the Director of Law with the City named as an additional insured. Upon approval of the Outdoor/Seasonal Dining Facility conditional use by the Planning Commission, the Director is authorized to enter into the Use of Public Property Agreement on behalf of the City.
 - B. The Outdoor/Seasonal Dining Facility must be enclosed with a sturdy barrier in compliance with the Building Code, the ADA, the Outdoor Dining Design Guidelines and any additional directives of the Chief of Police. Said barrier shall not be less than 36 inches in height and shall clearly designate the area where food and/or beverages shall be permitted to be served and consumed.
 - C. The entrance to the Outdoor/Seasonal Dining Facility must be easily recognizable and adjacent to or as close to a publicly used door of the Restaurant Use as is commercially practicable in the Planning Commission's determination.
 - D. Food Service, as defined in Section 1103.02 of this Code, shall be offered at all times when alcoholic beverages are served in the Outdoor/Seasonal Dining Facility.
 - E. Applicants shall not permit customers to carry alcoholic beverages from the Outdoor/Seasonal Dining Facility to any place outside the Outdoor/Seasonal Dining Facility except the adjacent Restaurant Use, and the facility shall be designed in a way so as to maintain compliance with this provision.
- (9) Applicants who do not serve alcoholic beverages as part of their Restaurant Use must meet the following standards:
 - A. Where an Outdoor/Seasonal Dining Facility or any portion of an Outdoor/Seasonal Dining Facility is located on public property, the owner of the facility shall sign a Use of Public Property Agreement

approved by the Director of Law that indemnifies and holds the City harmless from any claims, liability or damages arising from the operation or location of the Outdoor/Seasonal Dining Facility, and shall provide an insurance policy in an amount approved by the Director of Law with the City named as an additional insured. Upon approval of the Outdoor/Seasonal Dining Facility conditional use by the Planning Commission, the Director is authorized to enter into the Use of Public Property Agreement on behalf of the City.

B. A barrier on some or all sides of the Outdoor/Seasonal Dining Facility may be required. The Planning Commission will make a determination as to the extent and location of a barrier necessary for the Outdoor/Seasonal Dining Facility. Any such barrier shall be in accordance with the Outdoor Dining Design Guidelines.

- (10) The Outdoor/Seasonal Dining Facility must have adequate illumination during evening hours in accordance with the Outdoor Dining Design Guidelines. All lighting will be designed to minimize the intrusive effect of glare and illumination upon abutting areas, especially residential properties.
- (11) Buffering with landscaping or fencing of the Outdoor/Seasonal Dining Facility, if the facility is adjacent to residential or sensitive uses, may be required. Buffering requirements will be determined by the Planning Commission and shall be in accordance with the Outdoor Dining Design Guidelines.
- (12) An Outdoor/Seasonal Dining Facility need not require additional off-street parking unless the Planning Commission determines otherwise, or unless the Outdoor/Seasonal Dining Facility creates an overflow parking problem on adjacent public streets. Should a parking problem arise due to the Outdoor/Seasonal Dining Facility, the Director shall require the Applicant to make provisions for sufficient off-street parking on nearby non-residential properties.
- (13) Furniture and enclosures located within the Outdoor/Seasonal Dining Facility may not be stored on the public right-of-way and must be removed entirely from the right-of-way between October 31 and March 31. All furniture and fixtures used in an Outdoor/Seasonal Dining Facility in the public right-of-way must be readily removable without damage to the surface of the right-of-way and may only remain in the public right-of-way outside hours of operation with prior approval of the Planning Commission.
- (14) An Outdoor/Seasonal Dining Facility shall operate only between the hours of 11:00 a.m. and 10:00 p.m. Sunday through Thursday, 11:00 a.m. Friday to 1:00 a.m. Saturday and 11:00 a.m. Saturday to 1:00 a.m. Sunday, only between the months of April through and inclusive of October. The limitations set forth herein, and any additional limitations placed on hours of operation as may be determined by the Planning Commission, are designed to assure adequate peace, quiet and serenity in the evening and morning hours during which residents of the City are entitled to enjoy a period of rest and relaxation without intrusion from the possibilities of excessive noise and activity in adjacent areas.

- (15) Outside entertainment, whether by band, orchestra, instrument, musician, singer, radio, television, loudspeaker, microphone, recital or any other individual, group or mechanical device, shall only be permitted in an Outdoor/Seasonal Dining Facility pursuant to Chapter 515 of the Ordinances of the City. The Planning Commission may prohibit or provide for other restrictions and conditions related to such entertainment as it deems necessary to protect the surrounding neighborhood.
- (16) The Outdoor/Seasonal Dining Facility shall comply with the requirements of the state smoking and tobacco use laws.
- (17) The Director may require adjustments, after approval of the Planning Commission, to the layout, dimensions, or distance from the property line of any Outdoor/Seasonal Dining Facility in order to ensure pedestrian safety and a retail-friendly atmosphere.
- (18) Notwithstanding anything in this Chapter or Section to the contrary, any Outdoor/Seasonal Dining Facility conditional use permit application shall be heard by the Planning Commission and, if approved, shall expire 12 months from the date of issuance. Subsequent renewal of the conditional use permit may be made administratively by the Director if no significant modifications to the conditions of the permit have been proposed and no violations of the Code have been determined. Determination of renewal status is at the discretion of the Director. Renewal applications must be submitted in writing at least 30 days prior to expiration of permit. The conditional use permit for an Outdoor/Seasonal Dining Facility is non-transferable.
- (19) Notwithstanding anything in this Chapter or Section to the contrary, any conditional use permit granted for the Outdoor/Seasonal Dining Facility may be revoked by the Planning Commission after referral to the Planning Commission by the Director and a public hearing. Notice of such hearing shall be sent to the Applicant and to others pursuant to Section 1173.07(b)(2) of this Code as if a zoning change were requested. The Director shall have the authority to cancel a Use of Public Property Agreement upon 30 days' written notice. Once a notice of cancellation of the Use of Public Property Agreement has been issued, the owner of the restaurant has 5 business days to remove any portion of the Outdoor/Seasonal Dining Facility that is in the public right-of-way and restore the public right-of-way to the condition in which it existed prior to the creation of the Outdoor/Seasonal Dining Facility.

...

shall be and is hereby amended to read as follows:

1161.03 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES

...

- (t) Outdoor/Seasonal Dining Facility. Any person operating a restaurant, bar, tavern, or nightclub use (as used in this section, a "Restaurant Use") in the C1 Office, C2 Retail, C3 General Business, C4 Public School, ML and MH

Multiple-Family Residential, PD Planned Development or I Industrial District (as used in this section, and together with any successors or assigns, an "Applicant") may be permitted to operate an Outdoor/Seasonal Dining Facility as a conditionally permitted accessory use subject to the following:

- (1) Upon the Applicant's application, filed with the Director of Planning (as used in this section, the "Director"), the Outdoor/Seasonal Dining Facility design shall be reviewed and approved by the Architectural Board of Review pursuant to Chapter 1325 of the Building Code. The Outdoor/Seasonal Dining Facility should be attractive and in accordance with the Architectural Board of Review's Outdoor Dining Design Guidelines and should promote pedestrian safety and a retail friendly atmosphere. The Applicant must comply with all applicable city, state and federal laws and regulations at all times. Applications for the Outdoor/Seasonal Dining Facility conditional use permit shall include the following items:
 - A. A completed and signed Outdoor/Seasonal Dining Facility conditional use permit application form;
 - B. A written description of the proposal and photographs of the area to be occupied by the proposed outdoor dining area;
 - C. A detailed, labeled and scaled site plan and elevations of the location of the outdoor dining area, number and arrangement of tables and chairs, barriers, means of ingress and egress, sidewalk, above-ground utilities and any other sidewalk obstruction, parking and planter areas;
 - D. Manufacturer's information and cut sheets on all proposed tables, chairs, barriers, lighting and accessory furniture;
 - E. A signed statement by the owner of the building confirming the ownership of the building and, if the owner is not the Applicant, granting permission to the Applicant to pursue the conditional use permit;
 - F. A detailed description of the type of food and beverage served at the establishment;
 - G. When applicable, a copy of the Applicant's liquor permit and any other documentation giving the Applicant permission to serve alcohol;
 - H. Copies of all required Cuyahoga County Board of Health documentation necessary to operate the facility; and
 - I. Any additional documents reasonably deemed necessary by the Director.

Incomplete applications or applications deemed insufficient by the Director will not be accepted for review.

- (2) The Outdoor/Seasonal Dining Facility shall be located directly adjacent to the lawfully operating Restaurant Use and primarily used for dining ~~with a valid food vendor's license and be directly under~~

~~Applicant's control.~~ The Outdoor/Seasonal Dining Facility may be located immediately adjacent to the front of the Restaurant Use, on the side or rear of the Restaurant Use or as approved by the Planning Commission.

- (3) The floor space of the Outdoor/Seasonal Dining Facility and any walkway connecting such facility with the Restaurant Use and the parking lot or any public or private sidewalk shall be constructed of an approved hard surface material.
- (4) The Applicant must keep the Outdoor/Seasonal Dining Facility sanitary, neat and clean at all times, free from accumulation of food, litter, snow, ice and other potentially dangerous or unsanitary matter.
- (5) The Outdoor/Seasonal Dining Facility must be in compliance with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. (as used in this section, the "ADA"), and at a minimum allow for 5 feet of continuous pedestrian access along the public sidewalk free from all obstruction, and must not create any pedestrian hazards.
- (6) An Applicant whose Restaurant Use is at an intersection of public streets shall not locate the Outdoor/Seasonal Dining Facility in a manner that will impede vehicular sight distance at that intersection. Setbacks from the intersection for the outdoor dining area will be determined by the Planning Commission on an individual basis specific to individual site conditions after review and recommendation by the Director, Building Commissioner, Police Chief and Fire Chief.
- (7) The total number of seats for the Outdoor/Seasonal Dining Facility shall not exceed 25% of the maximum number of previously approved indoor seats for the Restaurant Use. The final number of seats for the Outdoor/Seasonal Dining Facility will be determined by the Planning Commission upon review of the amount of space available, the ADA and the Building Code.
- (8) Applicants who serve alcoholic beverages as part of their Restaurant Use must meet all requirements of the Ohio Department of Commerce, Division of Liquor Control, and the following standards:
 - A. Where an Outdoor/Seasonal Dining Facility or any portion of an Outdoor/Seasonal Dining Facility is located on public property, the owner of the facility shall sign a Use of Public Property Agreement approved by the Director of Law that indemnifies and holds the City harmless from any claims, liability or damages arising from the operation or location of the Outdoor/Seasonal Dining Facility, and shall provide an insurance policy in an amount approved by the Director of Law with the City named as an additional insured. Upon approval of the Outdoor/Seasonal Dining Facility conditional use by the Planning Commission, the Director is authorized to enter into the Use of Public Property Agreement on behalf of the City.
 - B. The Outdoor/Seasonal Dining Facility must be enclosed with a sturdy barrier in compliance with the Building Code, the ADA, the Outdoor Dining Design Guidelines and any additional directives of the Chief of Police. Said barrier shall not be less than 36 inches in

height and shall clearly designate the area where food and/or beverages shall be permitted to be served and consumed.

- C. The entrance to the Outdoor/Seasonal Dining Facility must be easily recognizable and adjacent to or as close to a publicly used door of the Restaurant Use as is commercially practicable in the Planning Commission's determination.
 - D. Food Service, as defined in Section 1103.02 of this Code, shall be offered at all times when alcoholic beverages are served in the Outdoor/Seasonal Dining Facility.
 - E. Applicants shall not permit customers to carry alcoholic beverages from the Outdoor/Seasonal Dining Facility to any place outside the Outdoor/Seasonal Dining Facility except the adjacent Restaurant Use, and the facility shall be designed in a way so as to maintain compliance with this provision.
- (9) Applicants who do not serve alcoholic beverages as part of their Restaurant Use must meet the following standards:
- A. Where an Outdoor/Seasonal Dining Facility or any portion of an Outdoor/Seasonal Dining Facility is located on public property, the owner of the facility shall sign a Use of Public Property Agreement approved by the Director of Law that indemnifies and holds the City harmless from any claims, liability or damages arising from the operation or location of the Outdoor/Seasonal Dining Facility, and shall provide an insurance policy in an amount approved by the Director of Law with the City named as an additional insured. Upon approval of the Outdoor/Seasonal Dining Facility conditional use by the Planning Commission, the Director is authorized to enter into the Use of Public Property Agreement on behalf of the City.
 - B. A barrier on some or all sides of the Outdoor/Seasonal Dining Facility may be required. The Planning Commission will make a determination as to the extent and location of a barrier necessary for the Outdoor/Seasonal Dining Facility. Any such barrier shall be in accordance with the Outdoor Dining Design Guidelines.
- (10) The Outdoor/Seasonal Dining Facility must have adequate illumination during evening hours in accordance with the Outdoor Dining Design Guidelines. All lighting will be designed to minimize the intrusive effect of glare and illumination upon abutting areas, especially residential properties.
- (11) Buffering with landscaping or fencing of the Outdoor/Seasonal Dining Facility, if the facility is adjacent to residential or sensitive uses, may be required. Buffering requirements will be determined by the Planning Commission and shall be in accordance with the Outdoor Dining Design Guidelines.
- (12) An Outdoor/Seasonal Dining Facility need not require additional off-street parking unless the Planning Commission determines otherwise, or unless the Outdoor/Seasonal Dining Facility creates an overflow parking problem on adjacent public streets. Should a parking problem

arise due to the Outdoor/Seasonal Dining Facility, the Director shall require the Applicant to make provisions for sufficient off-street parking on nearby non-residential properties.

- (13) Furniture and enclosures located within the Outdoor/Seasonal Dining Facility may not be stored on the public right-of-way and must be removed entirely from the right-of-way between October 31 and March 31. All furniture and fixtures used in an Outdoor/Seasonal Dining Facility in the public right-of-way must be readily removable without damage to the surface of the right-of-way and may only remain in the public right-of-way outside hours of operation with prior approval of the Planning Commission.
- (14) An Outdoor/Seasonal Dining Facility shall operate only between the hours of 11:00 a.m. and 10:00 p.m. Sunday through Thursday, 11:00 a.m. Friday to 1:00 a.m. Saturday and 11:00 a.m. Saturday to 1:00 a.m. Sunday, only between the months of April through and inclusive of October. Where the Outdoor/Seasonal Dining Facility is located entirely on private property, it may be permitted to operate year-round upon approval of the Planning Commission. The limitations set forth herein, and any additional limitations placed on hours of operation as may be determined by the Planning Commission, are designed to assure adequate peace, quiet and serenity in the evening and morning hours during which residents of the City are entitled to enjoy a period of rest and relaxation without intrusion from the possibilities of excessive noise and activity in adjacent areas. The Planning Commission may temporarily extend the hours and dates of operation of any Outdoor/Seasonal Dining Facility where the Outdoor/Seasonal Dining Facility is located within the footprint of a special event that is either sponsored by the City or permitted under the Codified Ordinances.
- (15) Outside entertainment, whether by band, orchestra, instrument, musician, singer, radio, television, loudspeaker, microphone, recital or any other individual, group or mechanical device, shall only be permitted in an Outdoor/Seasonal Dining Facility pursuant to Chapter 515 of the Ordinances of the City. The Planning Commission may prohibit or provide for other restrictions and conditions related to such entertainment as it deems necessary to protect the surrounding neighborhood.
- (16) The Outdoor/Seasonal Dining Facility shall comply with the requirements of the state smoking and tobacco use laws.
- (17) The Director may require adjustments, after approval of the Planning Commission, to the layout, dimensions, or distance from the property line of any Outdoor/Seasonal Dining Facility in order to ensure pedestrian safety and a retail-friendly atmosphere.
- (18) Notwithstanding anything in this Chapter or Section to the contrary, any Outdoor/Seasonal Dining Facility conditional use permit application shall be heard by the Planning Commission and, if approved, shall expire 12 months from the date of issuance. Subsequent renewal of the conditional use permit may be made administratively by the Director if no significant modifications to the conditions of the permit have been proposed and no violations of the Code have been determined. Determination of renewal status is at the discretion of the

Director. Renewal applications must be submitted in writing at least 30 days prior to expiration of permit. The conditional use permit for an Outdoor/Seasonal Dining Facility is non-transferable.

(19) Notwithstanding anything in this Chapter or Section to the contrary, any conditional use permit granted for the Outdoor/Seasonal Dining Facility may be revoked by the Planning Commission after referral to the Planning Commission by the Director and a public hearing. Notice of such hearing shall be sent to the Applicant and to others pursuant to Section 1173.07(b)(2) of this Code as if a zoning change were requested. The Director shall have the authority to cancel a Use of Public Property Agreement upon 30 days' written notice. Once a notice of cancellation of the Use of Public Property Agreement has been issued, the owner of the restaurant has 5 business days to remove any portion of the Outdoor/Seasonal Dining Facility that is in the public right-of-way and restore the public right-of-way to the condition in which it existed prior to the creation of the Outdoor/Seasonal Dining Facility.

...

Section 2. The Director of Planning and Development is hereby authorized and directed to make the reclassification change on the zoning map of the City of Lakewood, Ohio, in order to reflect the amendment designated in Section 1 of this ordinance.

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 OF COUNCIL

Approved: _____

MAYOR

PLACED ON 1ST READING & REFERRED TO THE
FINANCE COMMITTEE 3/16/15. ,

PLACED ON 2ND READING 4/6/15.

ORDINANCE NO. 43-14A

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 43-14, adopted December 15, 2014, authorizing 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 2015 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 2015 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 of its members 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 the public peace, property, health and safety, and 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, OHIO:

Section 1. Section 1 of Ordinance 43-14, adopted December 15, 2014 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 2015 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.....	45,000
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	10,000
9) Supervisor / Manager / Employee Training.....	125,000
10) Exams for Classified Positions	75,000
11) Housing and Building Plans Examinations.....	10,000
12) Lakewood Jail Medical Services	75,000
13) Band Concerts.....	15,000
14) Municipal Engineering Consultant.....	60,000
15) Debt Issuance Costs	75,000
16) Forensic Services	10,000
17) Long Term Control Plan and Storm Water Professional Services	300,000
18) Administrative Professional Services.....	125,000
Sub-Total	\$1,385,500

Services contracts included in the 2015 Budget are as follows:

1) Government Agreements (WEB).....	100,000
2) Government Agreements (Bd of Ed/ Pools)	210,000
3) Financial Institution Service Charges	50,000
4) Electronic Payment Services	150,000
5) Property & Liability Insurance Contracts	450,000
6) Workers' Comp Stop Loss Insurance	105,000
7) Life Insurance	25,000
8) Hospitalization and Health Care Benefit Services	5,500,000
9) Medical Claims Billing Service	100,000
10) Sentenced Prisoners Full Jail Service	300,000
11) Home Delivered Meals	45,000
12) Distribution System Leak Survey	30,000
13) Disposal of Screenings and Grit (WWTP)	13,000
14) Excavation Spoils Removal	100,000
15) Roll of Box for Street Sweeping.....	50,000
16) Solid Waste Disposal Site.....	900,000
17) Waste Collections - Condominiums	90,000
18) Biosolids Disposal	90,000
19) Roll-Off Box for Construction Debris	60,000
20) Equipment Lease - Leaf Collection Project	15,000
21) Lab Analysis Service	25,000
22) Citywide Computer Hrdwr Op. Sys., & Software Maint Contracts	350,000
23) Communications Services	75,000
24) Water Meter Program Maintenance.....	25,000
25) Telephone Service	150,000
26) Cellular Phone Service	85,000
27) Janitorial Services.....	15,000
28) Laundry Service-Police Department	12,000
29) HVAC Maintenance	65,000
30) Elevator Maintenance	25,000
31) Fire Alarm Maintenance	50,000
32) Copier Maintenance Service	25,000

33) Postage, Mailing Services, Equipment Lease/Maintenance	250,000
34) Rental and Laundry of Uniforms	12,000
35) Advertising	25,500
36) Printing Services	115,000
37) CRIS/LEADS Fees	35,000
38) Parking Citation Billing Service	50,000
39) Fireworks Display	35,000
40) Transportation Services	35,000
Sub-Total	\$9,845,500

Materials, supplies, and equipment authorized for purchase under the 2015 Budget are as follows:

1) Sand and Aggregate	30,000
2) Concrete Supplies	50,000
3) Asphalt Materials	50,000
4) Asphalt Cold Patch	25,000
5) Crack Sealant	40,000
6) Road Salt (Sodium Chloride)	200,000
7) Fire Hydrants, Sewer and Water Appurtenances	100,000
8) Water Meter Supplies & Materials	75,000
9) Sign Shop-Supplies, Blanks & Reflective Material	100,000
10) Polymer Flocculants	18,000
11) Wastewater Treatment Chemicals	120,000
12) Tires and Road Service	80,000
13) Automotive Repairs, Parts and Supplies	500,000
14) Oil and Lubricants	40,000
15) Fuel (Gasoline and Diesel)	750,000
16) Purchase of Uniforms and Gear	40,000
17) Electrical Supplies	30,000
18) Hardware Supplies	35,000
19) Janitorial Supplies	45,000
20) Landscape Materials	25,000
21) Lumber Supplies	90,000
22) Plumbing Supplies	40,000
23) Pool Supplies – Chemicals	45,000
24) Small Tools and Equipment	110,000
25) Prisoner Food Supplies	40,000
26) Purchase Uniforms & Gear – Safety Forces	60,000
27) Ammunition	25,000
28) Office Supplies	35,000
29) Computer Supplies	10,000
30) Computer Software	10,000
31) Communications Equipment	75,000
32) Paper Supplies	20,000
33) Lease Copier Equipment	35,000
34) Subscriptions/Publications	35,000
35) Reforestation	115,000
36) Police Operating Equipment	60,000
37) Fire/EMS Operating Equipment	200,000
38) Waste Water Treatment Plant Operating Equipment	150,000
Sub-Total	\$3,508,000
Total	\$14,739,000

is hereby amended to read:

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 2015 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	45,000
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	10,000
9) Supervisor / Manager / Employee Training	125,000
10) Exams for Classified Positions	75,000
11) Housing and Building Plans Examinations	25,000
12) Lakewood Jail Medical Services	75,000
13) Band Concerts	15,000
14) Municipal Engineering Consultant	60,000
15) Debt Issuance Costs	75,000
16) Forensic Services	10,000
17) Long Term Control Plan and Storm Water Professional Services	300,000
18) Administrative Professional Services	125,000
Sub-Total	\$1,400,500

Services contracts included in the 2015 Budget are as follows:

1) Government Agreements (WEB).....	100,000
2) Government Agreements (Bd of Ed/Pools)	210,000
3) Financial Institution Service Charges	50,000
4) Electronic Payment Services	150,000
5) Property & Liability Insurance Contracts	450,000
6) Workers' Comp Stop Loss Insurance	85,000
7) Life Insurance	25,000
8) Hospitalization and Health Care Benefit Services	5,500,000
9) Medical Claims Billing Service.....	100,000
10) Sentenced Prisoners Full Jail Service	300,000
11) Home Delivered Meals	45,000
12) Distribution System Leak Survey	30,000
13) Disposal of Screenings and Grit (WWTP)	13,000
14) Excavation Spoils Removal	100,000
15) Roll of Box for Street Sweeping.....	50,000
16) Solid Waste Disposal Site.....	900,000
17) Waste Collections – Condominiums.....	90,000
18) Biosolids Disposal	90,000
19) Roll-Off Box for Construction Debris	60,000
20) Equipment Lease - Leaf Collection Project.....	15,000
21) Lab Analysis Service	25,000

22) Citywide Computer Hrdwr Op. Sys., & Software Maint Contracts	350,000
23) Communications Services	100,000
24) Water Meter Program Maintenance.....	25,000
25) Telephone Service	150,000
26) Cellular Phone Service	85,000
27) Janitorial Services.....	15,000
28) Laundry Service-Police Department.....	12,000
29) HVAC Maintenance	65,000
30) Elevator Maintenance	25,000
31) Fire Alarm Maintenance	50,000
32) Copier Maintenance Service	25,000
33) Postage, Mailing Services, Equipment Lease/Maintenance.....	250,000
34) Rental and Laundry of Uniforms	12,000
35) Advertising.....	35,000
36) Printing Services.....	115,000
37) CRIS/LEADS Fees	35,000
38) Parking Citation Billing Service.....	50,000
39) Fireworks Display.....	35,000
40) Transportation Services	35,000
Sub-Total	\$9,857,000

Materials, supplies, and equipment authorized for purchase under the 2015 Budget are as follows:

1) Sand and Aggregate.....	30,000
2) Concrete Supplies	50,000
3) Asphalt Materials.....	50,000
4) Asphalt Cold Patch.....	25,000
5) Crack Sealant.....	40,000
6) Road Salt (Sodium Chloride).....	350,000
7) Fire Hydrants, Sewer and Water Appurtenances	100,000
8) Water Meter Supplies & Materials	75,000
9) Sign Shop-Supplies, Blanks & Reflective Material	100,000
10) Polymer Flocculants	18,000
11) Wastewater Treatment Chemicals	120,000
12) Tires and Road Service.....	80,000
13) Automotive Repairs, Parts and Supplies.....	500,000
14) Oil and Lubricants	40,000
15) Fuel (Gasoline and Diesel)	750,000
16) Purchase of Uniforms and Gear.....	40,000
17) Electrical Supplies	30,000
18) Hardware Supplies.....	35,000
19) Janitorial Supplies	45,000
20) Landscape Materials	25,000
21) Lumber Supplies	90,000
22) Plumbing Supplies	40,000
23) Pool Supplies – Chemicals	45,000
24) Small Tools and Equipment.....	110,000
25) Prisoner Food Supplies.....	40,000
26) Purchase Uniforms & Gear – Safety Forces	60,000
27) Ammunition.....	25,000
28) Office Supplies	35,000
29) Computer Supplies	10,000
30) Computer Software.....	10,000
31) Communications Equipment.....	75,000

32) Paper Supplies	20,000
33) Lease Copier Equipment.....	35,000
34) Subscriptions/Publications.....	35,000
35) Reforestation.....	115,000
36) Police Operating Equipment.....	60,000
37) Fire/EMS Operating Equipment.....	200,000
38) Waste Water Treatment Plant Operating Equipment	150,000
Sub-Total	\$3,658,000
Total	\$14,915,500

Section 2. 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 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, and provided it receives the affirmative vote of at least five members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President

Clerk

Approved: _____

Mayor

ORDINANCE NO. 19-15

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance to enter into Equipment Leases in forms approved by the Director of Law on behalf of the City of Lakewood ("City").

WHEREAS, the City is an Ohio political subdivision and is organized and existing under the Constitution and laws of Ohio and its Charter; and

WHEREAS, in accordance with applicable law, including without limitation its home rule authority under Ohio Constitution Article XVIII, the City has the power to acquire personal property, including without limitation, acquisition by lease-purchase agreement;

WHEREAS, the City has requested proposals for the lease-purchase acquisition of certain property, and the authorized representatives of the City have determined that the proposal of _____ (Financing Institution to be determined) its affiliates, successors, or assigns is the most responsive and responsible proposal; and

WHEREAS, this Council by a vote of at least five members of its 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 the public property, health and safety, and to provide for the usual daily operation of municipal departments in that these equipment leases are necessary for the operation of various departments and divisions; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. This Council makes the following findings and determinations:

(a) It is appropriate and necessary to the functions and operations of the City, to enter into one or more lease-purchase agreements (the "Equipment Leases") in the principal amount not exceeding \$3,740,000, for the purpose of acquiring the vehicles, equipment, and other personal property generally described in Exhibit A to this ordinance (the "Leased Property") and to be described more specifically in the Equipment Leases.

(b) _____ (Financing Institution to be determined) is the lessor under the Equipment Leases in accordance with its proposal.

(c) The City is entering into the Equipment Leases in accordance with its power and authority under the Ohio Revised Code, the Ohio Constitution, and its Charter, to acquire the Leased Property and the Equipment Leases constitute "public obligations" as defined in Chapter 133.01(GG), Ohio Revised Code.

Section 2. The Director of Finance acting on behalf of the City is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in the form approved by the Director of Law. The Director of Finance is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Leases (including, but not limited to, escrow agreements) as the Director of Finance deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized. By a written instrument signed by the Director of Finance, the Director of Finance may designate specifically identified officers or employees of the City to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the City.

Section 3. The aggregate original principal amount of the Equipment Leases shall not exceed \$3,740,000. The payments under the Equipment Leases shall include interest at the rates determined in accordance with _____ (Financing Institution to be determined)'s proposal, but in no event to exceed an annual rate of 5%. The Equipment Leases shall be for the term or terms selected by the Director of Finance, in accordance with _____ (Financing Institution to be determined)'s proposal, but in no event to exceed 20 years. The Equipment Leases shall contain such options to purchase by the City as set forth in _____ (Financing Institution to be determined)'s proposal and the Equipment Leases, and approved by the Director of Finance.

Section 4. The Clerk of Council is hereby directed to send certified copy of this Ordinance to _____ (Financing Institution to be determined).

Section 5. All formal actions of this Council relating to the enactment of this Ordinance were taken in an open meeting of this Council, and the deliberations of this Council and any of its committees that resulted in those formal actions, were meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. 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 of its members, this Ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or 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

City of Lakewood, Ohio
 2015 Lease of Capital Equipment Schedule

	Total =	\$	3,740,000	Term
Police Vehicles (5 marked, 1 undercover)	\$	310,000	5	
Sewer Flow Monitors (35 meters)	\$	350,000	7	
Hook Lift Truck	\$	180,000	10	
Citywide Fiber Optic System	\$	900,000	15	
Sutphen Fire Engine	\$	500,000	15	
Water Meter Replacement Program	\$	1,500,000	15	

PLACED ON 1ST READING & REFERRED TO THE
PUBLIC WORKS COMMITTEE 2/17/15.

PLACED ON 2ND READING 3/2/15.

ORDINANCE NO. 12-15

BY:

AN ORDINANCE amending Chapter 145, Keep Lakewood Beautiful Board, of the Codified Ordinances of the City of Lakewood, in order to update the code regulating the composition and duties of this board.

WHEREAS, the Keep Lakewood Beautiful Board was initially created in September 1982 to promote civic involvement through public interest in the general improvement of the environment of Lakewood; and maintains an affiliation with Keep America Beautiful; and

WHEREAS, Chapter 145 of the Code stands to be updated to modernize the composition and duties of the Keep Lakewood Beautiful Board; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Chapter 145, Keep Lakewood Beautiful Board, of the Lakewood Codified Ordinances, currently reading as follows:

**CHAPTER 145
KEEP LAKEWOOD BEAUTIFUL BOARD**

145.01 CREATION.

The Keep Lakewood Beautiful Board is hereby created for the purpose of assisting Council and the Mayor in establishing a City-wide policy for decreasing the amount of loose refuse in the City.

145.02 DUTIES.

The duties of the Keep Lakewood Beautiful Board shall be:

- (a) To promote public interest in the general improvement of the environment of the City;
- (b) To initiate, plan, direct and coordinate programs for litter control for the community on a sustainable basis;

- (c) To implement and maintain the Clean Community System;
- (d) To study, investigate and develop plans for improving the health, sanitation, safety and cleanliness of the City by beautifying public and private areas in the City;
- (e) To aid in the prevention of fires, diseases and other casualties by the removal and elimination of trash and other debris from public and private areas;
- (f) To encourage the placing, planting and/or preservation of trees, flowers, plants, shrubbery, and other objects of ornamentation in the City;
- (g) To protect wildlife;
- (h) To advise and recommend plans to other agencies of the City for the beautification of the City; and
- (i) Otherwise to promote public interest in the general improvement of the environment of the City.
- (j) To submit an annual report of activities to Council within a manner to be determined by the Board.

Nothing contained herein, however, shall be construed to abridge or change the powers and duties of other commissions, departments, boards and like agencies of the City; and provided further that any project or undertaking begun by the Board shall be terminated at any time upon the decision of either the Mayor or Council that the continuance thereof is not in the public interest.

145.03 AUTHORITY.

In order to perform the foregoing duties, the Keep Lakewood Beautiful Board shall have the following authority:

- (a) To adopt by-laws to facilitate the attainment of its purpose and function;
- (b) To initiate, plan, direct and coordinate communitywide efforts to achieve its goals;
- (c) To solicit and accept donations and appropriations of money, services, products, property and facilities for expenditure and use by the Board for the accomplishment of its objects; and
- (d) To make recommendations to Council and the Mayor as well as to the private sector regarding measures which it deems necessary to accomplish its objects.

145.04 MEMBERSHIP.

- (a) The Keep Lakewood Beautiful Board provided for herein shall be composed of fifteen residents of the City of Lakewood. Members

shall be nominated by the Board and approved by Council and the Mayor. In addition, all members of Council and the Mayor shall be nonvoting ex-officio members of the Board. The Mayor shall appoint one member of the administrative staff of the City of Lakewood who shall serve as Secretary to the Board. The Mayoral appointment is not required to be a resident of the City of Lakewood and shall serve until his or her replacement is appointed.

- (b) With the exception of the Municipal representatives, members of the Board will be appointed to a four year term with no limit on the number of terms that a member may serve.

145.05 PROCEDURE.

- (a) Fifty percent (50%) plus one of the current Keep Lakewood Beautiful Board members shall constitute a quorum for the conduct of business. The members of the Board shall regularly attend meetings and public hearings of the Board and shall serve without compensation.
- (b) The Board shall hold an organization meeting in December of each year and shall elect a Chairman and Vice-Chairman from among its members before proceeding to any other matters of business. The Board shall meet regularly and shall designate the time and place of its meetings.
- (c) The Board shall adopt its own rules of procedure and keep a record of its proceedings. Newly appointed members shall be installed at the first regular meeting after their appointment.
- (d) In order to accomplish its responsibilities, the Board shall establish sub-committees including, but not limited to, the areas of business and industry, communications, neighborhood associations, community organizations, municipal operations, and schools. Each sub-committee shall be chaired by a Board member with an unspecified number of community volunteers chosen by the Board as working sub-committee staff.

shall be and hereby is repealed, and new Chapter 145, Keep Lakewood Beautiful Board, of the Lakewood Codified Ordinances is enacted to read as follows:

CHAPTER 145 KEEP LAKEWOOD BEAUTIFUL BOARD

145.01 CREATION

The Keep Lakewood Beautiful Board is hereby created for the purpose of initiating, planning and coordinating programs for litter prevention, solid waste reduction, recycling and green space beautification. The board shall engage in new programing and welcome new volunteers.

145.02 DUTIES.

The duties of the Keep Lakewood Beautiful Board shall be:

- (a) To promote civic involvement in the general improvement of the environment of the City;
- (b) To enhance the beauty of Lakewood through green space activity;
- (c) To promote litter awareness and prevention;
- (d) To promote recycling;
- (e) To encourage individual education and investment in the overall environment of the City;
- (f) To advise and recommend plans to other agencies of the City for the beautification of the City; and
- (g) To submit an annual report of activities to Council within a manner to be determined by the board.

Nothing contained herein, however, shall be construed to abridge or change the powers and duties of other commissions, departments, boards and like agencies of the City; and provided further that any project or undertaking begun by the board shall be terminated at any time upon the decision of either the Mayor or Council that the continuance thereof is not in the public interest.

145.03 AUTHORITY.

In order to perform the foregoing duties, the Keep Lakewood Beautiful Board shall have the following authority:

- (a) To adopt bylaws to facilitate the attainment of its purpose and function;
- (b) To initiate, plan, direct and coordinate communitywide efforts to achieve its goals;
- (c) To solicit and accept donations and appropriations of money, services, products, property and facilities for expenditure and use by the board for the accomplishment of its objects; and
- (d) To make recommendations to Council, the Mayor and the private sector regarding measures which it deems necessary to accomplish its objectives.

145.04 MEMBERSHIP.

- (a) The Keep Lakewood Beautiful Board provided for herein shall be composed of a minimum of 10 members. Members shall be nominated by the board and approved by Council and the Mayor. In addition, all members of Council and the Mayor shall be nonvoting ex-officio members of the board. The Mayor shall appoint one member of the administrative staff of the City who shall serve as the secretary to the board. The mayoral appointee shall serve until his or her replacement is appointed.

- (b) With the exception of the municipal representatives, members of the Board will be appointed to a four-year term with no limit on the number of terms that a member may serve.

145.05 PROCEDURE

- (a) Fifty percent plus one of the current Keep Lakewood Beautiful Board members shall constitute a quorum for the conduct of business. The members of the board shall regularly attend meetings and public hearings of the board and serve without compensation.
- (b) The board shall elect a chairperson and vice-chairperson from among its members before proceeding to any other matters of business during the January meeting. The board shall meet regularly and shall designate the time and place of its meetings.
- (c) The board shall adopt its own rules of procedure and keep a record of its proceedings. Newly appointed members shall be installed at the first regular meeting after their appointment.
- (d) In order to accomplish its responsibilities, the board may establish subcommittees made up of an unspecified number of community volunteers. A board member must chair each subcommittee.

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

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

RESOLUTION NO. 8799-15

BY:

A RESOLUTION to take effect immediately provided it receives the vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing 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 establish procedures for and engage in the process of letting of one or more contracts with one or more qualified entities for design and construction of digester upgrades and an electrical generation system at the wastewater treatment plant without the necessity of competitive bidding; and exempting the City from certain provisions within the Ohio Revised Code related to design-build contracting for the purposes of this project.

WHEREAS, Lakewood has traditionally contracted for public works improvements using the design-bid-build project delivery system, with construction contracts let under the City's competitive-bidding regulations; and

WHEREAS, Ohio law changed substantially in 2011 and 2012, and many new project delivery systems, such as design-build, are now available to cities; and

WHEREAS, newer project delivery models may result in efficiencies in the contracting process and substantial cost savings, but cannot be used by following traditional competitive-bidding regulations; and

WHEREAS, Section 111.04 of the Codified Ordinances permits exceptions to competitive bidding under certain circumstances, including for contracts involving professional or technical services; contracts with construction managers; contracts which may be awarded without competitive bidding under state statutes; and contracts where Council determines that it is either impractical to award the contract under competitive bidding procedures, or cost-effective and in the best interests of the City to award the contract without competitive bidding; and

WHEREAS, it is in the City's best financial interest to employ the design-build project delivery system for a planned improvement to the wastewater treatment plant, and to exempt the City from state design-build statutes and rules using its home-rule authority; and

WHEREAS, all contracts not specifically excepted by ordinance must be approved by Council pursuant to Section 111.02 of the Codified Ordinances; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure and that it 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 the City wishes to create the design-build delivery model for this project so it may occur in 2015; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and /or the Purchasing Manager may establish procedures for and engage in the process of letting of one or more contracts with one or more qualified entities for the design and construction of digester upgrades and an electrical generation system at the wastewater treatment plant under the design-build project delivery system without the necessity of competitive bidding.

Section 2. Council shall approve the final award of contract(s) related to this project and the final form of the contract(s).

Section 3. As a home-rule charter City, the City shall not be obligated to follow Ohio statutory procedures regarding contracting for this project including, but not limited to, R.C. §§ 7.12, 9.31, 9.311, 9.312, 9.313, 9.315, 9.32, 9.33 through 9.335, 153.12-.14, 153.50-.52, 153.54, 153.56, 153.57, 153.571, 153.63, 153.67-.71, 153.80, 735.05-.09, 735.074, and other applicable sections within the Revised Code and its Chapter 153.

Section 4. 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 5. 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 members of Council this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President

Clerk

Approved: _____

Mayor

RESOLUTION NO. 8800-15

BY:

A RESOLUTION to take effect immediately provided it receives the vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing 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 establish procedures for and engage in the process of letting of one or more contracts with one or more qualified entities for design and construction of corrections to the sewer system under the western Lakewood clean water pilot project without the necessity of competitive bidding; and exempting the City from certain provisions within the Ohio Revised Code related to design-build contracting for the purposes of this project.

WHEREAS, Lakewood has traditionally contracted for public works improvements using the design-bid-build project delivery system, with construction contracts let under the City's competitive-bidding regulations; and

WHEREAS, Ohio law changed substantially in 2011 and 2012, and many new project delivery systems, such as design-build, are now available to cities; and

WHEREAS, newer project delivery models may result in efficiencies in the contracting process and substantial cost savings, but cannot be used by following traditional competitive-bidding regulations; and

WHEREAS, Section 111.04 of the Codified Ordinances permits exceptions to competitive bidding under certain circumstances, including for contracts involving professional or technical services; contracts with construction managers; contracts which may be awarded without competitive bidding under state statutes; and contracts where Council determines that it is either impractical to award the contract under competitive bidding procedures, or cost-effective and in the best interests of the City to award the contract without competitive bidding; and

WHEREAS, it is in the City's best financial interest to employ the design-build project delivery system for corrections to the sewer system under the western Lakewood clean water pilot project (which project is further described in Resolution 8794-15), and to exempt the City from state design-build statutes and rules using its home-rule authority; and

WHEREAS, all contracts not specifically excepted by ordinance must be approved by Council pursuant to Section 111.02 of the Codified Ordinances; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, this Council by a vote of at least five of its members determines that this resolution is an emergency measure and that it 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 the City wishes to create the design-build delivery model for this project so it may occur in 2015; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and /or the Purchasing Manager may establish procedures for and engage in the process of letting of one or more contracts with one or more qualified entities for the design and construction of corrections to the sewer system under the western Lakewood clean water pilot project (which project is further described in Resolution 8794-15) under the design-build project delivery system without the necessity of competitive bidding.

Section 2. Council shall approve the final award of contract(s) related to this project and the final form of the contract(s).

Section 3. As a home-rule charter City, the City shall not be obligated to follow Ohio statutory procedures regarding contracting for this project including, but not limited to, R.C. §§ 7.12, 9.31, 9.311, 9.312, 9.313, 9.315, 9.32, 9.33 through 9.335, 153.12-.14, 153.50-.52, 153.54, 153.56, 153.57, 153.571, 153.63, 153.67-.71, 153.80, 735.05-.09, 735.074, and other applicable sections within the Revised Code and its Chapter 153.

Section 4. 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 5. 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 members of Council this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

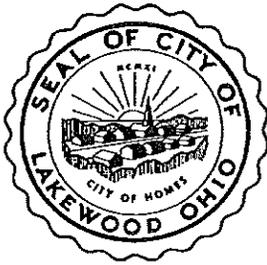
Adopted: _____

President

Clerk

Approved: _____

Mayor



DEPARTMENT OF PLANNING & DEVELOPMENT
DRU SILEY, DIRECTOR

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5936
www.onelakewood.com/development

April 15, 2015

Lakewood City Council
Lakewood, OH 44107

RE: 14823 Lake Ave. & 14818 Clifton Blvd. – Rezoning

Dear Members of Council:

On March 16th an ordinance was introduced to Council requesting a rezoning a 25 ft. x 60 ft. portion of the parcel at 14823 Lake Avenue (PPN 312-15-022) from R1H (Single Family High Density) to R2 (Single and Two Family). The rezoning is proposed to take place after the said portion of parcel is split from 14823 Lake Avenue in order to consolidate with 14818 Clifton Blvd (PPN 312-15-023). The rezoning is necessary to match the zoning of 14818 Clifton Blvd.

At its April 2nd 2015 regular meeting the Planning Commission voted unanimously to recommend to Council approval of the rezoning, with a condition of gaining approval from the Architectural Board of Review for the proposed site plan. ABR approved the site plan at its meeting on April 9th 2015.

Sincerely,

Dru Siley, Director

ORDINANCE NO.

BY:

AN ORDINANCE amending Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as a portion of 14823 Lake Avenue from (PPN 312-15-022) R1H (Single Family, High Density) to R2 (Single and Two Family).

WHEREAS, it is necessary and desirable to rezone certain parcels of land in the City for the consolidation with the property at 14818 Clifton Boulevard (PPN312-15-023) as detailed on Exhibit A, attached hereto; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood be and the same is hereby amended by changing and revising the Zoning Map of the City from R1H (Single Family, High Density) to R2 (Single and Two Family) for the following property:

14823 Lake Road, Lakewood, Ohio
(Legal description attached as Exhibit A)
Permanent Parcel Number 312-15-022

Section 2. The Director of Planning and Development is hereby authorized and directed to make the reclassification change on the zoning map of the City of Lakewood, Ohio, in order to reflect the amendment designated in Section 1 of this ordinance.

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.

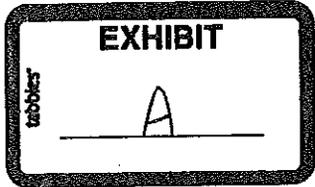
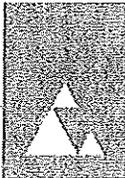
Adopted: _____

PRESIDENT

CLERK OF COUNCIL

Approved: _____

MAYOR



**SPLIT PARCEL
LEGAL DESCRIPTION**

Situated in the City of Lakewood, County of Cuyahoga and State of Ohio and known as being a part of Sublot 2 in the Charles A. Cook's Allotment as shown in the recorded plat in Volume 25, Page 2 of the Cuyahoga County Map Records also being a part of Original Rockport Township Section Number 22 and being more particularly described as follows:

Beginning at MAG Nail set at an intersection of the southerly line of Lake Road, 100 feet wide, and the easterly line of Cook Avenue, 60 feet wide, and also the northwest corner of Sublot 2 in the said Charles A. Cook's Allotment; Thence along the west line of Sublot 2 and the east line of Cook Avenue, 60 feet wide, South 00°28'51" West, a distance of 175.00 feet to a MAG Nail set and the Principal Place of Beginning of the parcel herein described;

Course 1) Thence South 89° 30' 53" East, a distance of 60.00 feet to an iron pin set on the east line of Sublot 2;

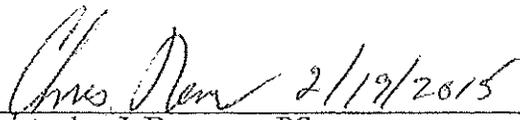
Course 2) Thence along the east line of said Sublot 2, South 00° 28' 51" West, a distance of 25.00 feet to an iron pin set at the southeast corner of Sublot 2;

Course 3) Thence along the south line of Sublot 2, North 89°30'53" West, a distance of 60.00 feet to the southwest corner of Sublot 2;

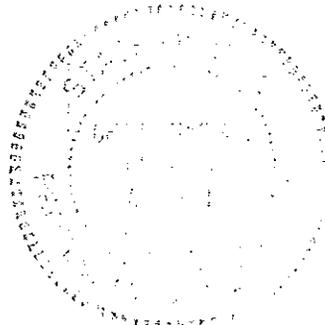
Course 4) Thence along the west line of said Sublot 2 and the east line of Cook Avenue, North 00°28'51" East, a distance of 25.00 feet to the principal place of beginning and containing 0.0344 acres or 1,500 square feet of land according to an actual field survey by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on December 31, 2014.

Basis of Bearings: Bearings are referenced to Grid North of the Ohio State Plane Coordinate System North Zone, NAD 83 Datum.

All iron pins set are 30" long, 5/8" diameter rebar with a "C. Dempsey P.S. 6914" stamped yellow cap.



Christopher J. Dempsey, PS
Professional Surveyor



ORDINANCE NO. 18-15

BY:

AN ORDINANCE dedicating certain parcels of land located at 1347 St. Charles Avenue, known as St. Charles Green, as a public park, to be designated as "_____ Park."

WHEREAS, certain parcels of land located at 1347 St. Charles Avenue, known as St. Charles Green, have long been held open for public use but have never been formally designated as a public park; and

WHEREAS, designation as a public park would increase the profile and usage of St. Charles Green, which is currently enjoyed by many, despite its lack of official designation; and

WHEREAS, many residents of Belle and St. Charles avenues appreciate the beauty and benefit provided by St. Charles Green and wish to officially designate it as a park to maintain the appearance and character of the neighborhood; and

WHEREAS, designation of St. Charles Green as a park is consistent with its current use as a public green space; and

WHEREAS, Lakewood has only 1.42 acres of park space per 1,000 residents, and thus has significant need of additional park space; and

WHEREAS, designation of St. Charles Green as a public park advances objectives of the Lakewood Park System Strategic Plan and Lakewood's Community Vision; and

WHEREAS, St. Charles Green is public space in Lakewood that is unique in its proximity, serenity, and versatility; and

WHEREAS, Lakewood may be able to avail itself of opportunities for increased funding or improvements to St. Charles Green that are not currently available on the grounds that St. Charles Green currently lacks official recognition as a park; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government, and the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The six parcels of property known as St. Charles Green, located at 1347 St. Charles Avenue and more fully described in the attached Exhibit A, shall be and hereby are designated as "_____ Park."

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

Exhibit A

Legal Descriptions
(to be provided)



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

Council at Large
RYAN P. NOWLIN
THOMAS R. BULLOCK III
CINDY MARX

Ward Council
DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
SHAWN JURIS, WARD 3
MARY LOUISE MADIGAN, WARD 4

April 20, 2015

Lakewood City Council
Lakewood, OH 44107

Re: Colleen Zettler to CAC

Dear Members of Council:

I am pleased to confirm my appointment of Colleen Zettler to the Citizens Advisory Committee on Community Development Block Grants for the term ending December 31, 2015.

Sincerely,

Mary Louise Madigan
Councilmember, Ward 4



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650

www.onelakewood.com

Lakewood City Council
MARY LOUISE MADIGAN, PRESIDENT
RYAN NOWLIN, VICE PRESIDENT

Council at Large
RYAN NOWLIN
TOM BULLOCK
CINDY MARX

Ward Council
WARD I -- DAVID ANDERSON
WARD II-- SAM O'LEARY
WARD III--SHAWN JURIS
WARD IV -- MARY LOUISE MADIGAN

April 20, 2015

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Report from Saturday Lakewood Farmers Market on its 2014 season

Dear Members of Council:

Last summer, Lakewood's downtown benefited from the presence of a Saturday morning farmer's market for the fifth consecutive season. Neighbors from across the city came together to shop and enjoy local vendors who offered produce, baked goods, and other artisanal products, and our downtown benefited from the increased walking traffic attracted to the area. In many ways, Lakewood is at its best when neighbors meet neighbors face-to-face in such a delightful outdoor setting.

Since the inaugural season of the Saturday Lakewood Farmers Market in 2010, we have invited the Market manager to report to us on its previous season's performance and to make recommendations for the coming year. I always find it helpful to learn about vendors, number of patrons, promotional activities, and plans to take the next steps for growth.

Please join me in welcoming Saturday Lakewood Farmers Market manager Jeanee Dentler -- and in thanking her for her service. Our community is fortunate to have a leader who continues to devote so much effort to bringing vibrancy to Lakewood's downtown.

Sincerely,

Thomas R. Bullock III
Member of Council, at Large



12650 DETROIT AVENUE • 44107 • 216/521-7580 • fax 216/521-1379
Website: www.onelakewood.com

MICHAEL SUMMERS
MAYOR

April 20, 2015

Lakewood City Council
Lakewood, Ohio 44107

Re: Mayoral appointments to the Lakewood Citizens Advisory Committee

Dear Members of Council:

It is with great pleasure that I announce my appointments of Karolyn Isenhart, David Lukas, Dan O'Malley and Martina Edman to the City of Lakewood Citizens Advisory Committee. Their term will begin January 1, 2015 and expire on December 31, 2016.

I am grateful that these fine Lakewood citizens are willing to volunteer their time, energy and knowledge to improve the quality of our community. I am confident that they will bring commitment, prudence and enthusiasm to this important responsibility.

Sincerely,

Michael P. Summers

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

9311830		TREX		VOODOO TUNA I LLC 15326 DETROIT AV LAKEWOOD OH 44107
PERMIT NUMBER		TYPE		
10	01	2013		
ISSUE DATE				
04	01	2015		
FILING DATE				
D5				
PERMIT CLASSES				
18	286	C	F13875	
TAX DISTRICT		RECEIPT NO.		

FROM 04/06/2015 SAFEKEEPING

1217706				STACHIE CAMPBELL DBA POLITIX LOUNGE 4062 MAYFIELD RD & PATIO SOUTH EUCLID OH 44121
PERMIT NUMBER		TYPE		
10	01	2013		
ISSUE DATE				
04	01	2015		
FILING DATE				
D5				
PERMIT CLASSES				
18	550			
TAX DISTRICT		RECEIPT NO.		



MAILED 04/06/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/07/2015

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES C TREX 9311830

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF LAKEWOOD CITY COUNCIL
12650 DETROIT AV
LAKEWOOD OHIO 44107