

**DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
JULY 6, 2009
7:30 P.M.**

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

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

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

AGENDA ITEMS PROTOCOL:

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

PUBLIC COMMENT PROTOCOL:

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

- I. Pledge of Allegiance
- II. Moment of Silence
- III. Roll Call
- Reading and disposal of the Minutes of the Regular Meeting of Council held June 15, 2009.
- Reports, legislation and communications from Members of Council, the Mayor and other City Officials.

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

1. Communication from Councilmembers Antonio and Madigan regarding Legislation Reducing Excessive Vehicle Idling. (Pg.5)
2. **ORDINANCE NO. 56-09** – AN ORDINANCE to enact a new Section 331.47, Excessive Idling, of the Codified Ordinances of the City of Lakewood. (Pg. 6)
3. **ORDINANCE NO. 52-09** – AN ORDINANCE to amend Section 521.17, Shopping Cart Litter, of the Lakewood Codified Ordinances for the purposes of allowing the City of Lakewood to donate, recycle or otherwise dispose of the carts that are unclaimed. (PLACED ON 1ST READING 6/1/09, 2ND READING 6/15/09) (Pg. 9)
4. **ORDINANCE NO. 53-09**- AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, amending section 905.07, Animals, of the Codified Ordinances of the City of Lakewood to allow the Director of Public Works to enact rules permitting leashed dog-walking in Lakewood parks. (PLACED ON 1ST READING AND REFERRED TO THE PUBLIC SAFETY COMMITTEE 6/15/09) (Pg. 12)
5. **ORDINANCE NO. 54-09** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the Director of Finance to conduct an Amnesty Program to Encourage The Payment of Delinquent Income Tax Accounts. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/15/09) (Pg. 15)
6. **ORDINANCE NO. 55-09** - A ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law Authorizing an Agreement with the City of Cleveland, Ohio, for Services related to the Collection of Delinquent Income Tax. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/15/09) (Pg.17)
7. Liquor Permit Application for a New D1 permit class to 14224 Madison Avenue d/b/a/ El Tango Taqueria, (deferred 6/15/09) (Pg. 19)

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

8. Communication from Councilmember Madigan regarding 2010 US Census Alert. (Pg.20)
9. Communication from Police Chief Malley regarding Resolution Accepting and Expending Edward Byrne Memorial Grant Funds. (Pg. 21)

10. **RESOLUTION 8358-09** - AN EMERGENCY RESOLUTION authorizing the Mayor (Director of Public Safety), to enter into an agreement on behalf of the City of Lakewood with the City of Cleveland, City of Euclid, City of Garfield Heights, City of Parma and the Cuyahoga County Board of Commissioners to accept Lakewood's allocated share of grant funds, currently estimated at \$16,521, from the City of Cleveland, as fiscal agent for grant funds awarded by the U.S. Department of Justice Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant (FY2009 JAG). (Pg. 22)
11. Communication from Police Chief Malley regarding Ohio Drug Use Prevention Special Grant. (Pg.24)
12. **RESOLUTION NO. 8359-09** - A RESOLUTION authorizing the Mayor (Director of Public Safety) to enter into an agreement with the Attorney General of the State of Ohio to accept and expend an Ohio Drug Abuse Prevention Special Grant in the amount of \$62,335.45 from the Ohio Attorney General's Drug Abuse Resistance Fund. (Pg.25)
13. Communication from Finance Director Pae regarding 2009 Amended WWTP Professional Services Capital Contracting Authority. (Pg. 26)
14. **ORDINANCE NO. 1-09A** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 1-09, adopted January 20, 2009 for the purpose of increasing contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Wastewater Treatment Plant Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.27)
15. Communication from Public Works Director Beno regarding CUY-Lakewood Signals (PID 82793) Clifton Boulevard. (Pg. 30)
16. **ORDINANCE NO. 57-09** - AN ORDINANCE to take effect immediately provided it Receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the City of Lakewood to participate in a the construction of traffic signals, radio interconnect and video diction on Clifton Boulevard in the City of Lakewood with the Ohio Department of Transportation. (Pg. 31)

17. Communication from Public Works Director Beno regarding Clean Fuels Ohio and Earth Day Coalition. (Pg. 34)
18. **RESOLUTION NO. 8360-09** - AN EMERGENCY RESOLUTION authorizing the Mayor, on behalf of the City, to enter into an agreement with the Clean Fuels Ohio and Earth Day Coalition to accept and expend funds in the amount of \$166,400, to retrofit 19 City vehicles with diesel exhaust systems and requiring a match in the amount of \$8,569. (Pg. 35)
19. Communication from Planning & Development Director Kelly regarding Sale of PPN 311-15-011 (approximately 1383 Sloane Avenue) (Pg. 37)
20. **ORDINANCE NO. 58-09** - AN ORDINANCE authorizing the Director of Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property, Permanent Parcel Number 311-15-011, located approximately 1383 Sloane Avenue for a period not to exceed 120 days, pursuant to Section 155.07 of the Codified Ordinances. (Pg. 38)
21. Liquor Permit Application for C1 and C2 transfers to Convenience Management Services d/b/a AMPM 3614 located at 14718 Madison Avenue from BP Products North America d/b/a Site 5036 same address. (Pg.39)



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

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

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

July 6, 2009

Lakewood City Council
Lakewood, OH 44107

Dear Members of Council

Re: Legislation Reducing Excessive Idling

Please find attached anti-idling legislation requested by Councilmember Madigan and myself at the last Council Meeting. The timely response by the Law Department in drafting the ordinance is appreciated. We look forward to reviewing this issue further in Committee.

Sincerely

Nickie J. Antonio
Councilmember at Large

Mary Louise Madigan
Councilmember, Ward 4

ORDINANCE NO. 56-09

BY:

AN ORDINANCE to enact a new Section 331.47, Excessive Idling, of the Codified Ordinances of the City of Lakewood.

WHEREAS, the Council of the City of Lakewood desires to promote fuel conservation and emissions reduction; promote the health and well being of its citizens and reduce barriers to economic development imposed by the region's air quality status under the federal Clean Air Act; and

WHEREAS, poor air quality aggravates asthma and breathing disorders, and can cause lung disease, heart disease and premature death; and

WHEREAS, idling reduction helps cuts polluting greenhouse gas emissions, cuts energy use, maintenance costs, saves fuel and prevents pollution.

Now therefore,

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

Section 1. That a new Section 331.47, Excessive Idling, of the Codified Ordinances of the City of Lakewood is hereby enacted to read as follows:

331.47 EXCESSIVE IDLING

(a) Purpose. The purpose of this section is to protect public health and the environment by reducing emissions while conserving fuel, maintaining adequate rest and safety of all drivers, and removing barriers to economic development imposed by the region's air quality status under the federal Clean Air Act.

(b) Applicability. As used in this section, "vehicle" has the same meaning as in Section 301.51 of the Lakewood Codified Ordinances and Ohio Revised Code Section 4511.01.

(c) General Requirement. Except as provided in division (d) of this section,

(1) the owner or operator of a vehicle shall not cause or allow a vehicle to idle for more than 5 minutes in any 60-minute period; and

(2) the owner or operator of a vehicle that is loading or unloading at a loading dock or loading/unloading area, and the owner or operator of the loading dock or loading/unloading area, shall not cause or allow a vehicle to idle in that loading/unloading area for more than 10 minutes in any 60 minute period.

(d) Exemptions. Division (c) of this section does not apply when:

(1) The outdoor temperature is below 32 degrees Fahrenheit or above 85 degrees Fahrenheit. However, idling is limited to 10 minutes in any 60 minute period.

(2) To prevent a safety or health emergency, a vehicle idles when operating defrosters, heaters, air conditioners, or when installing equipment.

(3) A vehicle idles while forced to remain motionless because of on-highway traffic, an official traffic control device or signal, or at the direction of a law enforcement official.

(4) A police, fire, ambulance, public safety, military, other emergency or law enforcement vehicle, or any vehicle being used in an emergency capacity, idles while in an emergency or training mode, or to maintain communications or other essential on board equipment, and not solely for the convenience of the vehicle operator.

(5) The primary propulsion engine idles for maintenance, servicing, repair, or diagnostic purposes if idling is required for such activity, or idles as part of a state or federal inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection.

(6) Idling of the primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion (e.g., mixing or processing cargo or straight truck refrigeration). This exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment.

(7) An armored vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded.

(8) An occupied vehicle with a sleeper berth compartment idles for purposes of air conditioning or heating during a required rest or sleep period.

(9) A vehicle idles due to mechanical difficulties over which the driver has no control.

(10) A vehicle is only operating an auxiliary power unit, generator set, or other mobile idle reduction technology as a means to heat, air condition, or provide electrical power as an alternative to idling the main engine.

(11) A vehicle is actively engaged in work upon the surface of a street or highway, including construction, cleaning, and snow removal activities, and the operator is in the vehicle.

(e) Penalty. Whoever violates this section shall be guilty of a minor misdemeanor.

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

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

PLACED ON 1ST READING 6/1/09, 2ND
READING 6/15/09)

ORDINANCE NO. 52-09

BY:

AN ORDINANCE to amend Section 521.17, Shopping Cart Litter, of the Lakewood Codified Ordinances for the purpose of allowing the City of Lakewood to donate, recycle or otherwise dispose of the carts that are unclaimed.

WHEREAS, Section 521.17, Shopping Cart Litter, of the Lakewood Codified Ordinances currently requires that unclaimed shopping carts be auctioned; and

WHEREAS, the City of Lakewood participates in various on-line and local auctions and no longer holds an annual auction that was contemplated when this provision was originally adopted by Council; and

WHEREAS, the City of Lakewood has been approached by Easter Seals for a donation of the unclaimed shopping carts for use in their stores; and

WHEREAS, the shopping carts are of little or no value if auctioned. Now therefore,

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

Section 1. That Section 521.17, Shopping Cart Litter, of the Lakewood Codified Ordinances, currently reading as follows:

521.17 SHOPPING CART LITTER.

(a) Definitions.

(1) "Shopping cart" means a basket of metal, wood, wire, or other material mounted on wheels or a device similar thereto, such as are generally provided by merchants for carting or carrying merchandise of any nature within the merchant's building that may be used to carry merchandise to customers' automobiles.

(2) "Public place" includes the following: a street, sidewalk, avenue, road, alley, lane, highway, tree lawn, curb lane and any other public property or right of way located within the City.

(b) Every person, who by reason of their business establishment and procedure, makes shopping carts available to any member of the public, any customer or any other person, shall conspicuously identify such shopping carts with an identification clearly indicating the name of the person or establishment and location of the same.

(c) It shall be unlawful for any person to take or remove, without intent to return, any shopping cart from the premises, property, or adjacent parking lot of its owner without having first obtained the written consent of said owner or said owner's authorized agent.

(d) The Department of Public Works shall remove any shopping cart found in any public place, storing the same within the City in a place of safekeeping until it shall be redeemed, sold, or otherwise disposed of as hereinafter provided.

(e) Whenever the City shall have removed any shopping cart bearing identification of ownership, the Department of Public Works shall mail a notice to the owner at the location shown on such shopping cart. Such notice shall advise that such payment to the Director of Finance in the sum of thirty dollars (\$30.00) for each cart so redeemed and shall set forth the place for redemption of such shopping cart or carts and where possession of the same may be procured. Payment for redemption shall be made to the Department of Finance and a receipt shall be given therefor, which receipt shall entitle such owner to redeem at the place of storage thereon one or more carts as provided for in the receipt upon the surrender of same at the place of storage of such shopping cart or carts. No shopping cart shall be delivered to a person seeking to redeem the same.

(f) After mailing of the notice provided in subsection (e) hereof, or after the removal of a cart bearing no identification of ownership, the City shall from time to time sell such cart at public auction. Such public auction will be conducted in accordance with appropriate sections of the Codified Ordinances of the City of Lakewood. However, any shopping cart or carts may be redeemed by the owner thereof at least two days prior to such public auction upon payment to the City of the sum of sixty dollars (\$60.00) for each shopping cart. Proof as set forth in the provision concerning redemption shall be required for such payment and redemption prior to public auction.

(g) Whoever violates subsection (c) hereof is guilty of a minor misdemeanor for the first occurrence of such offense. Any subsequent violation by such person shall constitute a misdemeanor of the fourth degree.

Is hereby amended to read as follows:

(a) Definitions.

...

(f) Not less than thirty days after mailing the notice provided in subsection (e) hereof, or after the removal of a cart bearing no identification of ownership, the City may donate, recycle or otherwise dispose of such carts, at the discretion of the Director of Public Works. If the carts are to be donated, donations shall only be made to non profit organizations that have attained Section 501(c)(3) status under the Internal Revenue Code. The Director of Public Works shall document the number of carts disposed of and the manner of disposition.

(g) Whoever violates subsection (c) hereof is guilty of a minor misdemeanor for the first occurrence of such offense. Any subsequent violation by such person shall constitute a misdemeanor of the fourth degree.

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

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

PLACED ON 1ST READING & REFERRED TO THE
PUBLIC SAFETY COMMITTEE 6/15/09

ORDINANCE NO. 53-09

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, amending section 905.07, Animals, of the Codified Ordinances of the City of Lakewood to allow the Director of Public Works to enact rules permitting leashed dog-walking in Lakewood parks.

WHEREAS, Allowing leashed dog-walking in Lakewood parks could increase safety by increasing pedestrian traffic; and

WHEREAS, leashed dog-walking in Lakewood parks could increase health, since allowing dog-walking would encourage residents to stay active and healthy through more walking; and

WHEREAS, leashed dog-walking in Lakewood Park could increase park cleanliness since responsible owners will clean up after their dogs (and pick up litter in the park), and their dogs may help deter geese from settling and leaving geese droppings; and

WHEREAS, Lakewood is a progressive, family-oriented community that includes many residents who own dogs and desire to enjoy the parks with their family pets;

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that allowing leashed dog-walking removes a major constraint on the use of Lakewood parks paid for by taxpayers during warm-weather months. Now Therefore

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

Section 1. That Section 905.07 , Animals, of the Codified Ordinances of the City of Lakewood currently reading as follows:

905.07 Animals

(a) Animals Prohibited. No dogs or other animals shall be allowed within the parks, with the exception of those animals specifically authorized by the Director of Public Works.

(b) Feeding of Animals Prohibited. . . .

(c) . . .

is hereby amended to read as follows:

905.07 Animals

(a) Animals Prohibited.

(i) No dogs or other animals shall be allowed within the parks, with the exception of those animals specifically authorized by the Director of Public Works.

(ii) Notwithstanding any other provision of this chapter, the Director of Public Works may promulgate rules permitting on-leash dog-walking in some or all Lakewood parks subject to conditions conducive to public health and safety and to cleanliness of the parks, and shall have all requisite authority to do so. The Director shall provide public notice by formally reporting to Council any such rules.

(b) . . .

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

Section 3. 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 and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor and otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

PLACED ON 1ST READING & REFERRED
TO THE FINANCE COMMITTEE 6/15/09

ORDINANCE NO. 54-09

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the Director of Finance to conduct an Amnesty Program to Encourage The Payment of Delinquent Income Tax Accounts.

WHEREAS, The City of Lakewood, Finance Department believes that an Amnesty Program for delinquent income tax accounts would benefit the City; and

WHEREAS, The Amnesty Program would begin on July 21, 2009 and end on September 30, 2009; and

WHEREAS, The Amnesty Program provides an opportunity to educate City of Lakewood taxpayers about their civic responsibilities under the City of Lakewood Income Tax Ordinance; and

WHEREAS, The Amnesty Program allows taxpayers an opportunity to resolve their delinquent income tax accounts without penalty; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary to provide for the usual daily operation of the City in that amnesty programs facilitate the collection of past due taxes. Now Therefore,

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

Section 1. That the Director of Finance is authorized to conduct an Amnesty Program and abate penalties.

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 any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the usual daily operation of City for the reasons set forth in the preamble to this Ordinance, and provided it receives the affirmative vote of at least five of its members elected to Council, this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

PLACED ON 1ST READING & REFERRED
TO THE FINANCE COMMITTEE 6/15/09

ORDINANCE NO. 55-09

BY:

A ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law Authorizing an Agreement with the City of Cleveland, Ohio, for Services related to the Collection of Delinquent Income Tax.

WHEREAS, The Codified Ordinances of the City of Cleveland ("Cleveland"), authorize Cleveland to enter into an agreement with another municipal corporation to act as the agent of the other municipal corporation, provide a central collection facility for the collection of income tax, and do all things allowed by law to accomplish such purpose; and

WHEREAS, This Council finds it to be in the best interest of the City of Lakewood to enter into an agreement with Cleveland to allow Cleveland to act as agent for administration of the income tax laws of the City of Lakewood and collection of income tax due and owing to the City of Lakewood; and

WHEREAS, Such administration and collection shall be restricted to delinquency issues referred to Cleveland by the City of Lakewood, including collection of outstanding balances and pursuit of non-filed tax returns and other delinquency programs as agreed to by Cleveland and the City of Lakewood; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the collection of delinquent income taxes. Now Therefore,

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

Section 1. That the City of Lakewood is hereby authorized to enter into an Agreement for the Central Collection of Delinquent Municipal Income Tax, as attached hereto, with the City of Cleveland ("Cleveland") on behalf of the City of Lakewood, to allow Cleveland to act as agent for the purpose of administering income

tax laws of the City of Lakewood and collecting income tax due and owing to the City of Lakewood. Such administration and collection shall be restricted to delinquency issues referred to the City of Cleveland by the City of Lakewood, including collection of outstanding balances and pursuit of non-filed tax returns and other delinquency programs as agreed to by the City of Cleveland and the City of Lakewood.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 3. That this Ordinance is hereby declared to be an emergency measure necessary for the usual daily operation of City for the reasons set forth in the preamble to this Ordinance, and provided it receives the affirmative vote of at least five of its members elected to Council, this Ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

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

2850499		NEW	14224 MADISON AVE LLC	
PERMIT NUMBER		TYPE	DBA EL TANGO TAQUERIA	
14224 MADISON AVE				
LAKEWOOD OH 44107				
ISSUE DATE				
05	28	2009		
FILING DATE				
D1				
PERMIT CLASSES				
18	286	C	Y69606	
TAX DISTRICT		RECEIPT NO.		

FROM 06/01/2009

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT		RECEIPT NO.		



MAILED 06/01/2009

RESPONSES MUST BE POSTMARKED NO LATER THAN 07/02/2009

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 NEW 2850499

(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 MUNICIPAL COUNCIL
12650 DETROIT AV
LAKEWOOD OHIO 44107



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650
www.onelakewood.com
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Ward Council
WARD I - KEVIN BUTLER
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WARD III - MICHAEL SUMMERS
WARD IV - MARY LOUISE MADIGAN

July 6, 2009

Lakewood City Council
Lakewood, OH 44107

Re: 2010 US Census Alert

Dear Members of Council:

The United States Census will begin in the spring of 2010. An accurate count of Lakewood's population is critical to our planning, development and funding throughout the next decade.

Currently we are a city of approximately 53,000 citizens, down at least 3,500 since the 2000 census and down over 7,000 since the 1990 count. If we dip below 50,000 residents, Lakewood's status as an entitlement city (allowing us to receive Community Development Block Grant (CDBG) dollars directly from the federal government) could be jeopardized.

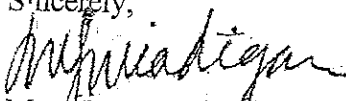
Population loss is a challenge faced by Lakewood, other inner ring cities and our entire region. Cuyahoga County has been losing residents since the 1970's and we feel the effects of it in many ways.

It is incumbent on us to work with the Administration to make sure there is a plan to ensure an accurate count of all our citizens. The City's plan must address and report back to Council on:

- Outreach to neighborhoods, service organizations, community institutions;
- Citizen participation;
- Coordination with other like situated suburbs to share information and outreach ideas;
- Contact with our Congressional delegation on accurate reporting methods and support from the U.S. Census Bureau.

Please refer to the Committee of the Whole.

Sincerely,


Mary Louise Madigan
Councilmember, Ward IV



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

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

July 6th, 2009

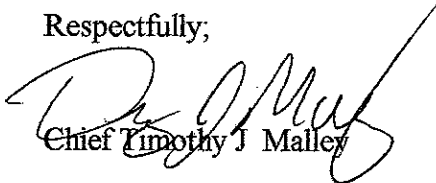
Lakewood City Council
12650 Detroit Ave.
Lakewood Ohio 44107

Dear Members of Council;

The Byrne Memorial Grant for 2009 has been released for Police Departments in Cuyahoga County. The Lakewood Police Department will be receiving \$16,521.00. These funds will be applied to the acquisition of a new server for our Computer Aided Dispatch and Records Management System. Our current server is over ten years old and will no longer accept new program releases to our systems. Without being able to update our programs we are not benefiting from the improvements. As well, the current is at its lifetime expectancy and this is a critical investment in our IT infrastructure.

Attached to this correspondence is a resolution to accept and expend funds through the Edward Byrne Memorial Grant, Bureau of Justice Assistance. Thank you for your consideration.

Respectfully,


Chief Timothy J. Malley

RESOLUTION NO.

BY:

AN EMERGENCY RESOLUTION authorizing the Mayor (Director of Public Safety), to enter into an agreement on behalf of the City of Lakewood with the City of Cleveland, City of Euclid, City of Garfield Heights, City of Parma and the Cuyahoga County Board of Commissioners to accept Lakewood's allocated share of grant funds, currently estimated at \$16,521, from the City of Cleveland, as fiscal agent for grant funds awarded by the U.S. Department of Justice Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant (FY2009 JAG).

WHEREAS, the U.S. Department of Justice has identified Lakewood Police Department as a jurisdiction eligible for funding under this grant; and

WHEREAS, the funding specifies that monies be used for law enforcement programs and may be used for the purchase of equipment used directly by law enforcement to reduce crime; and

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

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

Section 1. That the Mayor (Director of Public Safety), is hereby authorized to enter into an agreement on behalf of the City of Lakewood with the City of Cleveland, City of Euclid, City of Garfield Heights, City of Parma and the Cuyahoga County Board of Commissioners to accept Lakewood's allocated share of grant funds, currently estimated at \$16,521, from the City of Cleveland, as fiscal agent for grant funds awarded by the U.S. Department of Justice Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant (FY2009 JAG).

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

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

upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor



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

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

July 6, 2009

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

RE: Ohio Drug Use Prevention Special Grant

Dear Members of Council:

Attached please find a resolution for your consideration authorizing the City of Lakewood, Department of Public Safety, Division of Police, to accept an award provided through the Attorney General of the State of Ohio. The award of \$62,335.45 is made possible through funding of the Ohio Attorney Generals Drug Abuse Resistance Fund.

The funds to be awarded are directed to support the salaries of Officers instructing the D.A.R.E. program in our public schools. Based on a formula for funding a percentage of the officers salaries, related to the time spent in our schools instructing D.A.R.E., made us eligible for this amount.

This funding is in addition to the normal funding by the Ohio Attorney General for support of D.A.R.E. A surplus existed in a portion of the fund and Attorney General Richard Cordray directed these funds to be expended to eligible Police Departments for one time funding.

Thank you for your consideration.

Very truly yours,


Timothy J. Malley
Chief of Police

RESOLUTION NO.

BY:

A RESOLUTION authorizing the Mayor (Director of Public Safety) to enter into an agreement with the Attorney General of the State of Ohio to accept and expend an Ohio Drug Abuse Prevention Special Grant in the amount of \$62,335.45 from the Ohio Attorney General's Drug Abuse Resistance Fund.

WHEREAS, the Division of Police (Police) has operated the Drug Abuse Resistance Education (D.A.R.E.) program since 1990; and

WHEREAS, the Police are currently operating D.A.R.E. programs in all elementary and middle schools within the City; and

WHEREAS, this one time funding is in addition to the normal funding received from the Ohio Attorney General for support of D.A.R.E.; and

WHEREAS, this additional funding was awarded for the support of officer's salaries who instruct the D.A.R.E. program within the schools. Now, therefore,

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

Section 1. That the Mayor (Director of Public Safety) is hereby authorized to enter into an agreement with the Attorney General of the State of Ohio to accept and expend an Ohio Drug Abuse Prevention Special Grant in the amount of \$62,335.45 from the Ohio Attorney General's Drug Abuse Resistance Fund.

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 actions were in meetings open to the public, in compliance with all legal requirements.

Adopted: _____

President

Clerk

Approved: _____

Mayor



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

Jennifer R. Pae
Director of Finance

July 6, 2009

Lakewood City Council
Lakewood, OH 44107

Re: 2009 Amended WWTP Professional Services Capital Contracting Authority

Dear Members of Council:

Attached please find an ordinance increasing contracting authority by \$80,000 for Wastewater Treatment Plant Engineering & Architectural Services.

I respectfully request that the rules be suspended and this is passed on first reading in order to proceed with the engineering work required.

Sincerely,

Jennifer R. Pae
Director of Finance



ORDINANCE NO. 1-09A

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 1-09, adopted January 20, 2009 for the purpose of increasing contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Wastewater Treatment Plant Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council.

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or before February 3, 2009 in accordance with the Capital Improvement Plan for fiscal year 2009. Now therefore,

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

Section 1. That Ordinance 1-09, adopted January 20, 2009, currently reading as follows:

Section 1. That the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager is hereby authorized and directed to engage architectural and/or engineering firms to provide professional services for the design, preparation of specifications, construction inspection, contract administration and to advertise for bids and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood, for the following Infrastructure Improvements, contracts not to exceed the specified amounts shown, except as hereinafter provided:

Wastewater Treatment Plant Improvements

\$120,000

Is hereby amended to read as follows:

Section 1. That the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager is hereby authorized and directed to engage architectural and/or engineering firms to provide professional services for the design, preparation of specifications, construction inspection, contract administration and to advertise for bids and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood, for the following Infrastructure Improvements, contracts not to exceed the specified amounts shown, except as hereinafter provided:

Wastewater Treatment Plant Improvements

\$200,000

Section 2. 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 is hereby authorized and directed to enter into contracts as set forth above in amounts not to exceed the specified amounts without further action from Council; and to enter into contracts in excess of specified amounts only upon consent of Council evidenced by adoption of a resolution specifying the authorized amount.

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

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor



JOSEPH J. BENO, PE
DIRECTOR OF PUBLIC WORKS

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

July 6, 2009

Lakewood City Council
Lakewood, OH 44107

RE: CUY – Lakewood Signals (PID 82793) Clifton Boulevard
FINAL LEGISLATION

Dear Members of Council:

The Ohio Department of Transportation has requested final legislation for the construction of the new traffic signals on Clifton Boulevard. Part of this final legislation is to pay ODOT for Lakewood's portion of the work which is \$120,110 of the \$2 million total project cost.

Please suspend the rules and adopt this legislation tonight due to ODOT's July 13th deadline.

Sincerely,

Joseph J. Beno, PE

att.

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the City of Lakewood to participate in a the construction of traffic signals, radio interconnect and video diction on Clifton Boulevard in the City of Lakewood with the Ohio Department of Transportation.

WHEREAS, on June 2, 2008 the City of Lakewood enacted legislation proposing cooperation with the Director of Transportation for the described project:

This project consists of the construction of traffic signals, radio interconnect and video detection on Clifton Boulevard, lying within the city of Lakewood; and

WHEREAS, the City of Lakewood shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Safe Routs to School funds and NOACA funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the city agrees to assume and bear one hundred percent (100%) of the cost of Preliminary engineering and Right-of-Way charges incurred by the State.

The share of the cost of the City of Lakewood is now estimated in the amount of One Hundred Twenty Thousand One Hundred Ten and 00/100 Dollars, (\$120,110.00) but said estimated amount is to be adjusted in order that the City of Lakewood's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to the legislative authority; and

WHEREAS, the City of Lakewood desires the Director of Transportation to proceed with the aforesaid highway improvement; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments and for the scheduling of street improvement projects. Now Therefore,

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

Section 1. That the estimated sum of One Hundred Twenty Thousand One Hundred Ten and 00/100 Dollars, (\$120,110.00), is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue and order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

Section 2. That the City hereby requests the Director of Transportation to proceed with the aforesaid highway improvements.

Section 3. That the Mayor of the City of Lakewood is hereby empowered on behalf of the City to enter into agreements with the Director of Transportation necessary providing for the payment of the City of Lakewood the sum of money set forth herein above for improving the described project.

Section 4. That the Clerk of Council is hereby directed to transmit a certified copy of this legislation to the Director of Transportation.

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

Section 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) of its members elected to Council, this

ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor



JOSEPH J. BENO, PE
DIRECTOR OF PUBLIC WORKS

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

July 6, 2009

Lakewood City Council
Lakewood, OH 44107

RE: Clean Fuels Ohio and Earth Day Coalition

Dear Members of Council:

The United States Environmental Protection Agency, through the Clean Fuels Ohio and Earth Day Coalition, administers financial assistance for environmental improvement projects. The City of Lakewood has been awarded \$166,400, requiring a financial match of \$8,569, for diesel exhaust retrofits on 19 City vehicles. The matching funds will be in the form of our mechanics time to install the new equipment on Refuse and Streets vehicles.

Attached for your consideration is a resolution to enter into an agreement with Clean Fuels Ohio and Earth Day Coalition to accept and expend these funds.

Sincerely,

Joseph J. Beno, PE

att.

RESOLUTION NO.

BY:

AN EMERGENCY RESOLUTION authorizing the Mayor, on behalf of the City, to enter into an agreement with the Clean Fuels Ohio and Earth Day Coalition to accept and expend funds in the amount of \$166,400, to retrofit 19 City vehicles with diesel exhaust systems and requiring a match in the amount of \$8,569.

WHEREAS, the United States Environmental Protection Agency, through the Clean Fuels Ohio and Earth Day Coalition administers financial assistance for environmental projects; and

WHEREAS, the City of Lakewood has been awarded \$166,400 for use in retrofitting 19 City vehicles with new diesel exhaust systems; and

WHEREAS, the City of Lakewood is required under the agreement to match funds in the amount of \$8,569 which will be in the form of City mechanics installing the new equipment on vehicles in use in the Divisions of Refuse and Streets; and

WHEREAS, this Council by a vote of at least five (5) members elected thereto determines that this resolution is an emergency measure, and that this resolution shall take effect at the earliest date possible as set forth in ARTICLE III, SECTIONS 10 and 13 of the SECOND AMENDED CHARTER OF THE CITY OF LAKEWOOD, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that these funds should be accessed by the City of Lakewood as soon a practical to begin installing this new equipment. Now Therefore,

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

Section 1. That the Mayor, on behalf of the City, be and is hereby authorized to enter into an agreement with the Clean Fuels Ohio and Earth Day Coalition to accept and expend funds in the amount of \$166,400, to retrofit 19 City vehicles with diesel exhaust systems and requiring a match in the amount of \$8,569.

Section 3. 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 4. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property,

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

Adopted: _____

President

Clerk

Approved: _____

Mayor



DEPARTMENT OF PLANNING & DEVELOPMENT
NATHAN J. KELLY
DIRECTOR

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

June 16, 2009

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

RE: Sale of PPN 311-15-011 (approximately 1383 Sloane Avenue)

Members of Council:

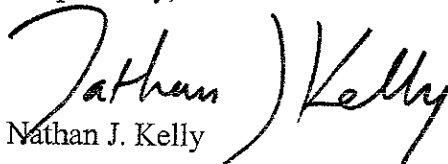
During the Mayor's Listening to Lakewood visits, the neighbors of the property expressed an interest in buying the property. If Council sees fit, I recommend placing the property for sale to be open to all bidders.

Since 1983, the City of Lakewood has maintained the vacant property at 1383 Sloane Avenue. By offering this property for sale, the department can entertain offers for placing this property back into productive use.

The property is located between two homes in a strong neighborhood. It is a non-conforming lot, so it cannot be used on its own for residential construction.

I respectfully recommend committee referral to the appropriate committee in anticipation of a vote before Council's summer recess.

Respectfully,


Nathan J. Kelly

AN ORDINANCE authorize and direct the Director of Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property, Permanent Parcel Number 311-15-011, located approximately 1383 Sloane Avenue for a period not to exceed 120 days, pursuant to Section 155.07 of the Codified Ordinances.

WHEREAS, the City is the owner of real property, Permanent Parcel Number 311-15-011 located approximately 1383 Sloane Avenue; and

WHEREAS, this Council has determined it is in the best interest of the City to sell said real property and that such sale shall further the interest of the City and its residents; Now, Therefore,

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

Section 1. That the Director of Planning and Development (Director) is hereby authorized and directed, on behalf of the City, to solicit proposals from licensed real estate brokers and to enter into an agreement with the broker deemed most responsive determined by the Director, to market real property, Permanent Parcel Number 311-15-011, located approximately 1383 Sloane Avenue for a period not to exceed 120 days, pursuant to Section 155.07 of the Codified Ordinances.

Section 2. That Director is hereby authorized and directed to enter into an agreement for the sale of said real property upon presentation of an acceptable offer as determined by the Director.

Section 3. That Director specifically is authorized to negotiate and or make counter proposals to any offer to purchase said real property, and shall, upon the close of the transaction, report to Council the details of the sale.

Section 4. That Director shall make no representations or warranties concerning the conditions of the property.

Section 5. 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

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

17090950370		TRFO	CONVENIENCE MANAGEMENT SERVICES INC	
PERMIT NUMBER		TYPE	DBA AMPM 3614	
10	01	2008	14718 MADISON AV	
ISSUE DATE		LAKEWOOD OHIO 44107		
06	17	2009		
FILING DATE				
C1	C2			
PERMIT CLASSES				
18	286	C	F00924	
TAX DISTRICT			RECEIPT NO.	

FROM 06/19/2009

08984675036			BP PRODUCTS NORTH AMERICA INC	
PERMIT NUMBER		TYPE	DBA SITE 5036	
10	01	2008	14718 MADISON AV	
ISSUE DATE		LAKEWOOD OHIO 44107		
06	17	2009		
FILING DATE				
C1	C2			
PERMIT CLASSES				
18	286			
TAX DISTRICT			RECEIPT NO.	



MAILED 06/19/2009

RESPONSES MUST BE POSTMARKED NO LATER THAN.

07/20/2009

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 TRFO 1709095-0370

(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 MUNICIPAL COUNCIL
12650 DETROIT AV
LAKEWOOD OHIO 44107