

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JANUARY 5, 2015
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:34 PM by President Madigan.

Present: David Anderson, Thomas R. Bullock III, Shawn Juris, Mary Louise Madigan, Cindy Marx, Ryan Nowlin, Samuel T. O'Leary

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Police Chief Malley, Fire Chief Gilman, Human Services Director Gelsomino, Human Resources Director Yousefi.

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Reading and Disposal of the minutes of the Regular Meeting of Council held December 15, 2014.

Motion by Ms. Madigan, seconded by Mr. Nowlin to defer the minutes.

Motion adopted. All members voting yea.

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

{Without objection from Council items 19 & 20 were brought forward first in the agenda order}

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

1. Committee of the Whole Report regarding C.O.W. 1/5/15 Appointments, 36-14, 8787-14 - Chair; Madigan (TO Be Provided)

Committee of the Whole Chair Madigan submitted the following report:

The Committee of the Whole met this evening at 6:30 to discuss appointment to a variety of boards and commissions. We made a decision on two, one of which is the Board of Building Standards and Building Appeals/Architectural Board of Review. The other Lakewood Hospital Association Governing Board. The others we will continue our conversations and make appointments for the 15th of this month. We deferred discussion on proposed Ordinance 361-14 and Resolution 8787-14.

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive and file the report.
Motion adopted. All members voting yea.

2. **RESOLUTION NO. 8771-14** A RESOLUTION 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, appointing _____ to the Planning Commission for the six-year term beginning January 1, 2015 and ending December 31, 2020. (Referred to the Committee of the Whole 11/3/14) (Pg. 6)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer Resolution No. 8771-14.
Motion adopted. All members voting yea.

3. **RESOLUTION NO. 8772-14** - A RESOLUTION 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, appointing _____ to the Board of Building Standards and Building Appeals and the Architectural Board of Review for the five-year term beginning January 1, 2015 and ending December 31, 2019. (Referred to the Committee of the Whole 11/3/14) (Pg. 7)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to amend Resolution No. 8772-14 by inserting the name Dan Musson.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution 8772-14 amended.

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution No. 8772-14 as amended.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution 8772-14 adopted as amended.

4. **RESOLUTION NO. 8773-14** - A RESOLUTION 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, appointing _____ to the Board of Zoning Appeals for the five-year term beginning January 1, 2015 and ending December 31, 2019. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 8)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.

Motion adopted. All members voting yea.

5. **RESOLUTION NO. 8774-14** - A RESOLUTION 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, appointing _____ to the Community Reinvestment Area Housing Council for a three-year term beginning January 1, 2015 and ending December 31, 2017. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 9)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.
Motion adopted. All members voting yea.

6. **RESOLUTION NO. 8775-14** - A RESOLUTION 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, appointing _____ to the Community Reinvestment Area Housing Council for a three-year term beginning January 1, 2015 and ending December 31, 2017. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 10)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.
Motion adopted. All members voting yea.

7. **RESOLUTION NO. 8776-14** - A RESOLUTION 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, appointing _____ to the Board of Nuisance Abatement Appeals for the three-year term beginning January 1, 2015 and ending December 31, 2017. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 11)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.
Motion adopted. All members voting yea.

8. **RESOLUTION NO. 8777-14** - A RESOLUTION 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, appointing _____ as a community organization trustee to the Lakewood Hospital Association Governing Board, for the term beginning January 1, 2015 and ending December 31, 2019. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 12)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to amend Resolution No. 8777-14 by inserting the name Joseph Gibbons.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution 8777-14 amended.

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution No. 8777-14 as amended.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution 8777-14 adopted as amended.

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.

Motion adopted. All members voting yea.

9. **RESOLUTION NO. 8778-14** - A RESOLUTION 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, appointing _____ to the Lakewood Heritage Advisory Board for a four-year term beginning January 1, 2015 and ending December 31, 2018. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 13)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.

Motion adopted. All members voting yea.

10. **RESOLUTION NO. 8779-14** - A RESOLUTION 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, appointing _____ to the Lakewood Heritage Advisory Board for a four-year term beginning January 1, 2015 and ending December 31, 2018. (REFERRED TO THE COMMITTEE OF THE WHOLE 11/3/14) (Pg. 14)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.

Motion adopted. All members voting yea.

11. **ORDINANCE NO. 36-14** – AN ORDINANCE to repeal the existing Chapter 1143, Off-Street Parking, of the Zoning Code of the City of Lakewood and to enact a new Chapter 1143, Parking. (PLACED ON 1ST READING & REFERRED TO THE COMMITTEE OF THE WHOLE 10/20/14, 2ND READING 11/3/14, DEFERRED 11/17/14) (Pg. 15)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.

Motion adopted. All members voting yea.

12. **RESOLUTION NO. 8787-14** – A RESOLUTION 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 and directing the Mayor to submit the Five Year Consolidated Plan (Fiscal Year 2015-2019) as a required for receiving federal Community Development Block Grant (CDBG),

Emergency Solutions Grant (ESG), and HOME Investment Partnerships (HOME) funding from the U.S. Department of Housing and Urban Development (REFERRED TO THE COMMITTEE OF THE WHOLE 12/1/14) (HUD). (Pg. 38)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item.
Motion adopted. All members voting yea.

13. Health & Human Services Committee Report regarding 8781-14. (To Be Provided)
Chair Marx

Health & Human Services Committee Chair Marx submitted the following report:

The Health and Human Services Committee met tonight with Councilman Jruis, Anderson, O'Leary present, and Chiefs Gilman and Malley. We discussed the Resolution 8781-14 authorizing the City of Lakewood's participation under an agreement between the Westshore Council of Governments and the MetroHealth System for provision of professional tactical medical control services. The Committee unanimously approved this resolution.

Motion by Ms. Marx, seconded by Ms. Madigan, to receive and file the report.
Motion adopted. All members voting yea.

14. **RESOLUTION NO. 8781-14** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the City of Lakewood's participation under an agreement between the Westshore Council of Governments, and the MetroHealth System for the provision of professional tactical medical control services. (REFERRED to the Health & Human Services Committee 11/3/14, interim report 11/17/14) (Pg.40)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution 8781-14.
Motion adopted. All members voting yea.

15. Rules & Ordinances Committee Report regarding 59-14 & 60-14. (To Be Provided) –
Chair O'Leary.

Motion by Mr. O'Leary, seconded by Ms. Madigan, to defer action on this item.
Motion adopted. All members voting yea.

16. **ORDINANCE NO. 59-14** – 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, to establish minimum coverage limits and fees required under various sections of the Lakewood Codified Ordinances related to insurance. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 12/1/14, 2ND READING 12/15/14) (Pg. 57)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this Ordinance.
Motion adopted All members voting yea.

17. **ORDINANCE NO. 60-14** – 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, to establish the annual fee required for a secondhand dealer’s license pursuant to Section 737.02 of the Lakewood Codified Ordinances. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 12/1/14, 2ND READING 12/15/14) (Pg. 59)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this Ordinance.
Motion adopted All members voting yea.

18. **ORDINANCE NO. 61-14** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, to approve the editing and inclusion of certain ordinances and resolutions as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matters. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 12/15/14) (Pg. 61)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 61-14 on 2nd Reading.

Motion adopted. All members voting yea.

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

19. Communication from Councilmember Marx regarding Commending Lakewood Library’s 5 Star Rating. (Pg.63)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive and file the communication.

Motion adopted. All members voting yea.

20. **RESOLUTION NO. 8792-15** – A RESOLUTION to congratulate Lakewood Public Library on being awarded a perfect five star rating from Public Library Service. (Pg.64)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution No.8792-15.
Motion adopted. All members voting yea.

21. Communication from Mayor Summers regarding Appointment to Lakewood Civil Service Commission. (Pg.65)

Motion by MS. Madigan, seconded by Mr. Nowlin, to receive and file the communication.
Motion adopted. All members voting yea.

22. Communication from Planning & Development Director Siley regarding Construction of High School and Lincoln Elementary – Rezoning. (Pg.66)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive and file the communication.
Motion adopted. All members voting yea.

23. **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). (Pg. 67)

Motion by Ms. Madigan, seconded by MR. Nowlin, to place Ordinance No. 1-15 on 1st Reading and refer it to the Planning Commission.
Motion adopted. All members voting yea.

24. Communication from Acting Chief Hassing regarding authorizing limited Police Authority to Cleveland Clinic Foundation Police Officers. (Pg. 69)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive, file and refer the communication to the Public Safety Committee.
Motion adopted. All members voting yea.

25. **RESOLUTION NO. 8793-15** - A RESOLUTION 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 and directing the Mayor to enter into an agreement with the Cleveland Clinic Foundation (CCF) which will allow police officers employed by the Cleveland Clinic Police Department to exercise limited police powers within the City of Lakewood on and around hospital property operated by CCF. (Pg. 70)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place on First Reading and refer Resolution No. 8793-15 to the Public Safety Committee.
Motion adopted. All members voting yea.

26. Liquor Permit Application for a new D3A permit class to Trios Bar, 13362 Madison Avenue. (Pg. 73)

Motion by Mr. Bullock, seconded by Ms. Madigan, to file no objection to this liquor permit.
Motion adopted. All members voting yea.

27. Liquor Permit Application for new C1 & C2 permit classes to UPM Express, 1423 Madison Avenue. (Pg. 74)

Motion by Mr. Bullock, seconded by Ms. Madigan, to file no objection to this liquor permit application.

Motion adopted. All members voting yea.

Post Agenda comments:

Mayor Summers indicates a very busy construction season ahead.

PUBLIC COMMENT:

Doug Ely, 2108 Northland asked about the status of the Hilliard Theater asbestos removal and demolition.

Mayor Summers responded to Mr. Ely and Mr. Zonar who indicated he talked with earlier – that funding is being sought to safely address the removal of asbestos and demolition of the property; including grant applications through the County and State. He indicated that Federal government demolition funds do not appear to be currently available.

Motion by Ms. Madigan, seconded by Mr. Nowlin to adjourn the meeting.

Motion adopted. All members voting yea.

Meeting adjourned 8:18 PM.

Approved: _____

CLERK

PRESIDENT