

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
APRIL 6, 2015
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:33 PM by President Madigan.

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

Also Present: Mayor Summers, Law Director Butler, Assistant Finance Public Works Director Beno, Director Schuster, Acting Police Chief Hassing, Fire Chief Gilman, Human Services Director Gelsomino, Approximately 11 members of the public, three members of the media.

....

Reading and Disposal of the minutes of the Regular Meeting of Council held March 2, 2015. Motion made by Ms. Madigan and seconded by Mr. Nowlin, to approve the minutes without the necessity of a reading.
Motion adopted. All members voting yea.

Reading and Disposal of the minutes of the Regular Meeting of Council held March 16, 2015.

Motion made by Ms. Madigan and seconded by Mr. Bullock, to approve the minutes without the necessity of a reading.
Motion adopted. Six members voting yea.
Mr. Nowlin abstaining.

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

1. Committee of the Whole Report regarding March 5, 9, 12, & 16, 30, April 6, 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 (To Be Provided) Chair; Madigan.

Ms. Madigan submitted the following report:

Ladies & Gentlemen of the Public and Colleagues,

I have all the reports for these meetings written up. I'll go through the highlights of them. They will be posted and I will have copies left in your boxes either later tonight or tomorrow

morning. I will begin with March 5th and just give the highlights. I know that most of the members of the public who are here tonight were also at most of these meetings. But in any case I think it's important to remind everybody, including ourselves, that we have extensive notes on these meetings and all the meetings are public. The records will remain in our files for now and forever.

The March 5th meeting allowed Lakewood residents who serve on the Lakewood Hospital Association to share their views on the decision to approve the LOI – the Letter of Intent. Each member considered a huge quantity of data over the months that led to the creation of the LOI. All members of Council were present. Lakewood Hospital Association members including Ellen Bryztwa, Joe Gibbons, Ken Haber, Rebecca Patton, Bill Horton, Curt Brosky, Kathleen McGorray, were present. There was a review of current hospital trends and outpatient services and a discussion on approaches to medicine and wellness. There was vibrant participation from members of the public.

March 9th's Committee of the Whole focused on transportation challenges that citizens may face if the nearest hospital were located outside of the City. All Councilmembers were present. Presenters included Glenn Coyne, the Director of the Cuyahoga County Planning Commission; Toni Gelsomino, Director of Lakewood Human Services; and Fire Chief Scott Gilman. Both Directors and the Chief presented data and narrative about the need for transportation, not just for those who have a medical need, but for citizens generally. It won't surprise most of us to know that RTA came up quite a bit.

Committee of the Whole on March 12th was organized as an opportunity to allow people to offer alternatives to the LOI. All members of Council were present. Guest speakers included Dr. Terry Kilroy and State Senator Michael Skindell. Members of the public, the Mayor, and directors attended. It was a vibrant and engaging conversation.

The Meeting on March 23rd focused on how changes in healthcare delivery may impact the human service needs of the community and our local providers' ability to meet those needs. Presenters included Mary Ann Crampton who led the City's Human Services Summit in 2012; Lakewood Human Services Director Toni Gelsomino, and Lee Elmore, Director of North Coast Health Ministry of Lakewood. All three presenters discussed human services needs and how they vary and what data for a comprehensive approach to healthcare meant. Also discussed were seniors' needs and those segments of the community that have to have better access. Then Ms. Elmore provided an overview of services provided by North Coast Health Ministries and led a discussion about the national and local trends and how they are mirrored here for the poor and the working poor. Members of the public were at that meeting as well.

The March 30th meeting focused on the possibility of development of new business if Lakewood indeed experiences an evolution to a family health care clinic. Presenters included Patty Ryan, Executive Director of Lakewood Chamber of Commerce; Ian Andrews Executive Director of Lakewood Alive; and the City's Development Director Dru Siley. All members of Council attended as did Directors Pae, Gelsomino, Chief Gilman, the Mayor, and many members of the public. Ms. Ryan read a letter stating the Lakewood Chamber of

Commerce's opinion and some suggestions. Mr. Andrews shared the views of Lakewood Alive and that the potentially radical shift to Lakewood's downtown will impact Lakewood's businesses and residents and Lakewood Alive members want to be a part of the future of the decision-making process. The next day, Mr. Andrews sent a letter that we all received in our boxes and in our email. Director Siley presented context for consideration of new buildings and possibly different ideas for the health of the footprint. We are reserving as many options as possible for the City of Lakewood. Additional comments and materials are available online.

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

Ms. Madigan submitted the April 6, 2016 Committee Report:

Tonight there was yet another Committee of the Whole and I have a verbal report on that. All members of Council were in attendance. The Mayor, Director Butler and members of the public were there. We took the opportunity to review how this body was feeling about the amount of information we've taken in, about the work that we've done for the past nine and a half weeks, about where we needed to go. We determined that while we don't have all of our questions asked, answered, or formulated, we are on a path to get the answers we need. We have hired counsel and with counsel's help (Thompson Hine) we will feel comfortable working concurrently on gathering more information and setting a framework to make decisions for our future and the future of healthcare in Lakewood.

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

2. **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). (Pg. 4)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 43-14A on 2nd Reading.

Motion adopted. All members voting yea.

3. **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). (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 3/16/15) (Pg. 10)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance 14-15 on 2nd Reading.

Motion adopted. All members voting yea.

4. **ORDINANCE NO. 15-15** – AN ORDINANCE amending Section 1121.07, Minimum Yard Requirements for Principal Buildings, 1123.07, Minimum Yard Requirements for Principal Buildings, and 1127.07 Minimum yard Requirements for Principal Buildings, of the Codified Ordinances of the City of Lakewood to adjust the necessary variance required for air conditioning units located in a side yard. (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 3/16/15) (Pg. 11)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance 15-15 on 2nd Reading.

Motion adopted. All members voting yea.

5. **ORDINANCE NO. 16-15** – AN ORDINANCE to amend Section 1103.02 Definitions, and 1133.07 measurement of Building Height, of the Codified Ordinances of the City of Lakewood to further define roof height within the code. (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 3/16/15) (Pg. 14)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 16-15 on 2nd Reading.

Motion adopted. All members voting yea.

6. **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) (Pg. 16)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 17-15 on 2nd Reading.

Motion adopted. All members voting yea.

****NEW BUSINESS****

7. Communication from Councilmember Marx regarding Clothing Donation Boxes. (Pg. 26)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive, file and refer the communication to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

8. Communication from Councilmember Marx regarding Maureen Dostal to CAC. (Pg. 27)

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

Motion adopted. All members voting yea.

9. Communication from Councilmember O’Leary regarding St. Charles Green. (To Be Provided)

Tonight, I’m introducing a measure that would officially designate St. Charles Green as a city park. As many of you may know, St. Charles Green has long been held out by the City for public use, and Lakewood already maintains it for the many members of our community who appreciate its proximity, beauty, and serenity.

This action would serve to secure St. Charles Green as an important asset for downtown Lakewood, its businesses, their employees, and the residents who live around it. Designating St. Charles Green as a park will preserve the character of the Belle-St. Charles Neighborhood, ensure that we properly incorporate this important public space into our parks plan and community vision, and perhaps enable us to provide additional sources of funding for future improvements.

I look forward to our City taking this unique and important step to protect, enhance and expand public greenspace offerings in Lakewood.

Motion by Mr. O’Leary, seconded by Mr. Nowlin, to receive and file the communication.

Motion adopted. All members voting yea.

10. **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.”. (Pg. 28)

Motion by Ms. Madigan, seconded by Mr. O’Leary, to place Ordinance No. 18-15 on 1st Reading and refer it to the Planning Commission.

Motion adopted. All members voting yea.

11. Communication from Finance Director Pae regarding 2015 Capital lease Authorization. (Pg. 31)

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

Motion adopted. All members voting yea.

12. **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”). (Pg. 32)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance 19-15 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

13. Communication from Public Works Director Beno regarding CUY-Lakewood Signals Phase 5 – Franklin/Hilliard. (Pg. 35)

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

Motion adopted. All members voting yea.

14. **RESOLUTION NO. 8802-15** – 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 the City of Lakewood to participate in the upgrade and interconnect of traffic signals along Madison Avenue in the City of Lakewood with the Ohio Department of Transportation. (Pg. 36)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to refer Resolution No. 8802-15 to the Public Works Committee.

Motion adopted. All members voting yea.

15. Liquor Permit Application – D1, D2, D3, D3A transfers to Templars Lakewood d/b/a/ the Detroiter; 14701 Detroit Avenue from NEW TAP Lakewood; same address. (Pg. 38)

Motion by Mr. Bullock, seconded by Ms. Madigan, to file no objection to the application.

Motion adopted. All members voting yea.

16. Liquor Permit Application – D1, D2, D3, D3A, D6 transfers to DEVROD, LLC, d/b/a/ Lakewood Village, 133437-41 Madison Avenue from B&B Tavern d/b/a Lakewood Village same address. (Pg. 39)

Motion by Mr. bullock, seconded by Ms. Madigan, to file no objection to the application.

Motion adopted. All members voting yea.

Public Comment

Judy Gillespie – Olmsted Falls

Ms. Gillespie made remarks regarding the LOI. She thanked the media for their coverage of the issue. She objected to the use of the term “rent” in regards to the relationship between Cleveland

Clinic and Lakewood Hospital. She encouraged friends and neighbors to get involved and pay attention to the issue.

She inquired about the old theater building on Hilliard that is falling apart. She asked why the owner is not responsible for repairs.

Mayor Summer responded. He stated that public safety is the first concern and that the building is a threat to pedestrians. The owner has not demonstrated capacity to resolve the issue and so the City must step in and demolish the building to protect the public.

It was clarified that the City of Lakewood leases the Lakewood Hospital to Cleveland Clinic.

Victor Jason – 2062 Brown Rd

Mr. Jason remarked on the problem of getting attention from the Engineering Department. He expressed concerns about the sewer system. He mentioned invert plates, street sweeping, and combined sewers.

Bill Rice – 17415 Shaw Ave.

Mr. Rice remarked about the threefold increase in rail traffic coming through the City. He expressed interest in establishing a quiet zone. He rents a duplex against the tracks and is losing tenants. He loses sleep from the trains. He asked if there is an update on establishing quiet zones.

Mayor Summers responded. In the early 1990s approximately 26-30 trains came through Lakewood. The average now has been about 2 trains per day. Norfolk Southern is proposing 6 trains per day but has the right to run up to 13 trains per day. Lakewood is working with other cities to negotiate with Norfolk Southern locally and in Washington D.C. He explained what would be involved in establishing quiet zones and the cost. He expressed interest in supporting a solution to the noise.

Councilmember Bullock spoke in support of establishing quiet zones. He mentioned several options.

Announcements

Mayor Summers announced a follow up meeting on the future of healthcare in Lakewood on Wed. April 15th

Councilmember Juris announced that a Public Works Committee will be held immediately following the close of the meeting.

Councilmember Marx remarked on the establishment of the new crosswalk at Manor Park and Detroit. She thanked the Mayor for his efforts.

Motion by Ms. Madigan, seconded by Mr. O'Leary to adjourn.

Motion adopted. All members present voting yea.

Meeting adjourned 8:25 PM.

Approved: _____

CLERK

PRESIDENT