

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

Regular Meeting of the Lakewood City Council called to order at 7:36 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 (8:41 PM), Finance Director Pae, Police Representative, Fire Chief Gilman, Human Services Director Gelsomino, Planning & Development Director Siley, Human Resources Director Yousefi, Approximately 22 members of the public, members of the media.

Reading and Disposal of the minutes of the Regular Meeting of Council held September 8, 2015.

Motion made by Ms. Madigan and seconded by Mr. Anderson, to adopt the minutes without the necessity of a reading.

Motion adopted. All members voting yea.

**\*\*\*\*\*OLD BUSINESS\*\*\*\*\***

1. Committee of the Whole Report regarding 10/5/15 Committee Meeting; (Be Provided)

Ms. Madigan submitted the following report:

Today on October 5, 2015 the Committee of the Whole met with directors, the Mayor, and our legal counsel from Thompson Hine. We went into executive session to get an update on the progress of conversations revolving around the letter of intent submitted by the Cleveland Clinic back in January. There was no further business out of the committee. Move to approve the oral report.

Motion by Ms. Madigan, seconded by Mr. Anderson, to receive and file the oral report.

Motion adopted. All members voting yea.

\*\*\*\*\*

2. Housing Committee Report regarding September 21, 2015 Committee meeting. (Pg. 4)

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

\*\*\*\*NEW BUSINESS\*\*\*\*

3. Communication from Law Director Butler regarding 2015 second quarter codification ordinance. (Pg. 7)

Councilmember O’Leary explained the recurring administrative nature of the ordinance. He asked that the ordinance be discussed on the floor and not referred to committee.

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

\*\*\*\*

4. **ORDINANCE NO. 29-15** - An Ordinance to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect 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 matter. (Pg. 8)

Councilmembers Bullock and Anderson communicated a preference for not suspending the rules.

Law Director Butler clarified that there is no time sensitivity to the ordinance.

Councilmember O’Leary clarified that his main concern is about referral to committee.

Motion and second withdrawn.

Motion by Ms. Madigan, seconded by Mr. Nowlin to place on first reading.  
Motion adopted. All members voting yea.

\*\*\*\*

5. Communication from Finance Director Pae regarding Amended Purchase and Contracting Ordinance FY2015. (Pg.10)

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

\*\*\*\*

6. **ORDINANCE NO. 30-15** – 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, 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. (Pg. 11)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 30-15 on 1<sup>st</sup> Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

\*\*\*\*\*

7. Communication from Human Services Director Gelsomino regarding Juvenile Diversion Program. (Pg.17)

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

Motion adopted. All members voting yea.

\*\*\*\*\*

8. Communication from Police Chief Malley regarding Lakewood, Cleveland and State of Ohio agreement for interchange of public safety services during Republican National Convention. (Pg. 18)

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

Motion adopted. All members voting yea.

\*\*\*\*\*

9. **RESOLUTION NO. 8825-15** – 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, to authorize the Mayor, as Director of Public Safety, to enter into an agreement between the City of Cleveland and the State of Ohio for the interchange of public safety services for the 2016 Republican National Convention in Cleveland, Ohio. (Pg. 19)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to refer Resolution 8825-15 to the Public Safety Committee.

Motion adopted. All members voting yea.

\*\*\*\*\*

10. Communication from Fire Chief Gilman regarding disposal of obsolete supply hose. (Pg.34)

In response to Council questions Chief Gilman clarified that the Department has participated in three previous trades with Cuyahoga Community College.

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

Motion adopted. All members voting yea.

\*\*\*\*\*

11. **RESOLUTION NO. 8826-15** – 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 Director of Finance to sell, through trade, 3,000 feet of fire hose with Cuyahoga Community College in exchange for training classes for firefighters valued at approximately \$3,000. (Pg. 35)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to refer Resolution No. 8826-15 to the Public Safety Committee.

Motion adopted. all members voting yea.

\*\*\*

## Public Comment

Jay Carson – 13938 Lake Ave

Mr. Carson identified himself as a proud member of Build Lakewood. He remarked on the tenor of the hospital debate, stating that outrageous claims and lies are being perpetuated by the opposing side. He read from an online post that threatened individuals by name. He compared the things that have been said to schoolyard bullying. He stated that there has been an attempt to prevent debate through intimidation. He objected to the other side insinuating that something criminal has taken place. He denied that Build Lakewood is the political arm of Cleveland Clinic, as has been alleged. He stated that the current debate is not the type of debate you have with neighbors.

Council President Madigan asked clarifying questions. She asked if people feeling threatened know what to do.

Mr. Carson replied that yes, he believes they do know what to do.

Councilmember Bullock remarked on the types of behaviors that build community. He noted that the current debate has an “us versus them” dynamic. He asked the community to turn the page to be better neighbors. He criticized the Save Lakewood Hospital group for distributing flyers with factually inaccurate statements, particularly the number of jobs at the hospital. He stated that Council is doing its best to listen and respect all viewpoints.

Council President Madigan asked that Save Lakewood Hospital flyers be sent to the Council office to be included in the record of the conversation.

Tom Monahan -1487 Waterbury

Mr. Monahan referenced and responded to an op-ed in the Plain Dealer written by Jenn Pae regarding the hospital. In response to Director Pae’s statements about the age of the facility and the needed repairs, Mr. Monahan noted updates that had been made. To counter Director Pae’s statement that other entities are disinterested in running the hospital he mentioned two proposals to run the hospital put forward by Metrohealth. He mentioned tortious interference and stated that other entities would come forward if they could be assured they would not be sued. He denied that Save Lakewood Hospital seeks to have the City run Lakewood Hospital. He remarked on materials brought forward in the pending lawsuit, stating that they reveal

longstanding plans to “decant” Lakewood Hospital. He challenged the assertion that taxes will go up and stated that patient revenues will be able to pay off debts.

Director Pae expressed disgust over the threats online that specifically named her. She stated that Mr. Monahan is perpetuating false information. She issued several points of clarification:

- The \$96 million in needed maintenance was a figure confirmed by Huron.
- The Lakewood Hospital property reverts back to the City if there is no Lakewood Hospital Association. In this case the City is responsible for the repairs.
- Metrohealth withdrew its proposal to run the hospital and then confirmed its withdrawal.
- It is not accurate to say there will be tortious interference.
- An entity needs to be profitable in order to be issued revenue-based debt.
- It is false to assume that a new entity will be able to come in and run the hospital so profitably that it will pay the bills and then issue \$100 million in debt.

Dir. Butler responded to Mr. Monahan’s statement that Save Lakewood Hospital does not want the City to operate the hospital. He referenced the pending lawsuit supported by Save Lakewood Hospital which states that the public is ready to resume running the hospital.

Brian Essi – 15306 Edgewater Dr.

Mr. Essi stated that he takes responsibility for the remarks he made online. He criticized public officials for not listening. He displayed a Build Lakewood flyer and refuted the statements it contained. Specifically,

- He refuted the claim that the new health care facility will be privately funded with no cost to taxpayers. He countered that it will be funded from public property given for free to Cleveland Clinic.
- He refuted that the claim that the public will receive improved medical services. He countered that unexperienced doctors will be brought in. He stated that the new facility will provide be third world medicine.
- In response to the \$32 million investment, he cited comments made by Mayor Summers to the Plain Dealer editorial board.

He stated that people can die waiting for a hospital bed and that the proposed facility is a sad transfer station. He criticized trustees who are affiliated with Build Lakewood.

President Madigan asked Mr. Essi to clarify the following:

- When have people died waiting for hospital beds?
- When and where was public property given for free?
- Explain what you mean about third world medicine being provided at Cleveland Clinic.

Chief Gilman stated that free-standing ERs are used routinely throughout Cuyahoga County. They provide an opportunity for a doctor to perform advanced techniques that can not be provided by EMS. He stated that Metrohealth is opening three new freestanding ERs. Freestanding ERs relieves the burden on nearby hospitals.

Councilmember Bullock advised Mr. Essi not to make assumptions about the motivation of others but instead to give the benefit of the doubt. He denied that he is a member of Build Lakewood. He criticized Dennis Kucinich's actions and threat to call a grand jury investigation. He applauded Mayor Summers for taking action on the hospital before it's too late. While the news is painful, Mayor Summers exercised good leadership. He asked Chief Gilman to discuss EMS transport times.

Chief Gilman stated that the average EMS transport to Fairview is 6 minutes longer than transport to Lakewood Hospital. It is an additional 8 minutes to Metro. Throughout the ambulance ride the patient receives top care with upgraded equipment. Equipment, ambulances, and training have been upgraded. The new Lakewood Hospital ER would be a place for the ambulance to stop if medical intervention is needed that can't be performed by EMS. He discussed new protocols that direct trauma patients to the right hospital the first time. Implementation of those protocols reduces trauma mortality by 26%.

Councilmember Marx applauded Chief Gilman for his work. She remarked on the Fallen Firefighters event that she recently attended. She acknowledged that closing the hospital is a sad prospect but that neighbors need to be more neighborly and respectful of one another.

Coletta Graham – 1286 Chase Ave

Mrs. Graham referenced a Plain Dealer article about mismanagement of blood testing at Cleveland Clinic's Marymount Hospital. She asked if Council has looked into how blood is handled at Lakewood Hospital.

She complained that the historic façade of LHS was demolished. She criticized Councilmember Bullock for his behavior at the Kucinich rally. She requested a street sweeper to clear debris on her street.

Councilmember Bullock responded that he interjected with questions along with others at the event.

Hilde Eberhardt – 2163 Waterbury/Rocky River

Ms. Eberhardt remarked on an ongoing dispute with her neighbor who leaves his refuse containers on her property and has dug up her plants. She stated that police have tried to assist but that they do not have an ordinance to back them up. She asked for an ordinance that directs residents where to place their cans. She presented research from ordinances in other suburbs.

Kevin D. Young – 1598 Elbur Ave

Mr. Young remarked on the many assets of Lakewood that are attracting millennials. He stated that a full service hospital is important for millennials. He spoke about Lakewood Hospital as a large employer and the opportunity for its workers to walk to work. He suggested a broadcasted forum to convey the facts about the Lakewood Hospital situation.

Council President Madigan responded stating that the data reviewed showed the opposite – that the data on the issue indicates walkability is rated as high on importance levels and that hospitals were not high on the minds of millennials.

Announcements

Councilmember Anderson remarked on the Fallen Firefighters Ceremony he attended on Sunday. He thanked Chief Gilman and the administration for the family friendly celebration and memorial. He shared his observations from attending block parties about an increase in young families moving in Lakewood.

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

Motion adopted. All members present voting yea.

Meeting adjourned 9:16 PM.

Approved: \_\_\_\_\_

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
PRESIDENT