

**DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
NOVEMBER 21, 2016
7:30 P.M.**

The Regular Meetings of Lakewood City Council shall be held on the first and third Mondays of each month at 7:30 P.M., except that when such meeting date falls on a holiday such meeting shall instead be held on the following day. A Docket and Agenda of the business proposed to be transacted by Council will be available in the Clerk's Office and on the City's website www.one.lakewood.com as soon after 4 PM on the Friday before a Council meeting as possible.

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 November 7, 2016.

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

****OLD BUSINESS****

1. Committee of the Whole Report regarding November 21, 2016 Committee meeting. Mr. O'Leary; Chair. (To Be provided)
2. Finance Committee Report regarding 11/21/16 Meeting; 38-16, 8897-16. Mr. Bullock; Chair. (Report to Be Provided)
3. **ORDINANCE NO. 38-16** – 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, amending Section 128.051, Collection at Source; Withholding From Qualifying Wages, and Section 128.091, Return and Payment of Tax, of the Codified Ordinances of the City of Lakewood, in order to adopt additional changes to the Income Tax Code that were incorporated into the Ohio Revised Code. (1ST READING & REFERRED TO FINANCE COMMITTEE 10/17/16, 2ND READING 11/7/16) (Pg. 8)
4. **RESOLUTION NO. 8897-16** – 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 Director of Finance to enter into agreements with various purchasing agencies to continue the efficient purchasing with the City of Lakewood and to permit direct purchasing from said agencies without necessity of advertising and bidding as required in Lakewood Codified Ordinance §111.04, Bidding. (REFERRED TO FINANCE COMMITTEE 11/7/16) (Pg. 20)
5. **ORDINANCE NO. 37-16** – AN ORDINANCE amending subsection (a) of Section 510.01, Declaration of Nuisances, of the Codified Ordinances of the City of Lakewood by including false alarm calls required to be responded to by the Division of Police as nuisance activity. (1ST READING 10/17/16, 2ND READING & RECOMMENDED FOR ADOPTION 11/7/16) (Pg. 27)
6. **ORDINANCE NO. 39-16** – AN ORDINANCE amending Chapter 1311, Entering Adjoining Property, of the Codified Ordinances of the City of Lakewood. (PLEASE SUBSTITUTE FOR ORDINANCE 39-16 - 1ST READING, REFERRED TO RULES & ORDINANCES COMMITTEE 11/7/16) (Pg. 30)

****NEW BUSINESS****

7. Communication from Councilmember Bullock regarding Finance Committee Budget Session Scheduling. (Pg. 35)
8. Communication from Mayor Summers regarding 2017 Cuyahoga County Supplemental Grant Program Application. (Pg. 36)
9. **RESOLUTION NO. 8900-16** - 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 Mayor or his designee to apply, in collaboration with the Beck Center/West End District, to the Cuyahoga County Supplemental Grant Program for a \$50,000 grant to be used for signage and wayfinding in accordance with the City of Lakewood's strategic plan. (Pg. 37)
10. Communication from Finance Director Pae regarding 2016 year-end and 2017 Budget Ordinances. (Pg. 39)
11. **ORDINANCE NO. 40-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2016. (Pg. 40)
12. **ORDINANCE NO. 41-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, law authorizing the transfer and advance of certain funds. (Pg. 53)
13. **ORDINANCE NO. 42-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2017. (Pg. 55)
14. **ORDINANCE NO. 43-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to 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

2017 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. 68)

15. **ORDINANCE NO. 44-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into service contracts in accordance with the Administrative Code of the City of Lakewood for the Department of Planning & Development 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. 73)
16. **ORDINANCE NO. 45-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, and 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 **Memberships** as authorized by the 2017 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$60,000 without separate Ordinance of Council. (Pg. 76)
17. **ORDINANCE NO. 46-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending section 902.04, Rates and Charges, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting sewer rates charged against each lot, parcel of land or premises which may have an active sewer connection with the Municipal wastewater disposal system or which may otherwise discharge wastewater either directly or indirectly into such system or any part thereof. (Pg. 80)
18. **ORDINANCE NO. 47-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend section 915.01, Establishment of Rates, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting water rates charged against each lot, parcel of land or premises which may have an active water connection with the Municipal water system. (Pg. 82)
19. **ORDINANCE NO. 48-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Street Infrastructure 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. 84)

20. **ORDINANCE NO. 49-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Wastewater System and Treatment Improvement Program** 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. 86)
21. **ORDINANCE NO. 50-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Water System Replacement Program** 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. 88)
22. **ORDINANCE NO. 51-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **C.D.B.G. Fund Infrastructure 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. 90)
23. **ORDINANCE NO. 52-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Equipment** 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. 92)
24. **ORDINANCE NO. 53-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing

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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Buildings & Facilities 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. 94)

25. **ORDINANCE 54-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Traffic Signs & Signals** 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. 96)
26. **ORDINANCE NO. 55-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Parks & Pools 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. 98)
27. **ORDINANCE NO. 56-16** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Sidewalk Improvement Program** 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. 100)
28. Communication from Senior Planner Sylvester regarding Application to Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative. (Pg. 102)
29. **RESOLUTION NO. 8901-16**- A RESOLUTION supporting the application of WXX Development, Inc. (WXX) to the Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative in the City. (Pg. 103)

30. Communication from Senior Planner Sylvester regarding Fiscal year 2017 U.S. Department of Housing & Urban Development One Year Action Plan Resolution. (Pg. 105)

31. **RESOLUTION NO. 8902-16** - 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 Fiscal Year (FY) 2017 One-Year Action Plan of the FY 2015 – 2019 Five Year Consolidated Plan which includes dollar allocations and activities to be funded with federal Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnership Program (HOME) resources and incorporates the City's application to the U.S. Department of Housing and Urban Development (HUD) for FY 2017 CDBG, ESG, and HOME funds and all amendments thereto and all understandings and assurances contained therein, (Pg. 106)

First Reading & Referred to the
Finance Committee 10/17/16.
Second REading 11/7/16.

ORDINANCE NO. 38-16

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 128.051, Collection at Source; Withholding From Qualifying Wages, and Section 128.091, Return and Payment of Tax, of the Codified Ordinances of the City of Lakewood, in order to adopt additional changes to the Income Tax Code that were incorporated into the Ohio Revised Code.

WHEREAS, this Council adopted the changes implemented in HB 5 which standardized municipal income tax codes in December 2015; and

WHEREAS, SB 172 was adopted by the state legislature and became effective on September 12, 2016 and further modified those standardized municipal tax codes; and

WHEREAS, these changes are necessary to keep Lakewood's tax code consistent with the states' code; and

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, 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 it is in the best interest of the City to permit applicants an opportunity to seek Zoning Code variances during the current construction season; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 128.051, Collection at Source; Withholding From Qualifying Wages, of the Lakewood Codified Ordinances, currently reading as follows:

128.051 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES.

(a) (1) Each employer, agent of an employer, or other payer located or doing business in the Municipality shall withhold from each employee an amount equal to the qualifying wages of the employee earned by the employee in the Municipality multiplied by the applicable rate of the Municipality's income tax, except for qualifying wages for which withholding is not required under section 128.052 of this Chapter or division (d) or (f) of this section. An employer, agent of an employer, or other payer shall deduct and withhold the tax from qualifying wages on the date that the employer, agent, or other payer directly, indirectly, or constructively pays the qualifying wages to, or credits the qualifying wages to the benefit of, the employee.

(2) In addition to withholding the amounts required under division (a)(1) of this section, an employer, agent of an employer, or other payer may also deduct and withhold, on the request of an employee, taxes for the municipal corporation in which the employee is a resident.

(b) (1) An employer, agent of an employer, or other payer shall remit to the Tax Administrator of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer, along with any report required by the Tax Administrator to accompany such payment, according to the following schedule:

(A) Any employer, agent of an employer, or other payer not required to make payments under division (b)(1)(B) of this section of taxes required to be deducted and withheld shall make quarterly payments to the Tax Administrator not later than the fifteenth day of the month following the end of each calendar quarter.

(B) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the municipal corporation in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars. Payment under division (b)(1)(B) of this section shall be made so that the payment is received by the Tax Administrator not later than fifteen days after the last day of each month.

(C) An employer, agent of an employer or other payer may be required to make payment by electronic funds transfer to the Tax Administrator of all taxes deducted and withheld on behalf of the employee for remittance to the Municipality if the employer, agent of an employer, or other payer is required to make payments electronically for the purpose of paying federal taxes withheld on payments to employees under section 6302 of the Internal Revenue Code, 26 C.F.R. 31.6302-1, or any other federal statute or regulation. The payment of tax by electronic funds transfer under this division does not affect an employer's, agent's, or other payer's obligation to file any return as required under this section. Once the threshold for remitting payment electronically for federal purposes has been met, any accrued municipal income tax withheld from employee qualifying wages earned within the Municipality shall be remitted to the Municipality at the same time that the federal tax withholding payment is due.

(c) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator

(d) An employer, agent of an employer, or other payer is not required to withhold municipal income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(e) (1) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(2) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(f) Compensation deferred before June 26, 2003, is not subject to any municipal corporation income tax or municipal income tax withholding requirement to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(g) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes

have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(h) On or before the last day of February of each year, an employer shall file a Withholding Reconciliation Return with the Tax Administrator listing the names, addresses, and social security numbers of all employees from whose qualifying wages tax was withheld or should have been withheld for the Municipality during the preceding calendar year, the amount of tax withheld, if any, from each such employee's qualifying wage, the total amount of qualifying wages paid to such employee during the preceding calendar year, the name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year, any other information required for federal income tax reporting purposes on Internal Revenue Service form W-2 or its equivalent form with respect to such employee, and other information as may be required by the Tax Administrator.

(i) The officer or the employee of the employer, agent of an employer, or other payer with control or direct supervision of or charged with the responsibility for withholding the tax or filing the reports and making payments as required by this section, shall be personally liable for a failure to file a report or pay the tax due as required by this section. The dissolution of an employer, agent of an employer, or other payer does not discharge the officer's or employee's liability for a failure of the employer, agent of an employer, or other payer to file returns or pay any tax due.

(j) An employer is required to deduct and withhold municipal income tax on tips and gratuities received by the employer's employees and constituting qualifying wages only to the extent that the tips and gratuities are under the employer's control. For the purposes of this division, a tip or gratuity is under the employer's control if the tip or gratuity is paid by the customer to the employer for subsequent remittance to the employee, or if the customer pays the tip or gratuity by credit card, debit card, or other electronic means.

(k) A Tax Administrator shall consider any tax withheld by an employer at the request of an employee when such tax is not otherwise required to be withheld by this Chapter to be tax required to be withheld and remitted for the purposes of this section. At no time shall an employer withhold at a rate greater than that of the municipality. (ORC 718.03)

(l) No person shall be required to withhold the tax on wages or other compensation paid domestic servants employed by him exclusively in or about such person's residence, even though such residence is in the Municipality, but such employee shall be subject to all of the requirements of this chapter.

shall be and hereby is repealed, and new Section 128.051, Collection at Source; Withholding From Qualifying Wages, of the Lakewood Codified Ordinances is enacted to read as follows:

128.051 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES.

(a) (1) Each employer, agent of an employer, or other payer located or doing business in the Municipality shall withhold from each employee an amount equal to the qualifying wages of the employee earned by the employee in the Municipality multiplied by the applicable rate of the Municipality's income tax, except for qualifying wages for which withholding is not required under section 128.052 of this Chapter or division (d) or (f) of this section. An employer, agent of an employer, or other payer shall deduct and withhold the tax from qualifying wages on the date that the employer, agent, or other payer directly, indirectly, or constructively pays the qualifying wages to, or credits the qualifying wages to the benefit of, the employee.

(2) In addition to withholding the amounts required under division (a)(1) of this section, an employer, agent of an employer, or other payer may also deduct and withhold, on the request of an employee, taxes for the municipal corporation in which the employee is a resident.

(b) (1) An employer, agent of an employer, or other payer shall remit to the Tax Administrator of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer, along with any report required by the Tax Administrator to accompany such payment, according to the following schedule:

(A) Any employer, agent of an employer, or other payer not required to make payments under division (b)(1)(B) of this section of taxes required to be deducted and withheld shall make quarterly payments to the Tax Administrator not later than the last day of the month following the last day of each calendar quarter.

(B) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the municipal corporation in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars. Payments under division (b)(1)(B) of this section shall be made so that the payment is made to the Tax Administrator not later than fifteen days after the last day of each month.

(C) An employer, agent of an employer or other payer may be required to make payment by electronic funds transfer to the Tax Administrator of all taxes deducted and withheld on behalf of the employee for remittance to the Municipality if the employer, agent of an employer, or other payer is required to make payments electronically for the purpose of paying federal taxes withheld on payments to employees under section 6302 of the Internal Revenue Code, 26 C.F.R. 31.6302-1, or any other federal statute or regulation. The payment of tax by electronic funds transfer under this division does not affect an employer's, agent's, or other payer's obligation to file any return as required under this section. Once the threshold for remitting payment electronically for federal purposes has been met, any accrued municipal income tax withheld from employee qualifying wages earned within the Municipality shall be remitted to the Municipality at the same time that the federal tax withholding payment is due.

(c) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator

(d) An employer, agent of an employer, or other payer is not required to withhold municipal income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(e) (1) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(2) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(f) Compensation deferred before June 26, 2003, is not subject to any municipal corporation income tax or municipal income tax withholding requirement to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(g) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(h) On or before the last day of February of each year, an employer shall file a Withholding Reconciliation Return with the Tax Administrator listing the names, addresses,

and social security numbers of all employees from whose qualifying wages tax was withheld or should have been withheld for the Municipality during the preceding calendar year, the amount of tax withheld, if any, from each such employee's qualifying wage, the total amount of qualifying wages paid to such employee during the preceding calendar year, the name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year, any other information required for federal income tax reporting purposes on Internal Revenue Service form W-2 or its equivalent form with respect to such employee, and other information as may be required by the Tax Administrator.

(i) The officer or the employee of the employer, agent of an employer, or other payer with control or direct supervision of or charged with the responsibility for withholding the tax or filing the reports and making payments as required by this section, shall be personally liable for a failure to file a report or pay the tax due as required by this section. The dissolution of an employer, agent of an employer, or other payer does not discharge the officer's or employee's liability for a failure of the employer, agent of an employer, or other payer to file returns or pay any tax due.

(j) An employer is required to deduct and withhold municipal income tax on tips and gratuities received by the employer's employees and constituting qualifying wages only to the extent that the tips and gratuities are under the employer's control. For the purposes of this division, a tip or gratuity is under the employer's control if the tip or gratuity is paid by the customer to the employer for subsequent remittance to the employee, or if the customer pays the tip or gratuity by credit card, debit card, or other electronic means.

(k) A Tax Administrator shall consider any tax withheld by an employer at the request of an employee when such tax is not otherwise required to be withheld by this Chapter to be tax required to be withheld and remitted for the purposes of this section. At no time shall an employer withhold at a rate greater than that of the municipality. (ORC 718.03)

(l) No person shall be required to withhold the tax on wages or other compensation paid domestic servants employed by him exclusively in or about such person's residence, even though such residence is in the Municipality, but such employee shall be subject to all of the requirements of this chapter.

Section 2. Section 128.091, Return and Payment of Tax, of the Lakewood Codified Ordinances, currently reading as follows:

128.091 RETURN AND PAYMENT OF TAX.

(a) (1) An annual return with respect to the income tax levied on Municipal Taxable Income by the Municipality shall be completed and filed by every taxpayer for any taxable year for which the taxpayer is subject to the tax, regardless of whether or not income tax is due.

(2) The Tax Administrator shall accept on behalf of all nonresident individual taxpayers a return filed by an employer, agent of an employer, or other payer located in the Municipality under subsection 128.051(c) of this Chapter when the nonresident individual taxpayer's sole income subject to the tax is the qualifying wages reported by the employer, agent of an employer, or other payer, and no additional tax is due to the Municipality.

(3) All resident individual taxpayers, who attain the age of 18 years within a tax year and older, shall file an annual municipal income tax return with the Municipality, regardless of income or liability.

(b) If an individual is deceased, any return or notice required of that individual shall be completed and filed by that decedent's executor, administrator, or other person charged with the property of that decedent.

(c) If an individual is unable to complete and file a return or notice required by the Municipality in accordance with this chapter, the return or notice required of that individual shall be completed and filed by the individual's duly authorized agent, guardian, con-

servator, fiduciary, or other person charged with the care of the person or property of that individual. Such duly authorized agent, guardian, conservator, fiduciary, or other person charged with the care of the person or property of that individual shall provide, with the filing of the return, appropriate documentation to support that they are authorized to file a return or notice on behalf of the taxpayer. This notice shall include any legally binding authorizations, and contact information including name, address, and phone number of the duly authorized agent, guardian, conservator, fiduciary, or other person.

(d) Returns or notices required of an estate or a trust shall be completed and filed by the fiduciary of the estate or trust. Such fiduciary shall provide, with the filing of the return, appropriate documentation to support that they are authorized to file a return or notice on behalf of the taxpayer. This notice shall include any legally binding authorizations, and contact information including name, address, and phone number of the fiduciary.

(e) Spouses shall be permitted to file a joint return.

(f) (1) Each return required to be filed under this section must contain the signature of the taxpayer or the taxpayer's duly authorized agent and of the person who prepared the return for the taxpayer, and shall include the taxpayer's social security number or taxpayer identification number. Each return shall be verified by a declaration under penalty of perjury.

(2) A taxpayer who is an individual is required to include, with each annual return, amended return, or request for refund required under this section, copies of only the following documents: all of the taxpayer's Internal Revenue Service form W-2, "Wage and Tax Statements," including all information reported on the taxpayer's federal W-2, as well as taxable wages reported or withheld for any municipal corporation; the taxpayer's Internal Revenue Service form 1040; and, with respect to an amended tax return or refund request, any other documentation necessary to support the refund request or the adjustments made in the amended return. An individual taxpayer who files the annual return required by this section electronically is not required to provide paper copies of any of the foregoing to the Tax Administrator unless the Tax Administrator requests such copies after the return has been filed.

(3) A taxpayer that is not an individual is required to include, with each annual net profit return, amended net profit return, or request for refund required under this section, copies of only the following documents: the taxpayer's Internal Revenue Service form 1041, form 1065, form 1120, form 1120-REIT, form 1120F, or form 1120S, and, with respect to an amended tax return or refund request, any other documentation necessary to support the refund request or the adjustments made in the amended return.

(4) A taxpayer that is not an individual and that files an annual net profit return electronically through the Ohio business gateway or in some other manner shall either mail the documents required under this division to the Tax Administrator at the time of filing or, if electronic submission is available, submit the documents electronically through the Ohio business gateway or a portal provided by Municipality. The department of taxation shall publish a method of electronically submitting the documents required under this division through the Ohio business gateway on or before January 1, 2016. The department shall transmit all documents submitted electronically under this division to the appropriate Tax Administrator.

(5) After a taxpayer files a tax return, the Tax Administrator shall request, and the taxpayer shall provide, any information, statements, or documents required by the Municipality to determine and verify the taxpayer's municipal income tax liability. The requirements imposed under division (f) of this section apply regardless of whether the taxpayer files on a generic form or on a form prescribed by the Tax Administrator.

(6) Any other documentation, including schedules, other municipal income tax returns, or other supporting documentation necessary to verify credits, income, losses, or other pertinent factors on the return shall also be included to avoid delay in processing, or disallowance by the Tax Administrator of undocumented credits or losses.

(g) (1) (A) Except as otherwise provided in this chapter, each individual income tax return required to be filed under this section shall be completed and filed as required

by the Tax Administrator on or before the date prescribed for the filing of state individual income tax returns under division (G) of section 5747.08 of the Ohio Revised Code. The taxpayer shall complete and file the return or notice on forms prescribed by the Tax Administrator or on generic forms, together with remittance made payable to the Municipality.

(B) Except as otherwise provided in this chapter, each annual net profit income tax return required to be filed under this section by a taxpayer that is not an individual shall be completed and filed as required by the tax administrator on or before the fifteenth day of the fourth month following the end of the taxpayer's taxable year or period. The taxpayer shall complete and file the return or notice on forms prescribed by the tax administrator or on generic forms, together with remittance made payable to the Municipality.

(C) In the case of individual income tax return required to be filed by an individual, and net profit income tax return required to be filed by a taxpayer who is not an individual, no remittance is required if the amount shown to be due is ten dollars or less.

(2) If the Tax Administrator considers it necessary in order to ensure the payment of the tax imposed by the Municipality in accordance with this chapter, the Tax Administrator may require taxpayers to file returns and make payments otherwise than as provided in this section, including taxpayers not otherwise required to file annual returns.

(3) With respect to taxpayers to whom Section 128.092 of this Chapter applies, to the extent that any provision in this division conflicts with any provision in Section 128.092 of this Chapter, the provision in Section 128.092 of this Chapter prevails.

(h) (1) For taxable years beginning after 2015, the Municipality shall not require a taxpayer to remit tax with respect to net profits if the amount due is ten dollars or less.

(2) Any taxpayer not required to remit tax to the Municipality for a taxable year pursuant to division (h)(1) of this section shall file with the Municipality an annual net profit return under division (f)(3) and (4) of this section.

(i) This division shall not apply to payments required to be made under division (b)(1)(B) of Section 128.051 of this Chapter.

(1) If any report, claim, statement, or other document required to be filed, or any payment required to be made, within a prescribed period or on or before a prescribed date under this chapter is delivered after that period or that to the Tax Administrator or other municipal official with which the report, claim, statement, or other document is required to be filed, or to which the payment is required to be made, the date of the postmark stamped on the cover in which the report, claim, statement, or other document, or payment is mailed shall be deemed to be the date of delivery or the date of payment. "The date of postmark" means, in the event there is more than one date on the cover, the earliest date imprinted on the cover by the postal service.

(2) If a payment is required to be made by electronic funds transfer, the payment is considered to be made when the payment is credited to an account designated by the Tax Administrator for the receipt of tax payments, except that, when a payment made by electronic funds transfer is delayed due to circumstances not under the control of the taxpayer, the payment is considered to be made when the taxpayer submitted the payment. For purposes of this section, "submitted the payment" means the date which the taxpayer has designated for the delivery of payment, which may or may not be the same date as the date the payment was initiated by the taxpayer.

(j) The amounts withheld for the Municipality by an employer, the agent of an employer, or other payer as described in Section 128.051 of this Chapter shall be allowed to the recipient of the compensation as credits against payment of the tax imposed on the recipient unless the amounts withheld were not remitted to the Municipality and the recipient colluded with the employer, agent, or other payer in connection with the failure to remit the amounts withheld.

(k) Each return required by the Municipality to be filed in accordance with this section shall include a box that the taxpayer may check to authorize another person, including a tax return preparer who prepared the return, to communicate with the Tax Administrator about matters pertaining to the return. The return or instructions accompanying the

return shall indicate that by checking the box the taxpayer authorizes the Tax Administrator to contact the preparer or other person concerning questions that arise during the examination or other review of the return and authorizes the preparer or other person only to provide the Tax Administrator with information that is missing from the return, to contact the Tax Administrator for information about the examination or other review of the return or the status of the taxpayer's refund or payments, and to respond to notices about mathematical errors, offsets, or return preparation that the taxpayer has received from the Tax Administrator and has shown to the preparer or other person. Authorization by the taxpayer of another person to communicate with the Tax Administrator about matters pertaining to the return does not preclude the Tax Administrator from contacting the taxpayer regarding such matters.

(l) The Tax Administrator of the Municipality shall accept for filing a generic form of any income tax return, report, or document required by the Municipality in accordance with this Chapter, provided that the generic form, once completed and filed, contains all of the information required by ordinances, resolutions, or rules adopted by the Municipality, and provided that the taxpayer or tax return preparer filing the generic form otherwise complies with the provisions of this Chapter and of the Municipality's Ordinance or resolution governing the filing of returns, reports, or documents.

(m) When income tax returns, reports, or other documents require the signature of a tax return preparer, the Tax Administrator shall accept a facsimile of such a signature in lieu of a manual signature.

(n) (1) As used in this division, "worksite location" has the same meaning as in Section 128.052 of this chapter.

(2) A person may notify a tax administrator that the person does not expect to be a taxpayer with respect to the municipal corporation for a taxable year if both of the following conditions apply:

(A) The person was required to file a tax return with the municipal corporation for the immediately preceding taxable year because the person performed services at a worksite location within the municipal corporation, and the person has filed all appropriate and required returns and remitted all applicable income tax and withholding payments as provided by this chapter. The tax administrator is not required to accept an affidavit from a taxpayer who has not complied with the provisions of this chapter.

(B) The person no longer provides services in the municipal corporation, and does not expect to be subject to the municipal corporation's income tax for the taxable year.

The person shall provide the notice in a signed affidavit that briefly explains the person's circumstances, including the location of the previous worksite location and the last date on which the person performed services or made any sales within the municipal corporation. The affidavit also shall include the following statement: "The affiant has no plans to perform any services within the municipal corporation, make any sales in the municipal corporation, or otherwise become subject to the tax levied by the municipal corporation during the taxable year. If the affiant does become subject to the tax levied by the municipal corporation for the taxable year, the affiant agrees to be considered a taxpayer and to properly register as a taxpayer with the municipal corporation, if such a registration is required by the municipal corporation's resolutions, ordinances, or rules." The person shall sign the affidavit under penalty of perjury.

(C) If a person submits an affidavit described in division (n)(2) of this section, the tax administrator shall not require the person to file any tax return for the taxable year unless the tax administrator possesses information that conflicts with the affidavit or if the circumstances described in the affidavit change, or the taxpayer has engaged in activity which results in work being performed, services provided, sales made, or other activity that results in municipal taxable income reportable to the Municipality in the taxable year. It shall be the responsibility of the tax-payer to comply with the provisions of this chapter relating to the reporting and filing of municipal taxable income on an annual municipal income tax return, even if an affidavit has been filed with the tax administrator for

the taxable year. Nothing in division (n) of this section prohibits the tax administrator from performing an audit of the person.

shall be and hereby is repealed, and new Section 128.091, Return and Payment of Tax, of the Lakewood Codified Ordinances is enacted to read as follows:

128.091 RETURN AND PAYMENT OF TAX.

(a) (1) An annual return with respect to the income tax levied on Municipal Taxable Income by the Municipality shall be completed and filed by every taxpayer for any taxable year for which the taxpayer is subject to the tax, regardless of whether or not income tax is due.

(2) The Tax Administrator shall accept on behalf of all nonresident individual taxpayers a return filed by an employer, agent of an employer, or other payer located in the Municipality under subsection 128.051(c) of this Chapter when the nonresident individual taxpayer's sole income subject to the tax is the qualifying wages reported by the employer, agent of an employer, or other payer, and no additional tax is due to the Municipality.

(3) All resident individual taxpayers, who attain the age of 18 years within a tax year and older, shall file an annual municipal income tax return with the Municipality, regardless of income or liability.

(b) If an individual is deceased, any return or notice required of that individual shall be completed and filed by that decedent's executor, administrator, or other person charged with the property of that decedent.

(c) If an individual is unable to complete and file a return or notice required by the Municipality in accordance with this chapter, the return or notice required of that individual shall be completed and filed by the individual's duly authorized agent, guardian, conservator, fiduciary, or other person charged with the care of the person or property of that individual. Such duly authorized agent, guardian, conservator, fiduciary, or other person charged with the care of the person or property of that individual shall provide, with the filing of the return, appropriate documentation to support that they are authorized to file a return or notice on behalf of the taxpayer. This notice shall include any legally binding authorizations, and contact information including name, address, and phone number of the duly authorized agent, guardian, conservator, fiduciary, or other person.

(d) Returns or notices required of an estate or a trust shall be completed and filed by the fiduciary of the estate or trust. Such fiduciary shall provide, with the filing of the return, appropriate documentation to support that they are authorized to file a return or notice on behalf of the taxpayer. This notice shall include any legally binding authorizations, and contact information including name, address, and phone number of the fiduciary.

(e) Spouses shall be permitted to file a joint return.

(f) (1) Each return required to be filed under this section must contain the signature of the taxpayer or the taxpayer's duly authorized agent and of the person who prepared the return for the taxpayer, and shall include the taxpayer's social security number or taxpayer identification number. Each return shall be verified by a declaration under penalty of perjury.

(2) A taxpayer who is an individual is required to include, with each annual return, amended return, or request for refund required under this section, copies of only the following documents: all of the taxpayer's Internal Revenue Service form W-2, "Wage and Tax Statements," including all information reported on the taxpayer's federal W-2, as well as taxable wages reported or withheld for any municipal corporation; the taxpayer's Internal Revenue Service form 1040; and, with respect to an amended tax return or refund request, any other documentation necessary to support the refund request or the adjustments made in the amended return. An individual taxpayer who files the annual return required by this section electronically is not required to provide paper copies of any of

the foregoing to the Tax Administrator unless the Tax Administrator requests such copies after the return has been filed.

(3) A taxpayer that is not an individual is required to include, with each annual net profit return, amended net profit return, or request for refund required under this section, copies of only the following documents: the taxpayer's Internal Revenue Service form 1041, form 1065, form 1120, form 1120-REIT, form 1120F, or form 1120S, and, with respect to an amended tax return or refund request, any other documentation necessary to support the refund request or the adjustments made in the amended return.

(4) A taxpayer that is not an individual and that files an annual net profit return electronically through the Ohio business gateway or in some other manner shall either mail the documents required under this division to the Tax Administrator at the time of filing or, if electronic submission is available, submit the documents electronically through the Ohio business gateway or a portal provided by Municipality. The department of taxation shall publish a method of electronically submitting the documents required under this division through the Ohio business gateway on or before January 1, 2016. The department shall transmit all documents submitted electronically under this division to the appropriate Tax Administrator.

(5) After a taxpayer files a tax return, the Tax Administrator shall request, and the taxpayer shall provide, any information, statements, or documents required by the Municipality to determine and verify the taxpayer's municipal income tax liability. The requirements imposed under division (f) of this section apply regardless of whether the taxpayer files on a generic form or on a form prescribed by the Tax Administrator.

(6) Any other documentation, including schedules, other municipal income tax returns, or other supporting documentation necessary to verify credits, income, losses, or other pertinent factors on the return shall also be included to avoid delay in processing, or disallowance by the Tax Administrator of undocumented credits or losses.

(g) (1) (A) Except as otherwise provided in this chapter, each individual income tax return required to be filed under this section shall be completed and filed as required by the Tax Administrator on or before the date prescribed for the filing of state individual income tax returns under division (G) of section 5747.08 of the Ohio Revised Code. The taxpayer shall complete and file the return or notice on forms prescribed by the Tax Administrator or on generic forms, together with remittance made payable to the Municipality.

(B) Except as otherwise provided in this chapter, each annual net profit income tax return required to be filed under this section by a taxpayer that is not an individual shall be completed and filed as required by the tax administrator on or before the fifteenth day of the fourth month following the end of the taxpayer's taxable year or period. The taxpayer shall complete and file the return or notice on forms prescribed by the tax administrator or on generic forms, together with remittance made payable to the Municipality.

(C) In the case of individual income tax return required to be filed by an individual, and net profit income tax return required to be filed by a taxpayer who is not an individual, no remittance is required if the amount shown to be due is ten dollars or less.

(2) If the Tax Administrator considers it necessary in order to ensure the payment of the tax imposed by the Municipality in accordance with this chapter, the Tax Administrator may require taxpayers to file returns and make payments otherwise than as provided in this section, including taxpayers not otherwise required to file annual returns.

(3) With respect to taxpayers to whom Section 128.092 of this Chapter applies, to the extent that any provision in this division conflicts with any provision in Section 128.092 of this Chapter, the provision in Section 128.092 of this Chapter prevails.

(h) (1) For taxable years beginning after 2015, the Municipality shall not require a taxpayer to remit tax with respect to net profits if the amount due is ten dollars or less.

(2) Any taxpayer not required to remit tax to the Municipality for a taxable year pursuant to division (h)(1) of this section shall file with the Municipality an annual net profit return under division (f)(3) and (4) of this section.

(1) If any report, claim, statement, or other document required to be filed, or any payment required to be made, within a prescribed period or on or before a prescribed date under this chapter is delivered after that period or that to the Tax Administrator or other municipal official with which the report, claim, statement, or other document is required to be filed, or to which the payment is required to be made, the date of the postmark stamped on the cover in which the report, claim, statement, or other document, or payment is mailed shall be deemed to be the date of delivery or the date of payment. "The date of postmark" means, in the event there is more than one date on the cover, the earliest date imprinted on the cover by the postal service.

(2) If a payment under this chapter is made by electronic funds transfer, the payment shall be considered to be made on the date of the timestamp assigned by the first electronic system receiving that payment.

(j) The amounts withheld for the Municipality by an employer, the agent of an employer, or other payer as described in Section 128.051 of this Chapter shall be allowed to the recipient of the compensation as credits against payment of the tax imposed on the recipient unless the amounts withheld were not remitted to the Municipality and the recipient colluded with the employer, agent, or other payer in connection with the failure to remit the amounts withheld.

(k) Each return required by the Municipality to be filed in accordance with this section shall include a box that the taxpayer may check to authorize another person, including a tax return preparer who prepared the return, to communicate with the Tax Administrator about matters pertaining to the return. The return or instructions accompanying the return shall indicate that by checking the box the taxpayer authorizes the Tax Administrator to contact the preparer or other person concerning questions that arise during the examination or other review of the return and authorizes the preparer or other person only to provide the Tax Administrator with information that is missing from the return, to contact the Tax Administrator for information about the examination or other review of the return or the status of the taxpayer's refund or payments, and to respond to notices about mathematical errors, offsets, or return preparation that the taxpayer has received from the Tax Administrator and has shown to the preparer or other person. Authorization by the taxpayer of another person to communicate with the Tax Administrator about matters pertaining to the return does not preclude the Tax Administrator from contacting the taxpayer regarding such matters.

(l) The Tax Administrator of the Municipality shall accept for filing a generic form of any income tax return, report, or document required by the Municipality in accordance with this Chapter, provided that the generic form, once completed and filed, contains all of the information required by ordinances, resolutions, or rules adopted by the Municipality, and provided that the taxpayer or tax return preparer filing the generic form otherwise complies with the provisions of this Chapter and of the Municipality's Ordinance or resolution governing the filing of returns, reports, or documents.

(m) When income tax returns, reports, or other documents require the signature of a tax return preparer, the Tax Administrator shall accept a facsimile of such a signature in lieu of a manual signature.

(n) (1) As used in this division, "worksite location" has the same meaning as in Section 128.052 of this chapter.

(2) A person may notify a tax administrator that the person does not expect to be a taxpayer with respect to the municipal corporation for a taxable year if both of the following conditions apply:

(A) The person was required to file a tax return with the municipal corporation for the immediately preceding taxable year because the person performed services at a worksite location within the municipal corporation, and the person has filed all appropriate and required returns and remitted all applicable income tax and withholding payments as provided by this chapter. The tax administrator is not required to accept an affidavit from a taxpayer who has not complied with the provisions of this chapter.

(B) The person no longer provides services in the municipal corporation, and does not expect to be subject to the municipal corporation's income tax for the taxable year.

The person shall provide the notice in a signed affidavit that briefly explains the person's circumstances, including the location of the previous worksite location and the last date on which the person performed services or made any sales within the municipal corporation. The affidavit also shall include the following statement: "The affiant has no plans to perform any services within the municipal corporation, make any sales in the municipal corporation, or otherwise become subject to the tax levied by the municipal corporation during the taxable year. If the affiant does become subject to the tax levied by the municipal corporation for the taxable year, the affiant agrees to be considered a taxpayer and to properly register as a taxpayer with the municipal corporation, if such a registration is required by the municipal corporation's resolutions, ordinances, or rules." The person shall sign the affidavit under penalty of perjury.

(C) If a person submits an affidavit described in division (n)(2) of this section, the tax administrator shall not require the person to file any tax return for the taxable year unless the tax administrator possesses information that conflicts with the affidavit or if the circumstances described in the affidavit change, or the taxpayer has engaged in activity which results in work being performed, services provided, sales made, or other activity that results in municipal taxable income reportable to the Municipality in the taxable year. It shall be the responsibility of the tax-payer to comply with the provisions of this chapter relating to the reporting and filing of municipal taxable income on an annual municipal income tax return, even if an affidavit has been filed with the tax administrator for the taxable year. Nothing in division (n) of this section prohibits the tax administrator from performing an audit of the person.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in its preamble, and provided it receives the affirmative vote of at least five members of Council this ordinance shall take effect and be in force immediately, or otherwise shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

RESOLUTION NO. 8897-16

BY:

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 Director of Finance to enter into agreements with various purchasing agencies to continue the efficient purchasing with the City of Lakewood and to permit direct purchasing from said agencies without necessity of advertising and bidding as required in Lakewood Codified Ordinance §111.04, Bidding.

WHEREAS, Lakewood currently participates in various purchasing consortiums and is able to obtain competitive pricing through these consortiums that have established purchasing procedures in place; and

WHEREAS, participation in purchasing consortiums has opened purchasing options up to Lakewood without the need for bidding when necessary equipment with certain specifications is not available through the ODOT or State Purchasing Programs when items are often available at very competitive pricing through other purchasing agencies; and

WHEREAS, this Council by a vote of at least five of its members 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 order to allow Lakewood to realize the advantages of the membership in these additional purchasing consortiums; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Council hereby authorizes the Director of Finance to participate in purchasing through NASPO Value Point (no master agreement required) and The Interlocal Purchasing System (agreement attached as Exhibit A) to continue the efficient purchasing with the City of Lakewood and to permit direct purchasing from said agencies without necessity of advertising and bidding as required in Lakewood Codified Ordinance §111.04, Bidding.

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 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 4. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five members of

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

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

INTERLOCAL AGREEMENT
Region VIII Education Service Center
OHIO PUBLIC AGENCY
(School, College, University, State, City or County Office)

OHIO
EDUCATIONAL OR GOVERNMENT ENTITY

Control Number (TIPS will Assign)
Schools enter County-District Number

and

Region VIII Education Service Center
Pittsburg, Texas

225 - 950
Region 8 County-District Number

The Texas Education Code §8.002 permits Regional Education Service Centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university financial operations.

Government Authority:

Authority for such services in Ohio is granted under Ohio law. OHIO. REV. CODE ANN. § 9.48. These competitively bid cooperative purchasing services are extended to all Ohio State, City and County Government Agencies.

TICA also expressly states that a party to an interlocal contract may contract with a similar agency of another state. TEX. GOV'T CODE § 791.011 (b)(2). A school district is a local government in Ohio. Therefore, an interlocal purchasing cooperative in Texas has statutory authority to contract or agree with an Ohio public school district or other local government of Ohio.

Ohio law also permits participation in a joint purchasing program. OHIO. REV. CODE. ANN. § 9.48. Ohio law provides that a political subdivision may participate in a joint purchasing program operated by or through a national or state association of political subdivisions in which the purchasing political subdivision is eligible for membership. *Id* at § 9.48 (B)(2). Section 9.48 (A), Ohio Revised Code, provides that the term "political subdivision" has the same meaning as section 2744.01, Ohio Revised Code. *Id* at § 9.48 (A). Section 2744.01 states that a "political subdivision" means, among other entities, a school district. OHIO REV. CODE ANN. § 2744.01 (F). A Texas regional service center is a political subdivision of Texas. TEX. EDUC. CODE § 8.001, *et seq.* Therefore, Ohio public school districts, or other political subdivisions of the state of Ohio, have statutory authority to contract or agree with a Texas regional education service center to participate in a joint purchasing program operated by or through a state association of political subdivisions of Texas.

Vision:

TIPS will become the premier purchasing cooperative in North America through developing partnerships with quality vendors, school districts, universities, colleges, all governmental entities, and public and private industry.

Mission:

Our mission is to provide a proven purchasing process through quality customer service including timely response, legal support and effective recruitment by providing sufficient resources to include personnel.

Purpose:

The purpose of the TIPS program shall be to continue providing substantial savings and best value for participating educational entities or public agencies through cooperative purchasing.

Effective:

This Interlocal Agreement (hereinafter referred to as the "Agreement") is effective _____ and shall be automatically renewed annually unless either party gives sixty (60) days prior written notice of non-renewal. This Agreement may be terminated without cause by either party upon (60) days prior written notice, or may also be determined for cause at anytime upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:

Region VIII Education Service Center, by this *Agreement*, agrees to provide competitively bid cooperative purchasing services to the above-named public entity through a Program known as The Interlocal Purchasing System (TIPS) Program.

Role of the TIPS Purchasing Cooperative:

1. Provide organizational and administrative structure of the TIPS Program.
2. Provide Administrative and Support Staff necessary for efficient operation of the TIPS Program.
3. Provide marketing of the TIPS program to expand membership, awarded contracts and commodity categories.
4. Initiate and implement activities required for competitive bidding and vendor award process including posting, advertising, collecting proposals, scoring proposals, and awarding of vendor contracts.
5. Provide members with current awarded vendor contracts, instructions for obtaining quotes and ordering procedures.
6. Maintain filing system for all competitive bidding procedure requirements.
7. Provide Reports as requested.
8. Maintain active membership database for awarded vendors.
9. Provide TIPS training to members and vendors upon request.

Role of the Education or Government Entity:

1. Commit to participate in the TIPS Program.
2. Designate a Primary and Technology Contact for the entity to be responsible for promoting TIPS within the organization.
3. Commit to purchase products and services from TIPS Vendor Awarded Contracts when in the best interest of the entity. **PURCHASE ORDER MUST ALWAYS BE MARKED TIPS and EMAILED to TIPSPO@TIPS-USA.COM for processing.**
4. Accept shipments of products ordered from Awarded Vendors in accordance with standard purchasing procedures.
6. Pay Awarded Vendors in a timely manner for all goods and services received.
7. Report any vendor issues that may arise to the TIPS Cooperative Coordinator.

General Provisions:

Both Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

This Agreement shall be governed by the laws of the State of Texas and venue shall be in the county in which the administrative offices of RESC VIII are located which is Camp County, Texas.

It is the responsibility of the Entity purchasing from TIPS to insure that the respective State purchasing laws are being followed.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

This Agreement may be negotiated and transmitted between the Parties by means of a facsimile machine and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region VIII Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide competitively bid cooperative purchasing opportunities to entities as outlined above.

This Interlocal Agreement process was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the respective STATE Open Meetings Act, for Texas it was Government Code Ch. 551.

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Membership Entity-

Region 8 Education Service Center

By: _____
Authorized Signature

By: _____
Authorized Signature

Title: _____

Title: Executive Director Region VIII ESC

_____ Date

_____ Date

Public Entity Contact Information

Primary Purchasing Person's Name

Primary Person's Email Address

Mailing Address

Telephone Number

City, State

Zip

Fax Number

Secondary Contact's Name

Secondary Contact's Email Address

Instructions:

If your entity does not require you to have an Interlocal Agreement, please go to the TIPS website under Membership and take advantage of online registration. The states of Texas and Arizona do require all entities to have an Interlocal Agreement. Email completed Interlocal Agreement to tips@tips-usa.com.

Ohio Authority

Government Authority:

Authority for such services in Ohio is granted under Ohio law. OHIO. REV. CODE ANN. § 9.48. These competitively bid cooperative purchasing services are extended to all Ohio State, City and County Government Agencies.

TICA also expressly states that a party to an interlocal contract may contract with a similar agency of another state. TEX. GOV'T CODE § 791.011 (b)(2). A school district is a local government in Ohio. Therefore, an interlocal purchasing cooperative in Texas has statutory authority to contract or agree with an Ohio public school district or other local government of Ohio.

Ohio law also permits participation in a joint purchasing program. OHIO. REV. CODE. ANN. § 9.48. Ohio law provides that a political subdivision may participate in a joint purchasing program operated by or through a national or state association of political subdivisions in which the purchasing political subdivision is eligible for membership. Id at § 9.48 (B)(2). Section 9.48 (A), Ohio Revised Code, provides that the term "political subdivision" has the same meaning as section 2744.01, Ohio Revised Code. Id at § 9.48 (A). Section 2744.01 states that a "political subdivision" means, among other entities, a school district. OHIO REV. CODE ANN. § 2744.01 (F). A Texas regional service center is a political subdivision of Texas. TEX. EDUC. CODE § 8.001, et seq. Therefore, Ohio public school districts, or other political subdivisions of the state of Ohio, have statutory authority to contract or agree with a Texas regional education service center to participate in a joint purchasing program operated by or through a state association of political subdivisions of Texas.

First Reading & Referred to the
Public Safety Committee 10/17/16.
Second REading 11/7/16.

ORDINANCE NO. 37-16

BY:

AN ORDINANCE amending subsection (a) of Section 510.01, Declaration of Nuisances, of the Codified Ordinances of the City of Lakewood by including false alarm calls required to be responded to by the Division of Police as nuisance activity.

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

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Subsection (a) of Section 510.01, Declaration of Nuisances, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

SECTION 510.01 DECLARATION OF NUISANCES.

(a) Definition of Nuisance Activity. The following activities occurring either on residential or commercial property, or within one thousand (1,000) feet of the property line of said residential or commercial property, and engaged in by an owner, or the owner's agent, or the owner's lessee, occupant, invitee or the person or entity in charge of said residential or commercial property (including individual apartment and condominium units) are hereby declared to be public nuisances:

- (1) Any animal violations under Sections 505.02 (dogs running at large), 505.13, 505.15 and 505.20 (animal noise, excrement and biting), 505.18 or Chapter 506 (dangerous or vicious animals), 505.07 (killing or injuring animals), 505.09 (cruelty to animals) of the Codified Ordinances;
- (2) Any disorderly conduct disturbance of the peace or other violation of Chapter 509 of the Codified Ordinances;
- (3) Any drug abuse violation under Chapter 513 of the Codified Ordinances;
- (4) Any noise violation under Chapter 515 of the Codified Ordinances;
- (5) Any gambling violation under Chapter 517 of the Codified Ordinances;
- (6) Any health, safety, or sanitation violation under Chapter 521, 1775 or 1779 of the Codified Ordinances;
- (7) Any littering or deposition of waste under Section 521.08 of the Codified Ordinances;
- (8) Any obstruction of official business violation under Section 525.07 of the Codified Ordinances;
- (9) Any alcohol violations under Chapter 529 of the Codified Ordinances or under Chapter 4301 of the Ohio Revised Code;
- (10) Any sex offenses under Sections 533.07 (public indecency), 533.08 (procuring), 533.09 (soliciting) or 533.10 (prostitution) of the Codified Ordinances;
- (11) Any offenses against persons under Chapter 537 of the Codified Ordinances;

(12) Any offenses against property under Sections 541.03 (criminal damaging or endangering) or 541.04 (criminal mischief) of the Codified Ordinances;

(13) Any theft violation under Sections 545.05 (petty theft), 545.08 (unauthorized use of property), of the Codified Ordinances;

(14) Any weapons, explosives, firearm or handgun violation under Chapters 549 of the Codified Ordinances;

(15) Any fireworks violation under Section 549.10 of the Codified Ordinances;

(16) Any offense that is a felony under the Ohio Revised Code.

is hereby repealed, and new subsection (a) of Section 510.01, Declaration of Nuisances, is hereby enacted to read as follows:

SECTION 510.01 DECLARATION OF NUISANCES.

(a) Definition of Nuisance Activity. The following activities occurring either on residential or commercial property, or within one thousand (1,000) feet of the property line of said residential or commercial property, and engaged in by an owner, or the owner's agent, or the owner's lessee, occupant, invitee or the person or entity in charge of said residential or commercial property (including individual apartment and condominium units) are hereby declared to be public nuisances:

(1) Any animal violations under Sections 505.02 (dogs running at large), 505.13, 505.15 and 505.20 (animal noise, excrement and biting), 505.18 or Chapter 506 (dangerous or vicious animals), 505.07 (killing or injuring animals), 505.09 (cruelty to animals) of the Codified Ordinances;

(2) Any disorderly conduct disturbance of the peace or other violation of Chapter 509 of the Codified Ordinances;

(3) Any drug abuse violation under Chapter 513 of the Codified Ordinances;

(4) Any noise violation under Chapter 515 of the Codified Ordinances;

(5) Any gambling violation under Chapter 517 of the Codified Ordinances;

(6) Any health, safety, or sanitation violation under Chapter 521, 1775 or 1779 of the Codified Ordinances;

(7) Any littering or deposition of waste under Section 521.08 of the Codified Ordinances;

(8) Any obstruction of official business violation under Section 525.07 of the Codified Ordinances;

(9) Any alcohol violations under Chapter 529 of the Codified Ordinances or under Chapter 4301 of the Ohio Revised Code;

(10) Any sex offenses under Sections 533.07 (public indecency), 533.08 (procuring), 533.09 (soliciting) or 533.10 (prostitution) of the Codified Ordinances;

(11) Any offenses against persons under Chapter 537 of the Codified Ordinances;

(12) Any offenses against property under Sections 541.03 (criminal damaging or endangering) or 541.04 (criminal mischief) of the Codified Ordinances;

(13) Any theft violation under Sections 545.05 (petty theft), 545.08 (unauthorized use of property), of the Codified Ordinances;

(14) Any weapons, explosives, firearm or handgun violation under Chapters 549 of the Codified Ordinances;

(15) Any fireworks violation under Section 549.10 of the Codified Ordinances;

(16) Any false alarm call which is defined for the purposes of this Chapter as being an emergency call by an alarm company triggered by either an automated or manual alarm activation which, after investigation by the Division of Police it is determined that there is no need for criminal investigation and that the alarm activated for some other reason.

(17) Any offense that is a felony under the Ohio Revised Code.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

PRESIDENT

CLERK OF COUNCIL

Approved: _____

MAYOR

Placed on first reading and referred to the Rules and Ordinances Committee November 7, 2016. Please substitute for the original.

ORDINANCE NO. 39-16

BY:

AN ORDINANCE amending Chapter 1311, Entering Adjoining Property, of the Codified Ordinances of the City of Lakewood.

WHEREAS, Chapter 1311 of the Codified Ordinances, enacted in 1964, stands to be updated in order to provide additional due process protections and regulations for both applicants for adjoining-property permits and their neighbors; and

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

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

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Chapter 1311, Entering Adjoining Property, of the Lakewood Codified Ordinances, currently reading as follows:

CHAPTER 1311
Entering Adjoining Property

- 1311.01 Definitions.
- 1311.02 Consent or permit required.
- 1311.03 Application for permit.
- 1311.04 Permit fee; renewal.
- 1311.99 Penalty.

1311.01 DEFINITION.

As used in this chapter, "person" means any individual, firm, partnership, association, corporation or company.

1311.02 CONSENT OR PERMIT REQUIRED.

No person, being the owner of any real property in the City, or his lessee, tenant or manager, or any person acting for or on his or their behalf, shall prohibit, prevent, hinder or obstruct the owner of any adjoining real property, or his lessee, tenant or manager, or any person acting for or on his or their behalf, from entering upon such real property between the hours of 9:00 a.m. and 5:00 p.m. to work therefrom and/or to erect ladders, scaffolding or other similar equipment for the purpose of providing maintenance and/or repairs to such adjoining real property, provided, however, that consent is first obtained by the owner of such

adjoining real property, or his representative, from the owner of the premises to be entered upon, or his representative, or in lieu of such consent, a permit is first obtained from the Director of Public Safety as hereinafter provided. All ladders, scaffolding and all equipment of every kind and nature shall be removed from the property entered upon between the hours of 5:00 p.m. and 9:00 a.m. of each day such maintenance or repair work is being performed.

1311.03 APPLICATION FOR PERMIT.

Any person desiring to enter upon another person's real property for the purpose of providing maintenance and/or repairs to his own adjoining real property, and not being able to obtain consent to so enter, shall make a written application to the Director of Public Safety setting forth and containing the following information:

- (a) The true name and address of the owner of the real property upon which the maintenance and/or repairs are to be performed.
- (b) The true name and address of the owner of the real property to be entered upon.
- (c) The nature and scope of the maintenance and/or repairs to be performed.
- (d) The nature and scope of any equipment to be used in performing such maintenance and/or repairs.
- (e) The dates of the period of time in which such maintenance and/or repairs are to be performed, which period of time shall not exceed three days. However, additional periods of time may be granted upon the filing of a renewal application in the event the proposed maintenance and/or repairs cannot be completed within three days.
- (f) A statement by the applicant that he will assume any and all liability for physical damages to the real property entered upon, to any personal property or fixtures located thereon, including trees, shrubbery, flowers, grass or other vegetation and for any personal injuries suffered by any one as the result of entering upon such property and performing the maintenance and/or repairs, and that he will indemnify and hold harmless the City, its officers and employees from any and all damage to person or property or from cost that may in any manner arise through the granting of this permit or the performance of any work done under it.

1311.04 PERMIT FEE; RENEWAL.

Every applicant for a license hereunder shall submit to the Director of Public Safety with his application a permit fee of three dollars (\$3.00). Every applicant for a renewal permit hereunder shall submit to the Director of Public Safety with his renewal application a renewal fee of three dollars (\$3.00).

1311.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). Each day that an offense continues shall be considered a separate offense and shall be punishable as such.

shall be and hereby is repealed, and new Chapter 1311, Entering Adjoining Property, is enacted to read as follows:

CHAPTER 1311
Entering Adjoining Property

- 1311.01 Definitions.
- 1311.02 Consent or permit required.
- 1311.03 Application for permit.
- 1311.04 Permit fee; ~~issuance; contents;~~ renewal.
- 1311.05 Appeal.
- 1311.99 Penalty.

1311.01 DEFINITION.

As used in this chapter, "person" means any individual, firm, partnership, association, corporation or company.

1311.02 CONSENT OR PERMIT REQUIRED.

No person, being the owner of any real property in the City, or his or her lessee, tenant or manager, or any person acting for or on his, her or their behalf, shall prohibit, prevent, hinder or obstruct the owner of any adjoining real property, or his or her lessee, tenant or manager, or any person acting for or on his, her or their behalf, from entering upon such real property between the hours of 9:00 a.m. and 5:00 p.m. Monday through Saturday, excluding federal holidays and Saturdays in weekends immediately preceding or following federal holidays, to work therefrom and/or to erect ladders, scaffolding or other similar equipment for the purpose of performing construction upon or providing maintenance and/or repairs to such adjoining real property, provided, however, that consent is first obtained by the owner of such adjoining real property, or his or her representative, from the owner of the premises to be entered upon, or his or her representative, or in lieu of such consent, a permit is first obtained from the Director of Public Safety-Building Commissioner as hereinafter provided in this chapter. All ladders, scaffolding and all equipment of every kind and nature shall be removed from the property entered upon between the hours of 5:00 p.m. and 9:00 a.m. of each day such maintenance or repair work is being performed.

1311.03 APPLICATION FOR PERMIT.

Any person desiring to enter upon another person's real property for the purpose of performing work upon~~providing maintenance and/or repairs~~ to his or her own adjoining real property, and not being able to obtain consent to so enter, shall make a written application to the Director of Public Safety-Building Commissioner~~Director of Public Safety-Building Commissioner~~ setting forth and containing the following information:

- (a) The true name and address of the owner of the real property upon which the maintenance and/or repairs are~~work is~~ to be performed.
- (b) The true name and address of the owner of the real property to be entered upon.
- (c) The nature and scope of the work~~maintenance and/or repairs~~ to be performed.

- (d) The nature and scope of any equipment to be used in performing such maintenance and/or repairs work.
- (e) The dates of the period of time in which such maintenance and/or repairs are work is to be performed, which period of time shall not exceed three days. However, additional periods of time may be granted upon the filing of a renewal application in the event the proposed maintenance and/or repairs cannot be completed within three days.
- (f) A statement by the applicant that he or she will assume any and all liability for physical damages to the real property entered upon, to any personal property or fixtures located thereon, including trees, shrubbery, flowers, grass or other vegetation and for any personal injuries suffered by any one as the result of entering upon such property and performing the maintenance and/or repairs work, and that he or she will indemnify and hold harmless the City, its officers and employees from any and all damage to person or property or from cost that may in any manner arise through the granting of this permit or the performance of any work done under it.
- (g) A sworn affidavit, on a form promulgated by the director of law, averring that the applicant has attempted to obtain the consent of the owner of the premises to be entered upon, or his or her representative; and that such consent has not been obtained despite the applicant's reasonable efforts. The affidavit must contain both a description of the efforts undertaken by the applicant to obtain consent; a statement explaining why the permit is necessary in order for the work to be performed; and, if a renewal permit is being sought, a statement explaining the efforts undertaken by the applicant to complete the work within the original permit period.

1311.04 PERMIT FEE; ISSUANCE; CONTENTS; RENEWAL.

- (a) Every applicant for a license-permit hereunder shall submit to the Director of Public Safety Building Commissioner with his application a permit fee of three dollars (\$3.00) in an amount established by Council. Every applicant for a renewal permit hereunder shall submit to the Director of Public Safety Building Commissioner with his renewal application a renewal fee of three dollars (\$3.00) in an amount established by Council.
- (b) No permit shall become effective before the expiration of 10 days from the date the permit is issued, except where the Building Commissioner has determined that the permit is required because of an emergency that could affect public health and safety, in which case the permit may become effective earlier than 10 days from its issuance. The Building Commissioner may have up to 72 hours within which to evaluate an application before deciding whether to issue a permit. Upon the issuance of the permit to an applicant, the Building Commissioner shall make reasonable efforts notify the owner of the premises to be entered upon, or his or her representative, which may include residence service at the premises to be entered upon.
- (c) Each permit shall expire upon the earlier of the completion of the work to be performed or 5 p.m. on the third day after its effective date. Renewal permits may be granted upon the filing of a renewal application in the event the work has not been completed within three days and the Building Commissioner, in his or her discretion, finds the renewal permit to be necessary. No more than three permits affecting the same premises to be entered upon may be issued in favor of a property owner in any calendar year.

1311.05 APPEAL.

Any person aggrieved by a decision of the Building Commissioner to grant or deny a permit provided for under this chapter may, within 10 days of the date of the issuance or denial of the permit, file a written notice of appeal with the Building Commissioner. The appeal shall be heard by the Board of Building Standards and Building Appeals in accordance with Chapter 156 and applicable law, except that the hearing may be expedited by the secretary to the board notwithstanding any applicable filing deadlines. Except where the Building Commissioner has determined that the permit is required because of an emergency that could affect public health and safety, an appeal shall act as an automatic stay of the decision from which the appeal has been made. A final decision of the Board of Building Standards and Building Appeals shall operate as the final decision of the City and may be appealed to a court of competent jurisdiction.

1311.99 PENALTY.

Whoever violates any of the provisions of this chapter ~~Section 1311.02 shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$0.00) guilty of a minor misdemeanor.~~ Each day that an offense continues shall be considered a separate offense and shall be punishable as such.

Section 2. The fee for both an original permit and a renewal permit established pursuant to Section 1311.04 shall be \$25.00.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR



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

www.one.lakewood.com

Lakewood City Council

SAMUEL T. O'LEARY, PRESIDENT

DAVID ANDERSON, VICE PRESIDENT

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

Ward Council
DAVID W. ANDERSON, WARD 1
SAM O'LEARY, WARD 2
JOHN LITTEN, WARD 3
DANIEL O'MALLEY, WARD 4

November 21, 2016

Lakewood City Council
Lakewood, OH 44107

Re: Finance Committee Budget Session Scheduling

Dear Members of Council:

Thanks to the hard work of our Finance Department, Council has been presented with the 2017 Comprehensive Budget Document and a series of ordinances to implement it. It is the goal of the Finance Committee to consider budget legislation in a timely manner so that Council may consider final action upon third reading on December 19, 2016. In order to achieve this goal we anticipate the need to hold a series of meetings with the administration and as many councilmembers as possible to thoroughly review and provide input on the budget materials. More specifically, we expect to review City finances at a macro-level, to hear from directors about department budgets, and to incorporate further discussion of Council's budget priorities.

Please consider this communication as the beginning of a conversation about how best to arrange our schedules to meet these goals.

Sincerely,

Tom Bullock
Councilmember At-large



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

MICHAEL SUMMERS
MAYOR

November 16, 2016

Lakewood City Council Members
Lakewood, Ohio 44107

Re: 2017 Cuyahoga County Supplemental Grant Program Application

Council Members –

Cuyahoga County has announced their Cuyahoga County Supplemental Grant Program for 2017. This is a competitive award program to help strengthen cities, encourage regional collaboration and improve quality of life for county residents. There will be up to 20 grants awarded with a maximum dollar award of \$50,000/grant. Funding for these grants is from casino funds.

The grant application requires that the legislative body of the applicant pass a resolution acknowledging the grant is being applied for and that a noticed public meeting about the project which is the subject of the application has occurred. The city of Lakewood is partnering with the Beck Center/West End District to prepare a grant application for the County Supplemental Grant Program. It should be noted that the city of Lakewood is also partnering with LakewoodAlive on a separate Supplemental grant application which will be filed by LakewoodAlive directly as they are considered a CDC so qualify as a direct applicant.

In the instant case, a public meeting was held in front of the City Planning Commission on November 3, 2016 at which time the Beck Center and LakewoodAlive presented their project to the Planning Commission for review and comment. Both projects involve signage and wayfinding and are in furtherance of city strategic plans and visioning. The Planning Commission meeting notice, minutes of the meeting and the sign-in sheet from the meeting will be included with the grant application.

I respectfully ask that council consider adoption of the resolution referenced in this letter on first reading at the regular City Council Meeting on November 21, 2016. Said signed resolution will be included with the grant application to be filed by December 23, 2016.

Very truly yours,

Michael P. Summers, Mayor

RESOLUTION NO.

BY:

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 Mayor or his designee to apply, in collaboration with the Beck Center/West End District, to the Cuyahoga County Supplemental Grant Program for a \$50,000 grant to be used for signage and wayfinding in accordance with the City of Lakewood's strategic plan.

WHEREAS, on November 3, 2016 both the Beck Center/West End District and Lakewood Alive presented concepts for use of grant funds under the 2017 Cuyahoga County Supplemental Grant Program before the Lakewood Planning Commission; and

WHEREAS, both projects provide for signage and wayfinding within different areas of the City of Lakewood; and

WHEREAS, Lakewood would like to collaborate with Beck Center/West End District to apply for the Cuyahoga County Supplemental Grant Program Funds and they do not qualify on their own; and

WHEREAS, Lakewood Alive will be submitting a separate application for funds for its project; and

WHEREAS, this Council by a vote of at least five of its members 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 to provide for the usual daily operation of municipal departments in that the Beck Center/West End District must submit formal support of its application no later than December 24, 2016; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor of the City of Lakewood, or his designee, is hereby authorized to prepare and submit an application, in collaboration with the Beck Center/West End District, to the Cuyahoga County Supplemental Grant Program for a \$50,000 grant to be used for signage and wayfinding in accordance with the City of Lakewood's strategic plan.

Section 2. The Mayor, the Director of Public Works, Director of Law and the Director of Finance for the City of Lakewood are authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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

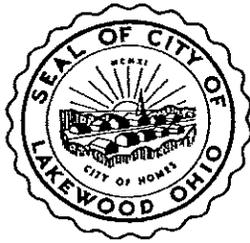
Adopted: _____

President

Clerk

Approved: _____

Mayor



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

Jennifer R. Pae
Director of Finance

November 21, 2016

Re: 2016 Year-End and 2017 Budget Ordinances

Dear Members of Council:

The following seventeen ordinances reflect appropriations, purchasing and contracting authority, and revenues necessary to finalize the 2016 budget and to implement the 2017 budget. They support the contents of the 2017 Estimate of Expense / Comprehensive Budget Document that was submitted on November 15, 2016, and include the:

- 2016 Year-End Permanent Appropriation Ordinance
- 2016 4th Quarter Transfers and Advances
- 2017 Permanent Appropriation Ordinance
- 2017 Purchasing and Contracting Authority
- 2017 Planning & Development Program Contracting Authority
- 2017 Membership Ordinance
- 2017 Sewer Rates
- 2017 Water Rates
- 2017 Capital Contracting Streets
- 2017 Capital Contracting Sewer
- 2017 Capital Contracting Water
- 2017 Capital Contracting CDBG
- 2017 Capital Contracting Vehicles & Equipment
- 2017 Capital Contracting Buildings & Facilities
- 2017 Capital Contracting Traffic Signs & Signals
- 2017 Capital Contracting Park & Pool Improvements
- 2017 Capital Contracting Sidewalk Improvements

Please refer the attached legislation to the Committee of the Whole for further review for passage before December 31, 2016.

Respectfully,

Jennifer R. Pae
Director of Finance

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2016.

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that the City must record all financial transactions within the appropriate fiscal period. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That to provide for the personal services and other appropriations of the City of Lakewood for the fiscal year ending December 31, 2016, the sums summarized on the attached Exhibit A, incorporated herein by reference, are hereby appropriated and authorized for encumbrance and/or expenditure as provided herein.

Section 2. That all existing encumbrances in all funds of the City of Lakewood shall be carried forward.

Section 3. The approval of the Municipal Court Budget includes approval of any amendment to the salaries of the Clerk of Court and the Probation Officer in accordance with Sections 1901.31 and 1901.33 of the Ohio Revised Code.

Section 4. That all expenditures hereinbefore authorized and to the amount authorized shall be made in accordance with the line items of Exhibit B as adopted by the Council of the City of Lakewood and made a part hereof, and that any disbursements within any line item set forth in Exhibit B may be paid out of the appropriation.

Section 5. That any amount encumbered in a year prior to fiscal year 2016 in any and all funds of the City of Lakewood are hereby appropriated for the purpose of expenditure in 2016 or thereafter.

Section 6. That the Director of Finance be and is hereby authorized to draw checks upon the City depository's for the amounts appropriated in this ordinance whenever claims are presented, properly approved by the head of the department for which the indebtedness is incurred.

Section 7. 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 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

City of Lakewood
 2016 Year-End
 Permanent Appropriations
 Exhibit A

Fund	Dec. 2015	YE Amended	Variance
	2016	2016	
	Appropriation	Appropriation	
General Fund	\$ 39,257,445	\$ 40,501,355	\$ 1,243,910
Special Revenue Funds			
State Highway Improvement Fund	140,000	211,988	\$ 71,988
Street Const., Maint., & Repair Fund	2,339,430	2,119,994	\$ (219,436)
Litter Control Grant Fund	4,000	0	\$ (4,000)
Community Festival Fund	4,059	4,059	\$ -
Police Pension Fund	1,488,345	1,501,000	\$ 12,655
Firemen's Pension Fund	1,559,624	1,475,000	\$ (84,624)
Law Enforcement Trust Fund	122,200	102,625	\$ (19,575)
Federal Forfeiture Fund	17,000	9,750	\$ (7,250)
Indigent Driver's Alcohol Treatment Fund	150,000	26,000	\$ (124,000)
Enforcement & Education Fund	20,520	5,000	\$ (15,520)
Political Subdivision Fund	17,000	0	\$ (17,000)
Computer Maintenance Fund	40,000	21,000	\$ (19,000)
Court Special Projects Fund	78,659	92,706	\$ 14,047
Court Probation Services Fund	25,173	10,680	\$ (14,493)
Indigent Drivers Interlock & Alcohol Monitoring Fund	60,000	0	\$ (60,000)
Community Development Block Grant Fund	2,405,363	2,798,935	\$ 393,572
Emergency Shelter Grant Fund	217,270	223,770	\$ 6,500
HOME Investment Partnerships Program Fund	290,000	544,500	\$ 254,500
Neighborhood Stabilization Fund	300,000	6,000	\$ (294,000)
Homeless Prevention and Rapid Rehousing	0	0	\$ -
Energy Efficiency Block Grant	0	0	\$ -
Office on Aging IIIB Fund	938,289	909,524	\$ (28,765)
Lakewood Hospital S.R. Fund	2,818,313	4,563,079	\$ 1,744,766
Help To Others Fund	39,863	43,330	\$ 3,467
Byrne Memorial Grant Fund	0	0	\$ -
Juvenile Diversion Program Fund	18,001	11,919	\$ (6,082)
FEMA Fund	0	0	\$ -
Family to Family Fund	362,350	394,943	\$ 32,593
Total Special Revenue Funds	\$ 13,455,459	\$ 15,075,802	\$ 1,620,343
Bond Retirement Fund	19,165,451	20,575,058	\$ 1,409,607
TIF Bond Retirement Fund	487,717	3,554,345	\$ 3,066,628
Total Debt Service Funds	\$ 19,653,168	\$ 24,129,403	\$ 4,476,235
Capital Improvement Fund	3,455,000	5,353,792	\$ 1,898,792
Land Acquisition Fund	0	0	\$ -
City Park Improvement Fund	75,000	25,000	\$ (50,000)
TIF Capital Improvement Fund	223,211	223,211	\$ -
Total Capital Projects Funds	\$ 3,753,211	\$ 5,602,003	\$ 1,848,792
Water Operating Fund	12,592,170	21,247,406	\$ 8,655,236
Wastewater Collection Fund	17,189,805	24,901,657	\$ 7,711,852
Wastewater Treatment Fund	6,426,939	8,817,789	\$ 2,390,850
Wastewater Improvement Fund	1,600,000	1,600,000	\$ -
Parking Facilities Fund	402,709	402,848	\$ 139
Winterhurst Ice Rink Fund	627,000	578,803	\$ (48,197)
Total Enterprise Funds	\$ 38,838,624	\$ 57,548,504	\$ 18,709,880
Hospitalization Fund	6,147,104	7,155,360	\$ 1,008,256
Workers Compensation Fund	353,800	425,800	\$ 72,000
Total Internal Service Funds	\$ 6,500,904	\$ 7,581,160	\$ 1,080,256
TOTALS	\$ 121,458,810	\$ 150,438,226	\$ 28,979,416

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
General Fund			
General Government			
<i>Council</i>			
Personal Services	185,479	180,416	(5,063)
Other	13,650	13,295	(355)
Division Total	199,129	193,711	(5,418)
<i>Municipal Court</i>			
Personal Services	1,042,828	1,042,828	-
Other	152,500	152,500	-
Division Total	1,195,328	1,195,328	-
<i>Civil Service</i>			
Personal Services	75,235	75,237	2
Other	37,775	20,775	(17,000)
Division Total	113,010	96,012	(16,998)
<i>Mayor's Office</i>			
Personal Services	260,453	260,193	(260)
Other	14,825	15,970	1,145
Division Total	275,278	276,163	885
<i>Human Resources</i>			
Personal Services	236,239	236,753	514
Other	40,395	37,685	(2,710)
Division Total	276,634	274,438	(2,196)
<i>Community Relations</i>			
Personal Services	75,365	75,365	-
Other	23,835	20,835	(3,000)
Division Total	99,200	96,200	(3,000)
<i>Finance Department</i>			
Personal Services	541,659	529,656	(12,003)
Other	84,175	89,990	5,815
Division Total	625,834	619,646	(6,188)
<i>Income Tax</i>			
Personal Services	542,099	500,207	(41,892)
Other	721,611	686,751	(34,860)
Division Total	1,263,710	1,186,958	(76,752)
<i>Information Technology</i>			
Personal Services	384,626	381,241	(3,385)
Other	590,820	708,045	117,225
Division Total	975,446	1,089,286	113,840
<i>General Administration</i>			
Personal Services	230,577	211,805	(18,772)
Other	2,353,204	5,035,684	2,682,480
Division Total	2,583,781	5,247,489	2,663,708
<i>Law Department</i>			
Personal Services	448,100	432,435	(15,665)
Other	280,337	60,270	(220,067)
Division Total	728,437	492,705	(235,732)
<i>Planning & Development</i>			
Personal Services	348,375	220,954	(127,421)
Other	708,860	850,275	141,415
Division Total	1,057,235	1,071,229	13,994

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Public Safety			
<i>Police & Law Enforcement</i>			
Personal Services	9,585,692	9,292,613	(273,079)
Other	581,900	507,395	(74,505)
Division Total	10,147,592	9,800,008	(347,584)
<i>Police & Fire Communications (Dispatch)</i>			
Personal Services	789,178	751,738	(37,440)
Other	13,100	16,600	3,500
Division Total	802,278	768,338	(33,940)
<i>Support of Prisoners</i>			
Personal Services	167,305	125,398	(41,907)
Other	254,985	175,500	(79,485)
Division Total	422,290	300,898	(121,392)
<i>Animal Control</i>			
Personal Services	185,937	186,238	301
Other	19,969	22,021	2,052
Division Total	205,906	208,259	2,353
<i>School Guards</i>			
Personal Services	266,149	197,799	(68,350)
Other	550	550	-
Division Total	266,699	198,349	(68,350)
<i>Firefighting, Prevention & Inspection</i>			
Personal Services	7,397,220	7,167,974	(229,246)
Other	323,710	333,435	9,725
Division Total	7,720,930	7,501,409	(219,521)
<i>Building & Housing</i>			
Personal Services	1,003,077	889,706	(113,371)
Other	242,220	225,950	(16,270)
Division Total	1,245,297	1,115,656	(129,641)

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Public Works			
<i>Public Works Administration</i>			
Personal Services	98,409	81,977	(16,432)
Other	5,360	5,635	275
Division Total	103,769	87,612	(16,157)
<i>Street Lighting</i>			
Other	650,000	638,500	(11,500)
Division Total	650,000	638,500	(11,500)
<i>Parks & Public Property</i>			
Personal Services	1,330,257	1,315,187	(15,070)
Other	974,225	888,575	(85,650)
Division Total	2,304,482	2,203,762	(100,720)
<i>Buildings & Facilities / Security</i>			
Personal Services	115,450	134,200	18,750
Other	-	-	-
Division Total	115,450	134,200	18,750
<i>Band Concerts</i>			
Personal Services	289	289	-
Other	12,500	10,250	(2,250)
Division Total	12,789	10,539	(2,250)
<i>Museums</i>			
Other	11,600	13,800	2,200
Division Total	11,600	13,800	2,200
<i>July 4th Festival</i>			
Personal Services	11,545	11,705	160
Other	41,000	41,140	140
Division Total	52,545	52,845	300
<i>Tennis Courts</i>			
Other	5,600	6,350	750
Division Total	5,600	6,350	750
<i>Forestry</i>			
Personal Services	308,220	317,353	9,133
Other	226,934	228,569	1,635
Division Total	535,154	545,922	10,768
<i>Refuse & Recycling</i>			
Personal Services	2,051,049	1,938,098	(112,951)
Other	1,025,840	1,009,903	(15,937)
Division Total	3,076,889	2,948,001	(128,888)
<i>Fleet Management</i>			
Personal Services	811,979	785,645	(26,334)
Other	708,515	652,565	(55,950)
Division Total	1,518,494	1,438,210	(80,284)
<i>Engineering</i>			
Personal Services	167,278	153,372	(13,906)
Other	66,905	72,456	5,551
Division Total	234,183	225,828	(8,355)

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Human Services			
<i>Human Services Administration</i>			
Personal Services	185,928	185,928	-
Other	1,850	2,010	160
Division Total	187,778	187,938	160
<i>Early Childhood</i>			
Personal Services	53,297	56,955	3,658
Other	1,460	1,460	-
Division Total	54,757	58,415	3,658
<i>Youth Services</i>			
Personal Services	176,396	203,156	26,760
Other	13,545	14,195	650
Division Total	189,941	217,351	27,410
Total General Fund			
Personal Services	29,055,690	27,942,421	(1,113,269)
Other	10,201,765	12,658,934	2,357,179
Totals	39,257,445	40,501,355	1,243,910

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Special Revenue Funds			
State Highway Improvement Fund			
Other	140,000	211,988	71,988
Division Total	140,000	211,988	71,988
Fund Total	140,000	211,988	71,988
Street Const., Maint. Repair Fund			
Personal Services	1,324,420	1,282,519	(41,901)
Other	1,015,010	837,475	(177,535)
Division Total	2,339,430	2,119,994	(219,436)
Fund Total	2,339,430	2,119,994	(219,436)
Litter Control Grant Fund			
Other	4,000	-	(4,000)
Division Total	4,000	-	(4,000)
Fund Total	4,000	-	(4,000)
Community Festival Fund			
Personal Services	4,059	4,059	-
Division Total	4,059	4,059	-
Fund Total	4,059	4,059	-
Police Pension Fund			
Personal Services	1,488,345	1,501,000	12,655
Other	-	-	-
Division Total	1,488,345	1,501,000	12,655
Fund Total	1,488,345	1,501,000	12,655
Firemen Pension Fund			
Personal Services	1,559,624	1,475,000	(84,624)
Other	-	-	-
Division Total	1,559,624	1,475,000	(84,624)
Fund Total	1,559,624	1,475,000	(84,624)
Law Enforcement Trust Fund			
Personal Services	4,100	-	(4,100)
Other	118,100	102,625	(15,475)
Division Total	122,200	102,625	(19,575)
Fund Total	122,200	102,625	(19,575)
Federal Forfeiture Fund			
Other	17,000	9,750	(7,250)
Division Total	17,000	9,750	(7,250)
Fund Total	17,000	9,750	(7,250)
Indigent Drivers' Alcohol Treatment Fund			
Other	150,000	26,000	(124,000)
Division Total	150,000	26,000	(124,000)
Fund Total	150,000	26,000	(124,000)

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Enforcement & Education Fund			
Other	20,520	5,000	(15,520)
Division Total	20,520	5,000	(15,520)
Fund Total	20,520	5,000	(15,520)
Political Subdivision Fund			
Other	17,000	-	(17,000)
Division Total	17,000	-	(17,000)
Fund Total	17,000	-	(17,000)
Computer Maintenance Fund			
Other	40,000	21,000	(19,000)
Division Total	40,000	21,000	(19,000)
Fund Total	40,000	21,000	(19,000)
Court Special Projects Fund			
Personal Services	8,659	5,159	(3,500)
Other	70,000	87,547	17,547
Division Total	78,659	92,706	14,047
Fund Total	78,659	92,706	14,047
Court Probation Services Fund			
Personal Services	17,318	-	(17,318)
Other	7,855	10,680	2,825
Division Total	25,173	10,680	(14,493)
Fund Total	25,173	10,680	(14,493)
Indigent Drivers Interlock and Alcohol Monitoring Fund			
Other	60,000	-	(60,000)
Division Total	60,000	-	(60,000)
Fund Total	60,000	-	(60,000)
Community Development Block Grant			
Personal Services	487,993	423,115	(64,878)
Other	1,917,370	2,375,820	458,450
Division Total	2,405,363	2,798,935	393,572
Fund Total	2,405,363	2,798,935	393,572
Emergency Shelter Grant Fund			
Personal Services	5,770	5,770	-
Other	211,500	218,000	6,500
Division Total	217,270	223,770	6,500
Fund Total	217,270	223,770	6,500
HOME Investment Partnerships Program Fund			
Personal Services	-	-	-
Other	290,000	544,500	254,500
Division Total	290,000	544,500	254,500
Fund Total	290,000	544,500	254,500
Neighborhood Stabilization Fund			
Personal Services	-	-	-
Other	300,000	6,000	(294,000)
Division Total	300,000	6,000	(294,000)
Fund Total	300,000	6,000	(294,000)

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Energy Efficiency BloCN Grant			
Personal Services	-	-	-
Other	-	-	-
Division Total	-	-	-
Fund Total	-	-	-
Homeless Prevention and Rapid Rehousing			
Personal Services	-	-	-
Other	-	-	-
Division Total	-	-	-
Fund Total	-	-	-
Office on Aging Fund			
Personal Services	778,799	767,199	(11,600)
Other	159,490	142,325	(17,165)
Division Total	938,289	909,524	(28,765)
Fund Total	938,289	909,524	(28,765)
Lakewood Hospital S.R. Fund			
<i>EMS</i>			
Personal Services	880,314	880,224	(90)
Other	1,573,982	942,982	(631,000)
Division Total	2,454,296	1,823,206	(631,090)
<i>Health</i>			
Personal Services	143,327	170,154	26,827
Other	220,690	222,695	2,205
Division Total	364,017	393,049	29,032
<i>Lakewood Hospital Transition</i>			
Other		2,346,824	2,346,824
Division Total		2,346,824	2,346,824
Fund Total	2,818,313	4,563,079	1,744,766
Byrne Memorial Grant Fund			
Personal Services	-	-	-
Other	-	-	-
Division Total	-	-	-
Fund Total	-	-	-
Help To Others Fund			
Personal Services	34,058	37,460	3,402
Other	5,805	5,870	65
Division Total	39,863	43,330	3,467
Fund Total	39,863	43,330	3,467
Juvenile Diversion Program Fund			
Personal Services	17,401	11,319	(6,082)
Other	600	600	-
Division Total	18,001	11,919	(6,082)
Fund Total	18,001	11,919	(6,082)
FEMA Fund			
Other	-	-	-
Division Total	-	-	-
Fund Total	-	-	-
Family to Family Fund			
Personal Services	312,006	302,624	(9,382)
Other	50,344	92,319	41,975
Division Total	362,350	394,943	32,593
Fund Total	362,350	394,943	32,593
Total Special Revenue Funds			
Personal Services	7,066,193	6,865,602	(200,591)
Other	6,389,266	8,210,200	1,820,934
Totals	13,455,459	15,075,802	1,620,343

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Debt Service Funds			
Bond Retirement Fund			
Other	19,165,451	20,575,058	1,409,607
Division Total	19,165,451	20,575,058	1,409,607
Fund Total	19,165,451	20,575,058	1,409,607
TIF Bond Retirement Fund			
Other	487,717	3,554,345	3,066,628
Division Total	487,717	3,554,345	3,066,628
Fund Total	487,717	3,554,345	3,066,628
Total Debt Service Funds			
Personal Services			
Other	19,653,168	24,129,403	4,476,235
Totals	19,653,168	24,129,403	4,476,235
Capital Projects Funds			
Capital Improvement Fund			
Other	3,455,000	5,353,792	1,898,792
Division Total	3,455,000	5,353,792	1,898,792
Fund Total	3,455,000	5,353,792	1,898,792
Land Acquisition Fund			
Other	-	-	-
Division Total	-	-	-
Fund Total	-	-	-
City Park Improvement Fund			
Other	75,000	25,000	(50,000)
Division Total	75,000	25,000	(50,000)
Fund Total	75,000	25,000	(50,000)
TIF Capital Improvement Fund			
Other	223,211	223,211	-
Division Total	223,211	223,211	-
Fund Total	223,211	223,211	-
Total Capital Improvement Funds			
Other	3,753,211	5,602,003	1,848,792
Totals	3,753,211	5,602,003	1,848,792

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Enterprise Funds			
Water Operating Fund			
<i>Water Administration</i>			
Personal Services	195,689	209,348	13,659
Other	2,132,152	10,123,013	7,990,861
Division Total	2,327,841	10,332,361	8,004,520
<i>Water Distribution</i>			
Personal Services	515,463	524,569	9,106
Other	9,069,879	9,817,512	747,633
Division Total	9,585,342	10,342,081	756,739
<i>Water Metering</i>			
Personal Services	439,437	383,814	(55,623)
Other	239,550	189,150	(50,400)
Division Total	678,987	572,964	(106,023)
Fund Total	12,592,170	21,247,406	8,655,236
Wastewater Collection Fund			
Personal Services	982,374	1,005,965	23,591
Other	16,207,431	23,895,692	7,688,261
Division Total	17,189,805	24,901,657	7,711,852
Fund Total	17,189,805	24,901,657	7,711,852
Wastewater Treatment Fund			
Personal Services	1,770,381	1,690,333	(80,048)
Other	4,656,558	7,127,456	2,470,898
Division Total	6,426,939	8,817,789	2,390,850
Fund Total	6,426,939	8,817,789	2,390,850
Wastewater Improvement Fund			
Other	1,600,000	1,600,000	-
Division Total	1,600,000	1,600,000	-
Fund Total	1,600,000	1,600,000	-
Parking Facilities Fund			
Personal Services	164,495	164,513	18
Other	238,214	238,335	121
Division Total	402,709	402,848	139
Fund Total	402,709	402,848	139
Winterhurst Ice Rink Fund			
Personal Services	-	-	-
Other	627,000	578,803	(48,197)
Division Total	627,000	578,803	(48,197)
Fund Total	627,000	578,803	(48,197)
Total Enterprise Funds			
Personal Services	4,067,839	3,978,542	(89,297)
Other	34,770,784	53,669,961	18,799,177
Totals	38,838,623	57,548,503	18,709,880

	Dec. 2015 2016 Appropriation	YE Amended 2016 Appropriation	2016 Variance
Internal Services Funds			
Hospitalization Fund			
Personal Services	6,085,104	7,075,860	990,756
Other	82,000	79,500	17,500
Division Total	6,147,104	7,155,360	1,008,256
Fund Total	6,147,104	7,155,360	1,008,256
Workers' Compensation Fund			
Personal Services	240,000	312,000	72,000
Other	113,800	113,800	-
Division Total	353,800	425,800	72,000
Fund Total	353,800	425,800	72,000
Total Internal Service Funds			
Personal Services	6,325,104	7,387,860	1,062,756
Other	175,800	193,300	17,500
Totals	6,500,904	7,581,160	1,080,256
FUND TOTALS	121,458,810	150,438,226	28,979,416

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, law authorizing the transfer and advance of certain funds.

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments to provide for the usual daily operation of the City in that the City must record all financial transactions within the appropriate fiscal period; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That the Director of Finance be and is hereby authorized to make the following transfers and advances:

		2016	
		4th Quarter	
Fund		Transfers Out	Transfers In
101	General Fund	\$ 1,379,431	
	Special Revenue Funds		
250	Office on Aging IIIB		\$ 172,500
	Internal Service Funds		
600	Hospitalization		\$ 1,135,721
601	Workers' Compensation		\$ 71,210
	Debt Service Payments		
101	General Fund (HB 300 Lease)	\$ 55,000	
211	SCMR (HB 300 Lease)	\$ 6,250	
260	Lakewood Hosptl (HB 300 Lease)	\$ 300	
501	Water (HB 300 Lease)	\$ 3,813	
510	WWC (HB 300 Lease)	\$ 800	
511	WWTP (HB 300 Lease)	\$ 18,750	
520	Parking (HB 300 Lease)	\$ 1,125	
530	Winterhurst (HB 300 Lease)	\$ 20,000	
301	Debt Service Fund	\$ -	\$ 106,038
512	WWTP Improvements	\$ 400,000	
301	Debt Service Fund		\$ 400,000
Fund		Advances Out	Advances In
101	General Fund	\$ 1,217,222	
	Varying Amounts to the CDBG Fund and Winterhurst Fund and other Funds as determined by year-end		\$ 1,217,222
260	Lakewood Hospital Fund	\$ 2,100,000	
101	In the event the General Fund needs year-end fiscal support		\$ 2,100,000

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.

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 in the preamble, and provided it receives the affirmative vote of at least five (5) of members of 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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2017.

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that the City must record all financial transactions within the appropriate fiscal period. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That to provide for the personal services and other appropriations of the City of Lakewood for the fiscal year ending December 31, 2017, the sums summarized on the attached Exhibit A, incorporated herein by reference, are hereby appropriated and authorized for encumbrance and/or expenditure as provided herein.

Section 2. That all existing encumbrances in all funds of the City of Lakewood shall be carried forward.

Section 3. The approval of the Municipal Court Budget includes approval of any amendment to the salaries of the Clerk of Court and the Probation Officer in accordance with Sections 1901.31 and 1901.33 of the Ohio Revised Code.

Section 4. That all expenditures hereinbefore authorized and to the amount authorized shall be made in accordance with the line items of Exhibit B as adopted by the Council of the City of Lakewood and made a part hereof, and that any disbursements within any line item set forth in Exhibit B may be paid out of the appropriation.

Section 5. That any amount encumbered in a year prior to fiscal year 2017 in any and all funds of the City of Lakewood are hereby appropriated for the purpose of expenditure in 2017 or thereafter.

Section 6. That the Director of Finance be and is hereby authorized to draw checks upon the City depository's for the amounts appropriated in this ordinance whenever claims are presented, properly approved by the head of the department for which the indebtedness is incurred.

Section 7. 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 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

City of Lakewood
 2017 Permanent Appropriations
 Exhibit A

Fund	Dec. 2016 2017 Appropriation
General Fund	\$ 39,594,642
Special Revenue Funds	
State Highway Improvement Fund	140,000
Street Const., Maint., & Repair Fund	2,059,491
Litter Control Grant Fund	4,000
Community Festival Fund	4,058
Police Pension Fund	1,493,383
Firemen's Pension Fund	1,548,481
Law Enforcement Trust Fund	160,850
Federal Forfeiture Fund	17,000
Indigent Driver's Alcohol Treatment Fund	150,000
Enforcement & Education Fund	20,520
Political Subdivision Fund	17,000
Computer Maintenance Fund	40,000
Court Special Projects Fund	78,659
Court Probation Services Fund	25,173
Indigent Drivers Interlock & Alcohol Monitoring Fund	60,000
Community Development Block Grant Fund	3,453,030
Emergency Shelter Grant Fund	161,802
HOME Investment Partnerships Program Fund	250,000
Neighborhood Stabilization Fund	300,000
Homeless Prevention and Rapid Rehousing	0
Energy Efficiency Block Grant	0
Office on Aging IIIB Fund	1,000,476
Lakewood Hospital S.R. Fund	2,378,893
Help To Others Fund	43,376
Byrne Memorial Grant Fund	0
Juvenile Diversion Program Fund	18,001
FEMA Fund	0
Family to Family Fund	408,509
Total Special Revenue Funds	\$ 13,832,702
Bond Retirement Fund	9,694,836
TIF Bond Retirement Fund	443,579
Total Debt Service Funds	\$ 10,138,416
Capital Improvement Fund	4,668,000
Land Acquisition Fund	0
City Park Improvement Fund	60,000
TIF Capital Improvement Fund	0
Total Capital Projects Funds	\$ 4,728,000
Water Operating Fund	14,247,668
Wastewater Collection Fund	10,011,774
Wastewater Treatment Fund	8,388,033
Wastewater Improvement Fund	1,800,000
Parking Facilities Fund	435,301
Winterhurst Ice Rink Fund	634,441
Total Enterprise Funds	\$ 35,517,217
Hospitalization Fund	6,765,000
Workers Compensation Fund	367,192
Total Internal Service Funds	\$ 7,132,192
TOTALS	\$ 110,943,168

Dec. 2016
 2017 Appropriation

General Fund

General Government	
<i>Council</i>	
Personal Services	175,055
Other	14,950
<u>Division Total</u>	<u>190,005</u>
<i>Municipal Court</i>	
Personal Services	1,110,061
Other	152,035
<u>Division Total</u>	<u>1,262,096</u>
<i>Civil Service</i>	
Personal Services	79,425
Other	20,775
<u>Division Total</u>	<u>100,200</u>
<i>Mayor's Office</i>	
Personal Services	273,975
Other	19,350
<u>Division Total</u>	<u>293,325</u>
<i>Human Resources</i>	
Personal Services	249,561
Other	45,485
<u>Division Total</u>	<u>295,046</u>
<i>Community Relations</i>	
Personal Services	152,467
Other	23,835
<u>Division Total</u>	<u>176,302</u>
<i>Finance Department</i>	
Personal Services	574,205
Other	91,875
<u>Division Total</u>	<u>666,080</u>
<i>Income Tax</i>	
Personal Services	564,805
Other	702,618
<u>Division Total</u>	<u>1,267,423</u>
<i>Information Technology</i>	
Personal Services	398,859
Other	763,320
<u>Division Total</u>	<u>1,162,179</u>
<i>General Administration</i>	
Personal Services	162,432
Other	2,289,361
<u>Division Total</u>	<u>2,451,793</u>
<i>Law Department</i>	
Personal Services	464,672
Other	60,420
<u>Division Total</u>	<u>525,092</u>
<i>Planning & Development</i>	
Personal Services	351,040
Other	105,085
<u>Division Total</u>	<u>456,125</u>

Dec. 2018
2017 Appropriation

Public Safety

Police & Law Enforcement

Personal Services	10,079,880
Other	660,875
<u>Division Total</u>	<u>10,740,755</u>

Police & Fire Communications (Dispatch)

Personal Services	832,439
Other	17,100
<u>Division Total</u>	<u>849,539</u>

Support of Prisoners

Personal Services	168,776
Other	209,985
<u>Division Total</u>	<u>378,761</u>

Animal Control

Personal Services	199,989
Other	19,994
<u>Division Total</u>	<u>219,983</u>

School Guards

Personal Services	204,383
Other	550
<u>Division Total</u>	<u>204,933</u>

Firefighting, Prevention & Inspection

Personal Services	7,686,151
Other	355,575
<u>Division Total</u>	<u>8,041,726</u>

Building & Housing

Personal Services	1,040,959
Other	214,850
<u>Division Total</u>	<u>1,255,809</u>

Dec. 2016
 2017 Appropriation

Public Works

<i>Public Works Administration</i>	
Personal Services	91,258
Other	5,660
<u>Division Total</u>	<u>96,918</u>
<i>Street Lighting</i>	
Other	645,000
<u>Division Total</u>	<u>645,000</u>
<i>Parks & Public Property</i>	
Personal Services	1,427,718
Other	833,957
<u>Division Total</u>	<u>2,261,675</u>
<i>Buildings & Facilities / Security</i>	
Personal Services	131,613
Other	-
<u>Division Total</u>	<u>131,613</u>
<i>Band Concerts</i>	
Personal Services	289
Other	12,500
<u>Division Total</u>	<u>12,789</u>
<i>Museums</i>	
Other	11,600
<u>Division Total</u>	<u>11,600</u>
<i>July 4th Festival</i>	
Personal Services	12,700
Other	42,500
<u>Division Total</u>	<u>55,200</u>
<i>Tennis Courts</i>	
Other	7,000
<u>Division Total</u>	<u>7,000</u>
<i>Forestry</i>	
Personal Services	326,514
Other	167,550
<u>Division Total</u>	<u>494,064</u>
<i>Refuse & Recycling</i>	
Personal Services	2,190,655
Other	1,066,090
<u>Division Total</u>	<u>3,256,745</u>
<i>Fleet Management</i>	
Personal Services	843,642
Other	650,615
<u>Division Total</u>	<u>1,494,257</u>
<i>Engineering</i>	
Personal Services	87,378
Other	45,800
<u>Division Total</u>	<u>133,178</u>

Dec. 2016
2017 Appropriation

Human Services

<i>Human Services Administration</i>	
Personal Services	193,509
Other	2,600
<u>Division Total</u>	<u>196,109</u>
<i>Early Childhood</i>	
Personal Services	57,491
Other	1,760
<u>Division Total</u>	<u>59,251</u>
<i>Youth Services</i>	
Personal Services	186,727
Other	15,345
<u>Division Total</u>	<u>202,072</u>
Total General Fund	
Personal Services	30,318,628
Other	9,276,015
<u>Totals</u>	<u>39,594,642</u>

Dec. 2016
 2017 Appropriation

Special Revenue Funds	
State Highway Improvement Fund	
Other	140,000
Division Total	140,000
Fund Total	140,000
Street Const., Maint. Repair Fund	
Personal Services	1,350,891
Other	708,600
Division Total	2,059,491
Fund Total	2,059,491
Litter Control Grant Fund	
Other	4,000
Division Total	4,000
Fund Total	4,000
Community Festival Fund	
Personal Services	4,058
Division Total	4,058
Fund Total	4,058
Police Pension Fund	
Personal Services	1,493,383
Other	-
Division Total	1,493,383
Fund Total	1,493,383
Firemen Pension Fund	
Personal Services	1,548,481
Other	-
Division Total	1,548,481
Fund Total	1,548,481
Law Enforcement Trust Fund	
Personal Services	4,100
Other	156,750
Division Total	160,850
Fund Total	160,850
Federal Forfeiture Fund	
Other	17,000
Division Total	17,000
Fund Total	17,000
Indigent Drivers' Alcohol Treatment Fund	
Other	150,000
Division Total	150,000
Fund Total	150,000

Dec. 2016
 2017 Appropriation

Enforcement & Education Fund	
Other	20,520
Division Total	20,520
Fund Total	20,520
Political Subdivision Fund	
Other	17,000
Division Total	17,000
Fund Total	17,000
Computer Maintenance Fund	
Other	40,000
Division Total	40,000
Fund Total	40,000
Court Special Projects Fund	
Personal Services	8,659
Other	70,000
Division Total	78,659
Fund Total	78,659
Court Probation Services Fund	
Personal Services	17,318
Other	7,855
Division Total	25,173
Fund Total	25,173
Indigent Drivers Interlock and Alcohol Monitoring Fund	
Other	60,000
Division Total	60,000
Fund Total	60,000
Community Development Block Grant	
Personal Services	487,981
Other	2,965,049
Division Total	3,453,030
Fund Total	3,453,030
Emergency Shelter Grant Fund	
Personal Services	5,731
Other	156,070
Division Total	161,802
Fund Total	161,802
HOME Investment Partnerships Program Fund	
Personal Services	-
Other	250,000
Division Total	250,000
Fund Total	250,000
Neighborhood Stabilization Fund	
Personal Services	-
Other	300,000
Division Total	300,000
Fund Total	300,000

Dec. 2016
 2017 Appropriation

Energy Efficiency BioCN Grant	
Personal Services	-
Other	-
<u>Division Total</u>	<u>-</u>
<u>Fund Total</u>	<u>-</u>
Homeless Prevention and Rapid Rehousing	
Personal Services	-
Other	-
<u>Division Total</u>	<u>-</u>
<u>Fund Total</u>	<u>-</u>
Office on Aging Fund	
Personal Services	825,991
Other	174,485
<u>Division Total</u>	<u>1,000,476</u>
<u>Fund Total</u>	<u>1,000,476</u>
Lakewood Hospital S.R. Fund	
<i>EMS</i>	
Personal Services	932,884
Other	850,368
<u>Division Total</u>	<u>1,783,252</u>
<i>Health</i>	
Personal Services	153,049
Other	232,720
<u>Division Total</u>	<u>385,769</u>
<i>Lakewood Hospital Transition</i>	
Other	209,872
<u>Division Total</u>	<u>209,872</u>
<u>Fund Total</u>	<u>2,378,893</u>
Byrne Memorial Grant Fund	
Personal Services	-
Other	-
<u>Division Total</u>	<u>-</u>
<u>Fund Total</u>	<u>-</u>
Help To Others Fund	
Personal Services	37,521
Other	5,855
<u>Division Total</u>	<u>43,376</u>
<u>Fund Total</u>	<u>43,376</u>
Juvenile Diversion Program Fund	
Personal Services	17,401
Other	600
<u>Division Total</u>	<u>18,001</u>
<u>Fund Total</u>	<u>18,001</u>
FEMA Fund	
Other	-
<u>Division Total</u>	<u>-</u>
<u>Fund Total</u>	<u>-</u>
Family to Family Fund	
Personal Services	312,003
Other	96,506
<u>Division Total</u>	<u>408,509</u>
<u>Fund Total</u>	<u>408,509</u>
Total Special Revenue Funds	
Personal Services	7,199,451
Other	6,633,251
<u>Totals</u>	<u>13,832,702</u>

Dec. 2016
 2017 Appropriation

Debt Service Funds

Bond Retirement Fund

Other	9,694,836
Division Total	9,694,836
Fund Total	9,694,836

TIF Bond Retirement Fund

Other	443,579
Division Total	443,579
Fund Total	443,579

Total Debt Service Funds

Personal Services	
Other	10,138,416
Totals	10,138,416

Capital Projects Funds

Capital Improvement Fund

Other	4,668,000
Division Total	4,668,000
Fund Total	4,668,000

Land Acquisition Fund

Other	-
Division Total	-
Fund Total	-

City Park Improvement Fund

Other	60,000
Division Total	60,000
Fund Total	60,000

TIF Capital Improvement Fund

Other	-
Division Total	-
Fund Total	-

Total Capital Improvement Funds

Other	4,728,000
Totals	4,728,000

Dec. 2016
 2017 Appropriation

Enterprise Funds

Water Operating Fund

Water Administration

Personal Services	211,330
Other	3,854,317
Division Total	4,065,648

Water Distribution

Personal Services	540,106
Other	8,999,125
Division Total	9,539,231

Water Metering

Personal Services	408,789
Other	234,000
Division Total	642,789
Fund Total	14,247,668

Wastewater Collection Fund

Personal Services	1,100,027
Other	8,911,747
Division Total	10,011,774
Fund Total	10,011,774

Wastewater Treatment Fund

Personal Services	1,896,898
Other	6,491,134
Division Total	8,388,033
Fund Total	8,388,033

Wastewater Improvement Fund

Other	1,800,000
Division Total	1,800,000
Fund Total	1,800,000

Parking Facilities Fund

Personal Services	176,462
Other	258,839
Division Total	435,301
Fund Total	435,301

Winterhurst Ice Rink Fund

Personal Services	-
Other	634,441
Division Total	634,441
Fund Total	634,441

Total Enterprise Funds

Personal Services	4,333,613
Other	31,183,603
Totals	35,517,216

Dec. 2016
2017 Appropriation

Internal Services Funds

Hospitalization Fund

Personal Services	6,685,000
Other	80,000
<u>Division Total</u>	<u>6,765,000</u>
<u>Fund Total</u>	<u>6,765,000</u>

Workers' Compensation Fund

Personal Services	253,392
Other	113,800
<u>Division Total</u>	<u>367,192</u>
<u>Fund Total</u>	<u>367,192</u>

Total Internal Service Funds

Personal Services	6,938,392
Other	193,800
<u>Totals</u>	<u>7,132,192</u>

FUND TOTALS	110,943,168
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ORDINANCE NO:

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to 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 2017 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law.

WHEREAS, this Council desires to provide the authorization to the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2017 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law; and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that delay could impair the City's ability to provide necessary services in a timely manner for fiscal year 2017, now, therefore,

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

Section 1. That the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager be and are hereby authorized and directed to enter into a contract or contracts for supplies, services and equipment with the lowest and best bidder or bidders or as otherwise provided by law, as follows:

Professional services contracts included in the 2017 Budget are as follows:

- 1) Legal Services200,000
- 2) Recodification of Ordinances12,500
- 3) Financial Audit75,000
- 4) Hospitalization and Health Care Benefit Consulting Services45,000

5) Consultant for Workers Compensation	30,000
6) Risk Management Consulting Services	13,000
7) Healthcare, Physicals, Drug & Alcohol Testing	25,000
8) Employee Assistance Program	15,000
9) Supervisor / Manager / Employee Training.....	125,000
10) Exams for Classified Positions	75,000
11) Housing and Building Plans Examinations	150,000
12) Lakewood Jail Medical Services	50,000
13) Band Concerts.....	15,000
14) Municipal Engineering Consultant	60,000
15) Debt Issuance Costs.....	150,000
16) Integrated Wet Weather Plan Professional Services.....	500,000
17) Administrative Professional Services	250,000
18) Professional Services related to Lakewood Hospital.....	500,000
Sub-Total	\$2,290,500

Services contracts included in the 2017 Budget are as follows:

1) Government Agreements (WEB)	110,000
2) Government Agreements (Bd of Ed/ Pools).....	210,000
3) Financial Institution Service Charges	60,000
4) Electronic Payment Services.....	200,000
5) Property & Liability Insurance Contracts	450,000
6) Workers' Comp Stop Loss Insurance	90,000
7) Life Insurance.....	20,000
8) Hospitalization and Health Care Benefit Services.....	7,500,000
9) Medical Claims Billing Service.....	100,000
10) Sentenced Prisoners Full Jail Service	300,000
11) Home Delivered Meals	47,500
12) Distribution System Leak Survey	40,000
13) Disposal of Screenings and Grit (WWTP)	10,000
14) Excavation Spoils Removal.....	100,000
15) Roll of Box for Street Sweeping.....	60,000
16) Solid Waste Disposal Site.....	900,000
17) Organic Waste Disposal.....	30,000
18) Waste Collections – Condominiums	95,000
19) Biosolids Disposal	103,000
20) Roll-Off Box for Construction Debris	65,000
21) Site to Receive & Process Yard Waste.....	45,000
22) Lab Analysis Service	25,000
23) Citywide Computer Hrdwr Op. Sys., & Software Maint Contracts	375,000
24) Communications Services	100,000
25) Water Meter Program Maintenance.....	25,000
26) Telephone Service.....	50,000

27) Cellular Phone Service	250,000
28) Laundry Service-Police Department.....	12,000
29) HVAC Maintenance	125,000
30) Elevator Maintenance	25,000
31) Fire Alarm Maintenance	75,000
32) Copier Maintenance Service.....	25,000
33) Postage, Mailing Services, Equipment Lease/Maintenance	250,000
34) Rental and Laundry of Uniforms	15,000
35) Advertising	30,000
36) Printing Services.....	115,000
37) CRIS/LEADS Fees	20,000
38) Parking Citation Billing Service.....	50,000
39) Fireworks Display.....	40,000
40) Transportation Services	45,000
Sub-Total	\$12,187,500

Materials, supplies, and equipment authorized for purchase under the 2017 Budget are as follows:

1) Sand and Aggregate	30,000
2) Concrete Supplies	50,000
3) Asphalt Materials.....	50,000
4) Asphalt Cold Patch	25,000
5) Crack Sealant	40,000
6) Road Salt (Sodium Chloride).....	300,000
7) Fire Hydrants, Sewer and Water Appurtenances.....	100,000
8) Water Meter Supplies & Materials	50,000
9) Sign Shop-Supplies, Blanks & Reflective Material.....	195,000
10) Polymer Flocculants	25,000
11) Wastewater Treatment Chemicals	120,000
12) Tires and Road Service	80,000
13) Automotive Repairs, Parts and Supplies	600,000
14) Oil and Lubricants	45,000
15) Fuel (Gasoline and Diesel)	500,000
16) Purchase of Uniforms and Gear – Public Works.....	40,000
17) Electrical Supplies	50,000
18) Hardware Supplies.....	40,000
19) Janitorial Supplies.....	45,000
20) Landscape Materials	25,000
21) Lumber Supplies.....	100,000
22) Plumbing Supplies	40,000
23) Pool Supplies – Chemicals	45,000
24) Small Tools and Equipment.....	130,000
25) Prisoner Food Supplies	40,000

26) Purchase Uniforms & Gear – Safety Forces	75,000
27) Ammunition.....	25,000
28) Office Supplies	35,000
29) Computer Supplies.....	10,000
30) Computer Software.....	20,000
31) Communications Equipment	75,000
32) Paper Supplies	15,000
33) Lease Copier Equipment.....	37,000
34) Subscriptions/Publications.....	35,000
35) Reforestation.....	175,000
36) Police Operating Equipment.....	150,000
37) Fire/EMS Operating Equipment.....	150,000
38) Waste Water Treatment Plant Operating Equipment	100,000
39) Fitness Equipment/Devices	50,000
Sub-Total	\$3,717,000
Total	\$18,195,000

Section 2. That, contracts for supplies, services and equipment in excess of \$7,500 and for professional services in excess of \$5,000 shall not be awarded except as approved herein or further approved by Resolution of Council.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

Clerk

Approved: _____

Mayor

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into service contracts in accordance with the Administrative Code of the City of Lakewood for the Department of Planning & Development 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that delay could impair the City's ability to provide necessary services in a timely manner for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

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 enter into contracts in accordance with the Administrative Code of the City of Lakewood, for the Division of Planning & Development, contracts not to exceed the specified amounts shown, except as hereinafter provided:

Service Contracts **\$4,400,000**

Building Code Enforcement
Childcare Scholarship Assistance Program
Cleveland Tenants Organization: Landlord Tenant Services
Commercial Property Revitalization (Storefront Renovation) Program
Cuyahoga County Planning Commission
Domestic Violence & Child Advocacy Center: Victim Advocacy Services
Economic Development Loan Fund
First Time Homebuyer Down Payment Assistance Program (CDBG & HOME)
Greater Cleveland Regional Transit Authority
Home Improvement Grant Program (HIG)
Home Investment Partnerships Program (HOME)

Home Weatherization Assistance Program
 Housing Research & Advocacy Center: Fair Housing Services
 LakewoodAlive: Housing Outreach & Paint Rebate Programs
 Lakewood Community Services Center: Case Management, Emergency Shelter
 Employment Services, Food Pantry & Homelessness Prevention Programs
 Loan Service Fees: Low-Interest Loan, Nuisance Demolition, Nuisance Rehabilitation,
 RAMP & Weatherization Programs
 Low-Interest Housing Rehabilitation Loan Program (LIL)
 Neighborhood Stabilization Program (NSP): Acquisition, Rehabilitation & Demolition
 North Coast Health: Health Services
 Nuisance Demolition Program
 Nuisance Rehabilitation Program
 Property Revitalization Program; Acquisition & Rehabilitation
 Public Infrastructure Improvements: Sidewalk Repair/Replacement, Street Resurfacing,
 Streetscape Enhancements, Transit Waiting Environments & Water Main
 Replacement
 Repair Accessibility & Maintenance Program (RAMP)
 Section 108 Loan Repayment
 SEED Small Business Loan Program: Loan Service Fees
 Senior Supportive Services

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, and 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 **Memberships** as authorized by the 2017 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$60,000 without separate Ordinance of Council.

WHEREAS, this Council desires to provide the authorization to the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for Memberships as authorized by the 2017 Appropriation Ordinance and the Administrative Code of the City of Lakewood as otherwise provided by law, and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal department in that delay could impair the City's ability to provide necessary services in a timely manner for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager be and are hereby authorized and directed to enter into contracts with organizations for the following memberships, contracts not to exceed \$60,000, except as hereinafter provided:

- American Association of Police Polygraphists
- American Institute of Certified Planners
- American Payroll Association
- American Planning Association
- American Polygraph Association
- American Public Works Association
- American Society for Industrial Security (ASIS)
- American Society of Civil Engineers
- American Society of Sanitary Engineers
- American Water Works Association (AWWA)
- Association of Municipal-County Judges of Ohio, Inc.
- Association of Public Treasurers of the US & Canada
- Building Officials Conference of Northeastern Ohio (BOCONEO)

Cleveland Metropolitan Bar Association
Cuyahoga Animal Wardens Society (CAWS)
Cuyahoga County Fire Chief's Association
Cuyahoga County Fire Officers Association
Cuyahoga County Mayors and City Managers Association
Cuyahoga County Police Chiefs Association

EnviroCert

Family to Family Administrators Council (Murtis Taylor Human Services System)
FBI National Academy Associates (FBINAA)
First Suburb Consortium
First Suburb Development Council

Government Finance Officers Association of U.S. & Canada
Greater Cleveland Partnership

Heritage Ohio
High Technology Crime Investigation Association International

Institute of Traffic Engineers
International Association for Property and Evidence
International Association of Arson Investigators (IAAI)
International Association of Arson Investigators, Ohio Chapter
International Association of Bomb Technicians & Investigators (IABTI)
International Association of Chiefs of Police (IACP)
International Association of Electrical Inspectors (IAEI)
International Association of Electrical Inspectors - Western Reserve Division
International Association of Financial Crimes Investigators (IAFCI)
International Association of Fire Chiefs
International Code Council
International Law Enforcement Educators and Trainers Association
International Municipal Signal Association
International Police Mountain Bike Association (IPMBA)
International Society of Arboriculture

Keep America Beautiful

Lakewood Chamber of Commerce
League of American Bicyclists

Municipal Engineers Association of Northeast Ohio
Municipal Finance Officers Association of Northeast Ohio (MFOA)

National Association for the Education of Young Children (NAEYC)
National Association of Housing & Redevelopment Officials (NAHRO)
National Community Development Association
National Fire Protection Association
National Institute of Governmental Purchasing (NIGP)
National League of Cities
National Tactical Officers Association
North Central Ohio Building Officials Association
North Coast Corrections Managers Association
Northeast Ohio Areawide Coordinating Agency (NOACA)
Northeast Ohio City Council Association (NOCCA)

Northeast Ohio Fire Chiefs Association (NEOFCA)
Northeast Ohio Fire Prevention Association
Northeast Ohio Law Directors Association
Northeast Ohio Municipal Prosecutors Association
Northeastern Ohio Municipal Court Clerks Association
Northern Ohio Municipal Judges Association
Northern Ohio Probation Officer's Association
Northern Ohio Service Directors Association

Ohio Association of Arson Investigations
Ohio Association of Chiefs of Police (OACP)
Ohio Association of Magistrates
Ohio Association of Municipal Court Clerks
Ohio Association of Plumbing Inspectors
Ohio Association of Polygraph Examiners (OAPE)
Ohio Association of Public Treasurer's (OAPT)
Ohio Association of Tax Administrators
Ohio Auto Theft Investigators Association (OATIA)
Ohio Conference of Community Development
Ohio Crime Prevention Association (OCPA)
Ohio D.A.R.E. Officers Association
Ohio EMS
Ohio Fire Chiefs Association
Ohio Identification Officers Association (OIOA)
Ohio Judicial Conference
Ohio Mayors Alliance
Ohio Municipal Judges Association
Ohio Municipal League
Ohio Police Juvenile Officers Association (OPJOA)
Ohio Public Utilities Protection (OUPS)
Ohio School Resource Officers Association
Ohio State Bar Association
Ohio Tactical Officers Association

Public Purchasers Association of Northern Ohio (PPANO)

Real Estate Management

Sewer Pipe Users Group (SPUG)
Society for Human Resource Management
Society for Human Resource Management – Greater Cleveland Chapter
Solid Waste Association of North America
Street Maintenance and Sanitation Officials of Ohio

Team Crisis Negotiator
TransUnion of Northeast Ohio, Inc.
Treasurer, State of Ohio Cooperative Purchasing Program
Tree City USA (Arbor Day Foundation)

Urban Land Institute
U.S. Communities
U.S. Conference of Mayors

Water Environment Federation
We Share

Section 2. That, contracts for memberships in excess of \$60,000 shall not be awarded except as approved herein or further approved by Ordinance of Council.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

Clerk

Approved: _____

Mayor

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending section 902.04, Rates and Charges, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting sewer rates charged against each lot, parcel of land or premises which may have an active sewer connection with the Municipal wastewater disposal system or which may otherwise discharge wastewater either directly or indirectly into such system or any part thereof.

WHEREAS, the current sewer rate is insufficient to allow the Wastewater Treatment Fund and Wastewater Collections System Fund to continue to be self-supporting; and

WHEREAS, in order to offset the continuing general increases in capital costs of the wastewater collections and treatment facilities it is necessary for the City to increase the rates charged to the users of the wastewater disposal system as well as provide for the anticipated annual capital needs for the wastewater collection and treatment system; and

WHEREAS, Chapter 902 of the Codified Ordinances authorizes the City to set sewer rates to distribute the costs of operation and maintenance of the wastewater disposal system and the costs to maintain compliance with applicable standards and regulations of the U.S. E.P.A. proportionately upon all users of said system; and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that these rates and charges must be in place for the 2017 fiscal year. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That subsection 902.04(d), Rates and Charges, of the Codified Ordinances of the City of Lakewood currently reads as follows:

902.04 RATES AND CHARGES.

...

- (d) Effective January 1, 2016, sewer rates charged by the Lakewood Division Utility Billing shall be billed at a rate of not more \$5.58 per one hundred cubic feet of metered water consumption.

is hereby repealed.

Section 2. That new subsection 902.04(d), Rates and Charges, of the Codified Ordinances of the City of Lakewood is hereby enacted to read as follows:

902.04 RATES AND CHARGES.

...

- (d) Effective January 1, ~~2016~~ 2017, sewer rates charged by the Lakewood Division Utility Billing shall be billed at a rate of not more ~~\$5.58~~ \$6.20 per one hundred cubic feet of metered water consumption.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend section 915.01, Establishment of Rates, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting water rates charged against each lot, parcel of land or premises which may have an active water connection with the Municipal water system.

WHEREAS, sufficient revenues are required to recover costs budgeted for the operations of the Water Distribution System; and

WHEREAS, continued decreases in consumption of water has a negative impact on revenues received over time; and

WHEREAS, sufficient dollars are required to meet scheduled debt service payments; and

WHEREAS, in order to offset the increases in the purchased water from the City of Cleveland to the City as well as the continuing increases in the costs of operations, it is necessary for the City to increase the rates charged; and

WHEREAS, this Council by a vote of at least five (5) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that in that these rates and charges must be in place for the 2017 fiscal year. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That subsection 915.01(a), Establishment of Rates, of the Codified Ordinances of the City of Lakewood currently reads as follows:

915.01 ESTABLISHMENT OF RATES

The Director of Finance is hereby authorized and directed to establish water rates charged monthly by the Division of Utility Billing as follows:

- (a) The Director of Finance is hereby authorized and directed to establish water rates charged monthly by the City as follows:

Effective January 1, 2015, all water used during each one month billing period shall cost not more than \$6.34 per one hundred cubic feet of water.

...

is hereby amended repealed.

Section 2. That new subsection 915.01(a), Establishment of Rates, of the Codified Ordinances of the City of Lakewood is hereby enacted to read as follows:

915.01 ESTABLISHMENT OF RATES

The Director of Finance is hereby authorized and directed to establish water rates charged monthly by the Division of Utility Billing as follows:

- (a) The Director of Finance is hereby authorized and directed to establish water rates charged monthly by the City as follows:

Effective January 1, ~~2015~~ 2017, all water used during each one month billing period shall cost not more than ~~\$6.34~~ \$6.44 per one hundred cubic feet of water.

...

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Street Infrastructure 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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:

Street Infrastructure Improvements

\$2,500,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Wastewater System and Treatment Improvement Program** 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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 System and Treatment Improvement Program	\$11,000,000
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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. This This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble, and provided it receives the affirmative vote of at least five (5) members of 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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Water System Replacement Program** 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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:

Water System Replacement Program

\$2,500,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **C.D.B.G. Fund Infrastructure 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

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:

C.D.B.G. Infrastructure Projects

\$1,250,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Equipment** 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That the Mayor (Director of Public Safety), the Director of Public Works, and the Director of Finance are hereby authorized and directed 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 vehicles and equipment, contracts not to exceed the specified amounts shown, except as hereinafter provided:

Vehicles, Machinery and Equipment

\$2,500,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Buildings & Facilities 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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:

Buildings & Facilities Improvements

\$1,850,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Traffic Signs & Signals** 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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:

Traffic Signs & Signals

\$500,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Parks & Pools 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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:

Parks & Pools Improvement

\$1,500,000

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

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Sidewalk Improvement Program** 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) of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that certain capital improvements projects are to be undertaken beginning on or after January 1, 2017 in accordance with the Capital Improvement Plan for fiscal year 2017; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

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:

Sidewalk Improvement Program

\$800,000

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



DEPARTMENT OF PLANNING & DEVELOPMENT

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

November 15, 2016

Lakewood City Council
Lakewood, OH 44107

RE: Application to Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative

Dear Members of Council:

Following this letter is a resolution of support for WXZ Development Inc. to apply to the Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative to be considered for funding to conduct an environmental assessment of the property at 13900 Lake Avenue, which is currently a Marathon gas station site.

WXZ is considering the site for a residential infill project. The Northcoast Brownfield Coalition Community Assessment Initiative provides professional services to conduct Phase I and Phase II environmental site assessments on potential Brownfields contaminated with hazardous substances and/or petroleum products in Cuyahoga County. This program can assist in identifying and cleaning up potential contamination on site, in addition to helping to comply with BUSTR regulations.

The County does require a certain review period, and WXZ is working to get in the review pipeline before the end of the month. Due to this timeliness, I am requesting this supporting resolution be passed on first reading.

I'm happy to answer any questions about the program and project.

Sincerely,

Bryce Sylvester
Senior City Planner

RESOLUTION NO.

BY:

A RESOLUTION supporting the application of WXZ Development, Inc. (WXZ) to the Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative in the City.

WHEREAS, it is necessary to conduct an environmental assessment of the property at 13900 Lake Avenue., Lakewood, Ohio, PPN 312-05-011 (Marathon Gas Station); and

WHEREAS, the Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative provides professional services to conduct Phase I and Phase II environmental site assessments on potential Brownfields contaminated with hazardous substances and/or petroleum products in Cuyahoga County.

WHEREAS, there is funding available for the assessment of the property through the Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative; and

WHEREAS, WXZ desires to make application for a grant to fund the assessment and BUSTR Tier Evaluation of the property through the Cuyahoga County Northcoast Brownfield Coalition Community Assessment Initiative; and

WHEREAS, environmental assessment of this property will assist in remediating any potential contamination at the property; and

WHEREAS, the City will benefit from the additional information when assisting with the redevelopment of the property; and

WHEREAS, the City desires to support this application for such funding; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City Council of the City of Lakewood supports the City's application to the Cuyahoga County Brownfield Redevelopment Fund Community Assessment Initiative for a grant to receive funding for the assessment of the property at 13900 Lake Avenue., Lakewood, Ohio, PPN 312-05-011 known as Marathon Gas Station.

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 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 of Council

Clerk of Council

Approved: _____

Mayor



DEPARTMENT OF PLANNING &
DEVELOPMENT

12650 Detroit Avenue 44107 • (216) 529-6630 • FAX (216) 529-5907
www.onelakewood.com

November 21, 2016

Lakewood City Council

RE: Fiscal Year 2017
U.S. Department of Housing & Urban Development
One Year Action Plan Resolution

Dear Members of Council:

Lakewood's Citizens Advisory Committee (CAC) approved its FY 2017 Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) allocation recommendations to City Council on November 10, 2016 based on estimated 2017 CDBG and ESG awards of \$1,800,000 and \$145,000 respectively.

On behalf of the CAC, I respectfully submit these recommendations, summarized in *Exhibit A: Lakewood Citizens Advisory Committee Fiscal Year 2017 Federal Funding Recommendations to Lakewood City Council* (attached), for Council's consideration.

Sincerely,

Bryce Sylvester
Senior City Planner

RESOLUTION NO.

BY:

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 Fiscal Year (FY) 2017 One-Year Action Plan of the FY 2015 – 2019 Five Year Consolidated Plan which includes dollar allocations and activities to be funded with federal Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnership Program (HOME) resources and incorporates the City's application to the U.S. Department of Housing and Urban Development (HUD) for FY 2017 CDBG, ESG, and HOME funds and all amendments thereto and all understandings and assurances contained therein,

WHEREAS, the Secretary of HUD is authorized by various federal acts to make grants to units of general local government to finance community development programs; and

WHEREAS, HUD requires units of general local government to incorporate the Comprehensive Housing Affordability Strategy into a Consolidated Plan; and

WHEREAS, the City is annually required, with the participation and approval of its Citizens Advisory Committee (CAC), to submit a One-Year Action Plan associated with its current FY 2015-FY 2019 Consolidated Plan which serves as both a planning document and the city's formal application for FY 2017 CDBG, ESG, and HOME funding from HUD and includes Lakewood's community development objectives, a description of activities to be undertaken, a budget, and certifications in the form of assurances; and

WHEREAS, this Council by a vote of at least five of its members 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 it is necessary in order to meet the annual HUD application deadline for federal funds; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor is hereby authorized and directed to submit to HUD Lakewood's FY 2017 One-Year Action Plan of the FY 2015-FY 2019 Consolidated Plan, as reviewed and approved by the CAC, which serves as the City's FY 2017 application for federal CDBG, ESG, and HOME funds as indicated in Exhibit A, and all amendments thereto and all understandings and assurances contained therein.

Section 2. The FY 2017 One-Year Action Plan of the Consolidated Plan, as reviewed and approved by the CAC, will reflect a multi-year certification for the expenditure of CDBG funds for FY 2016, FY 2017 and FY 2018.

Section 3. The Mayor is hereby authorized and directed to act in connection with submission of the FY 2017 One-Year Action Plan of the Consolidated Plan, to provide such additional information as may be required and to enter into any and all agreements necessary to accept funds under these programs.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 5: This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

PRESIDENT

CLERK OF COUNCIL

Approved: _____

MAYOR

EXHIBIT A

Lakewood Citizens Advisory Committee (CAC)
 FY17 Federal Funding Allocation Recommendations to City Council

Community Development Block Grant (CDBG)

Agency/City Department-Division	Activity	CAC Recommendation
Department of Planning & Development	CDBG Administration	\$358,500
Department of Planning & Development	Section 108 Loan Repayment	\$45,000
Department of Planning & Development	Cove Park Improvements	\$200,000
Department of Public Works	Street Improvements	\$460,000
Division of Community Development	Nuisance Rehabilitation	\$45,000
Division of Community Development	Nuisance Demolition	\$45,000
LakewoodAlive	Paint Rebate Program	\$26,500
Division of Housing & Building	Building Code Enforcement	\$75,000
Division of Community Development	Storefront Renovation	\$275,000
LakewoodAlive	Housing Outreach Services	\$42,544
Lakewood Community Services Center	Food Pantry	\$20,937
Lakewood Community Services Center	Employment Services	\$25,937
Lakewood Community Services Center	Case Management Services	\$20,937
Division of Early Childhood	Childcare Scholarships	\$64,478
Division of Aging	Senior Supportive Services	\$26,688
Dom Violence & Child Advoc Center	Victim Advocacy Services	\$9,479
North Coast Health	Health Services	\$59,000
	Total CDBG	\$1,800,000

Emergency Solutions Grant (ESG)

Agency/City Department-Division	Activity	CAC Recommendation
Lakewood Community Services Center	Emergency Shelter	\$30,000
Lakewood Community Services Center	Homelessness Prevention	\$110,000
Department of Planning & Development	ESG Administration	\$5,000
	Total ESG	\$145,000