

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JANUARY 3, 2017
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:31 PM by Council President O'Leary.

Present: David Anderson, Thomas R. Bullock III, John Litten, Cindy Marx, Ryan Nowlin, Samuel T. O'Leary, Daniel J. O'Malley .

Motion adopted. All members present voting yea.

Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Police Chief Malley, Fire Representative, Health & Human Services Director Gelsomino, Planning & Development Director Sylvester, Human Resources Director Yousefi, approximately 10 members of the public, members of the media.

Reading & disposal of the minutes of the Regular Meeting of Council held December 5, 2016.

Motion by Mr. O'Leary. Seconded by Mr. Anderson, to approve the minutes without the necessity of a reading.

Motion adopted. All members present voting yea.

Mr. Litten, Ms. Marx abstaining due to absence from last meeting.

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

1. Committee of the Whole Report regarding January 3, 2017 Committee meeting. Mr. O’Leary; Chair. (Submitted and To Be provided)

Committee of the Whole met this evening prior to this meeting On our agenda were numerous appointments. The product of those deliberations was to appoint Erin Murphy and Laura Rodriguez-Carbone to the Community Health Foundation Planning Task Force as well as to appoint Chitra Walker to the Human Rights Commission. Upon deliberation, Council elected to defer its appointments to Audit Committee, Lakewood Heritage Advisory Board and Planning Commission. Specifically, with respect to the Audit Committee appointments Council was inclined to ascertain if Council’s current appointments to the Audit Committee are interested in continuing to serve or not. So, hopefully with that information in hand, hopefully next time we will reconvene and get those appointments done as well as the appointments to the Lakewood Heritage Advisory Board, and the Planning Commission. In addition, Council had some discussion about goal-setting and scheduling Council issues for the upcoming year. It was not an all-inclusive discussion but we did discuss Council’s desire to get the Charter on the ballot this year as well as some scheduling with respect to that goal. Council also listed several other priorities and will continue to revisit its planning in the near future so that we can have a productive year. Move to receive and file that communication.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to receive and file the report.
Motion adopted. All members voting yea.

2. **RESOLUTION NO. 8913-17-** 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 at the earliest period allowed by law, _____ appointing _____ and _____ to serve on the Foundation Planning Task Force. (Pg.5)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to amend Resolution 8913-17 by inserting the names Erin Murphy and Laura Rodriguez Carbone into the blanks.

Yeas: Anderson, Bullock, Litten, Marx, Nowlin, O’Leary, O’Malley

Nays; None

Motion adopted. Resolution 8913-17 amended.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8913-17 as amended.

Yeas: Anderson, Bullock, Litten, Marx, Nowlin, O’Leary, O’Malley

Nays; None

Motion adopted. Resolution 8913-17 adopted as amended.

3. **RESOLUTION NO. 8892-16** 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, appointing _____ to the **Audit Committee** of a two-year term ending December 31, 2017. (DEFERRED 11/7/16) (Pg. 6)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to defer.

Motion adopted. All members voting yea.

4. **RESOLUTION NO. 8893-16** - 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, appointing _____ to the **Audit Committee** of a two-year term ending December 31, 2017. (DEFERRED 11/7/16) (Pg. 7)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to defer.

Motion adopted. All members voting yea.

5. **RESOLUTION NO. 8894-16** - 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, appointing _____ to the **Lakewood Heritage Advisory Board** for the balance of a four-year term beginning January 1, 2015. (DEFERRED 11/7/16) (Pg. 8)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to defer.

Motion adopted. All members voting yea.

6. **RESOLUTION NO. 8895-16** - 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, appointing _____ to the **Planning Commission** for six-year term beginning January 1, 2017 and ending December 31, 2022. (DEFERRED 11/7/16) (Pg. 9)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to defer.

Motion adopted. All members voting yea.

7. **RESOLUTION NO. 8903-16** – 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, appointing_____ to a position on the **Human Rights Commission** for the term beginning January 1, 2017 and ending December 31, 2019. (DEFERRED 12/5/16) (Pg. 13)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to amend Resolution 8903-16 by inserting the name Chitra Walker into the blank.

Yeas: Anderson, Bullock, Litten, Marx, Nowlin, O’Leary, O’Malley

Nays: None

Motion adopted. Resolution 8903-16 amended.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8903-16 as amended.

Yeas: Anderson, Bullock, Litten, Marx, Nowlin, O’Leary, O’Malley

Nays: None

Motion adopted. Resolution 8903-16 adopted as amended.

8. Liquor Permit Notice for a D5 TREX to SMYF LLC d/b/a LBM - 12301 Madison Avenue. (DEFERRED 12/19/16) (Pg. 11)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to file the notice without objection.

Motion adopted. All members voting yea.

9. Public Works Committee Report regarding Ordinance 57-16; Chair; Mr. Nowlin; (Pg. 12)

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

Motion adopted. All members voting yea.

10. **ORDINANCE NO. 57-16** – 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, determining to proceed with the improvement of the shoreline abutting The Winton Place Condominium, 12700 Lake Avenue, by the construction and installation of improvements to protect the northerly property line from erosion by Lake Erie, including repairs and maintenance to the existing revetment system

constructed along the water's edge of Lake Erie appurtenant to the Winton Place Condominium. (READ & REFERRED TO PUBLIC WORKS COMMITTEE 12/5/16, 2ND READING 12/19/16) (Pg. 13)

Councilmember O'Malley remarked on the importance of this project to the residents of Winton Place. He referenced remarks made by Winton Place management that passage of this ordinance is an important step in relieving residents from a short term assessment. He thanked the Finance Department and Public works Department for their work on the Ordinance.

Motion by Mr. O'Leary, seconded by Mr. Anderson, to adopt Ordinance 57-16.
Motion adopted. All members voting yea.

11.ORDINANCE NO. 58-16 – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing and directing the Director of Planning and Development to market for sale the real property located at Edanola Avenue (PPN 311-15-011), pursuant to Section 155.07 of the Codified Ordinances. (READ & REFERRED TO HOUSING COMMITTEE 12/19/16) (Pg. 18)

Motion by Mr. O'Leary, seconded by Mr. Anderson, to defer.
Motion adopted. All members voting yea.

12.ORDINANCE NO. 59-16 - – 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, enacting Chapter 904, Use of Public Ways by Service Providers; creating Section 901.22, Conflict with the Use of Public Ways Chapter; and amending Section 903.09, Sidewalk Permit, of the Codified Ordinances of the City of Lakewood. (READ & REFERRED TO THE RULES & ORDINANCES COMMITTEE 12/19/16) (Pg. 20)

Motion by Mr. O'Leary, seconded by Mr. Anderson, to defer.
Motion adopted. All members voting yea.

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

13.Communications from Councilmembers Bullock, Marx and O'Leary regarding Resolution affirming Lakewood Ideals. (To Be Provided)

Councilmember O'Leary remarked that the idea for the Resolution was brought forward by the Clerk and that he supports it. He summarized the thrust of the Resolution, which is to reaffirm Lakewood's ideals and values in light of disconcerting events over the course of the past several months with respect to government and public life. He remarked that he feels there is an opportunity to provide meaningful reassurance to residents about what the City stands for and to make sure that folks from all walks of life feel welcome. He noted Lakewood's proud tradition of welcoming and integrating diverse groups into Lakewood's vibrant fabric. He believes that now is an appropriate time to reaffirm a commitment to this.

Councilmember Marx commended Clerk Hagan for initiating this Resolution. She remarked on Council's shared commitment to ensuring that Lakewood is a safe place for all residents. She noted the importance that all people feel welcome and protected in Lakewood. She referenced the Human Right Ordinance that was passed in 2016 and expressed strong support for that and the Resolution.

Councilmember Bullock delivered prepared remarks on the Resolution:

Our nation has recently conducted an election whose impacts will be wide-ranging and long in effect, and which we are only beginning to understand. Beyond the sharp and serious policy differences we have with President-elect Trump, we strongly dissent from the values and tone of his campaign and his legitimization of aggression, scapegoating, misogyny, discrimination, and bigotry.

This is no small matter. What we have lived through isn't 'just politics.' His conduct has been a malpractice of leadership and nothing less than a sabotage of our civil society that has, for more than two centuries, upheld American democracy and made possible decency among neighbors. It is our duty not to sit mutely and, by our silence, give tacit assent, but to stand up to stand up directly and explicitly say what kind of society and what kind democracy we are for."

Mr. Trump's conduct, and the values with which he conducted his campaign, do not represent Lakewood. We will have no part. We submit to you, instead, the attached resolution which clearly names the values that do represent Lakewood and describes the community we will create, cultivate, and protect in the years ahead. Please join us in supporting this resolution and in continuing the work of creating a more just society and a more perfect union.

Councilmember Litten expressed his support for the Resolution.

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

Motion adopted. All members voting yea.

14.RESOLUTION NO. 8914-17- A RESOLUTION reaffirming the City of Lakewood’s commitment to hope, equality, tolerance, inclusion, and optimism and affirming that Lakewood will continue its exciting growth and dynamism on a foundation of these. (Pg. 54)

Mayor Summers thanked Council for its leadership on the Resolution and expressed his support for it.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8914-17.

Motion adopted. All members voting yea.

15.Communication from Mayor Summers regarding appointments for Foundation Planning Task Force. (Pg. 56)

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

Motion adopted. All members voting yea.

16.Liquor Permit Notice for D1, D3, D3A and D6 tranfers to 12900 Lake Road Unit 2 from 13368 Tavern, at 13376-80 Madison Avenue. (Pg.57)

The Administration clarified that the liquor permit is for a deli in the basement of the Carlyle

Motion by Mr. O’Leary, seconded by Mr. Anderson, to defer.

Motion adopted. All members voting yea.

******PUBLIC COMMENT******

Laura Rodriguez-Carbone – 2069 McKinley Ave.

Ms. Rodriguez-Carbone thanked Council for appointing her to the Community Health Foundation Planning Task Force. She expressed her commitment to this project. She discussed her background, career, education, and guiding principles and asked to be considered to serve on the CAC.

*****ANNOUNCEMENTS*****

Councilmember Anderson announced the first meeting of the Community Health Foundation Planning Task Force on January 18th

Councilmember Marx announced the Lakewood Community Relations Advisory Commission potluck event on January 19th.

Councilmember O’Leary announced that Committee of the Whole will make outstanding appointments and hear from Law and Planning & Development at upcoming meetings.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adjourn the meeting.
Motion adopted. All members voting yea.

Meeting adjourned at 8:00 PM.

Approved: _____

CLERK

PRESIDENT