

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
JANUARY 6, 2020  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:30 PM by Presiding Officer Bullock.

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Present: Thomas R. Bullock III, John Litten, Tess Neff, Daniel O'Malley, Tristan Rader, Jason Shachner

Also Present: Mayor George, Acting Law Director Corrigan, Planning and Development Director Sylvester, Human Resources Director Yousefi, Acting Finance Director Schuster, Police Chief Malley, Fire Chief Dunphy, Acting Public Works Director Roman Ducu, Human Services Director Gelsomino, and many members of the public.

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Reading and disposal of the minutes of the Regular Meeting of Council held December 16, 2019.

Motion by Mr. Bullock, seconded by Mr. Litten, to approve without the necessity of a reading. All members voted in favor. Motion passed.

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Without objection, Presiding Officer Bullock moved agenda items #13 – 17 to the top of the agenda.

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

1. **RESOLUTION 2019-07** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing \_\_\_\_\_ as the ex-officio, non-voting councilmember to the Lakewood Animal Safety and Welfare Advisory Board, for a two year term beginning January 1, 2020 and ending December 31, 2021. (*Referred to COW 11/4/19*) (pg. 001)

President O'Malley made a motion, seconded by Vice President Litten, to defer. All members in favor. Motion passed.

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2. **ORDINANCE 48-19** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, to approve the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matter. (*placed on 1<sup>st</sup> reading 12/16/19*) (pg. 002)

President O'Malley made a motion, seconded by Vice President Litten, to defer. All members in favor. Motion passed.

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President O'Malley made a motion to suspend the rules to allow items 3 through 12 to be read consecutively, which was seconded by Vice President Litten.

A roll call vote was taken as follows:

Yeas: Bullock, Litten, Neff, O'Malley, Rader, Shachner

Nays: none

Motion passed. Items 3 through 12 were then read into the record consecutively.

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3. **ORDINANCE 49-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$22,705,000 in anticipation of the issuance of bonds to pay costs of (i) designing, permitting, engineering and constructing sewer improvements, together with all necessary appurtenances thereto, (ii) designing, engineering, permitting and constructing improvements to the city's existing digester mixers, heat exchangers and tanks, together with all necessary appurtenances thereto, (iii) designing, engineering and constructing water improvements, together with all necessary appurtenances thereto, (iv) improving Lake Avenue and other streets located within the city, between certain termini, by resurfacing and replacing concrete, together with all necessary appurtenances thereto, (v) replacing or improving the roof of the public works garage and other public buildings, together with all necessary appurtenances thereto, (vi) improving parking lots within the city by resurfacing and replacing concrete, together with all necessary appurtenances thereto, (vii) replace equipment and backstop for police firing range, and retiring notes previously issued for such purpose; approving related matters and (vi) designing, engineering and constructing water improvements thereto, together with all necessary appurtenances thereto, (viii) improving Riverside Drive and other streets located within the city, between certain termini, by resurfacing and replacing concrete, together with all necessary appurtenances thereto, (ix) improving parks within the city, including

Lakewood Park, Edwards Park and Wagar Park, together with all necessary appurtenances thereto and (x) improving sidewalks within the city; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 004)

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4. **ORDINANCE 50-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$1,500,000 in anticipation of the issuance of bonds; to pay costs of improving Lakewood Heights Boulevard, Riverside Drive, Bonnieview Avenue, Cannon Avenue, Mars Avenue, Victoria Avenue, St. Charles avenue and other streets located within the city, between certain termini, by resurfacing and replacing concrete, together with all necessary appurtenances thereto; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 013)

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5. **ORDINANCE 51-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$1,300,000 in anticipation of the issuance of bonds; to pay costs of designing, engineering, permitting and constructing a new outfall, stone revetment and rehabilitating the existing sewers, together with all necessary appurtenances thereto; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 022)

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6. **ORDINANCE 52-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$760,000 in anticipation of the issuance of bonds; to pay costs of designing, engineering, and constructing water improvements, together with all necessary appurtenances thereto; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 030)

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7. **ORDINANCE 53-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$650,000 in anticipation of the issuance of bonds; to pay costs of improving sidewalks within the city; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 038)

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8. **ORDINANCE 54-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$610,000 in anticipation of the issuance of bonds; to pay costs of improving and reconstructing the city's recycling facility; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 046)

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9. **ORDINANCE 55-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$250,000 in anticipation of the issuance of bonds; to pay costs of replacing or improving the roof of City Hall and other public buildings, together with all necessary appurtenances thereto; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 054)

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10. **ORDINANCE 56-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$250,000 in anticipation of the issuance of bonds; to pay costs of improving the city's jail; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 062)

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11. **ORDINANCE 57-19** - Authorizing the issuance of special obligation income tax revenue notes in the amount of not to exceed \$190,000 in anticipation of the issuance of bonds; to pay costs of designing, engineering, and constructing sewer improvements, together with all necessary appurtenances thereto; providing for the pledge of revenues from the city's 1.50% income tax to secure the payment of the principal of and interest on the notes in anticipation of bonds; and approving related matters; and declaring an emergency. (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 070)

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12. **ORDINANCE 58-19** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, authorizing the Director of Finance to enter into Equipment Leases in forms approved by the Director of Law on behalf of the City of Lakewood ("City"). (*1<sup>st</sup> read & referred to Finance 12/16/19*) (pg. 078)

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President O'Malley made a motion, seconded by Vice President Litten, to defer items 3 through 12.

President O'Malley indicated that items 3 through 12 were related to the city's bond and debt ordinances and that they would be discussed at an upcoming Finance committee meeting next week. Acting Director Schuster indicated that the city's bond counsel and advisor would be available for the meeting.

All member voted in favor of the motion to defer. Motion passed.

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

13. Elections for President & Vice President of Council.

Presiding Officer Bullock solicited a motion to nominate a councilmember for the position of Council President.

Councilmember Litten made a motion to name Ward 4 Councilmember Daniel O'Malley as Council President, which was seconded by Mr. Bullock. All members voted in favor. Motion passed.

President O'Malley thanked Council for its support and stated that he looks forward to working together with his fellow councilmembers and the administration.

President O'Malley solicited nominations for Council Vice President. He then made a motion to nominate Ward 3 Councilmember John Litten for the position, which was seconded by Councilmember Rader. All members voted in favor. Motion passed.

President O'Malley made a motion, seconded by Councilmember Bullock, to receive and file the results of the elections. All members voted in favor. Motion passed.

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14. Communication from Mayor George regarding appointment of Law Director. (pg. 082)

President O'Malley made a motion, seconded by Vice President Litten, to receive and file the communication. All members voted in favor. Motion passed.

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15. **RESOLUTION 2020-01** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the

appointment of Brian Corrigan to the position of Director of Law upon his or her taking the oath of office. (pg. 083)

President O'Malley indicated that in one-on-one conversations, some councilmembers expressed to him a desire that Resolution 2020-01 be referred to Committee of the Whole to get to know the appointee better. He opened up discussion on the matter.

After no discussion took place, Vice President Litten made a motion to refer Resolution 2020-01 to Committee of the Whole, which was seconded by President O'Malley.

*Discussion: Mayor George requested that Council move forward with the appointment of the Law Director that evening. President O'Malley questioned whether there would be any harmful aspects of the appointment not taking place that evening (i.e. Mr. Corrigan not being able to serve in an Acting Director capacity, pay being withheld, etc.). Acting Director Corrigan stated his legal opinion that he would be able to maintain his duties while being in an Acting Director role and would be willing to come to any committee hearing to provide any information needed. Councilmember Rader asked what was to be gained through a Committee of the Whole meeting. President O'Malley stated that he has no concerns about the nominee, however he has not had the opportunity to get to know Acting Director Corrigan, which he would value as the Director serves as Council's attorney as well. Councilmember Rader indicated that he believes that conversation would be worthwhile.*

All members voted in favor of the motion. Motion passed.

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16. Communication from Mayor George regarding appointment of Public Works Director. (pg. 084)

President O'Malley made a motion, seconded by Vice President Litten, to receive and file the communication. All members voted in favor. Motion passed.

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**17. RESOLUTION 2020-02** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the appointment of Roman Ducu to the position of Director of Public Works upon his or her taking the oath of office. (pg. 085)

President O'Malley made a motion, seconded by Vice President Litten, to refer Resolution 2020-02 to Committee of the Whole. All members voted in favor. Motion passed.

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18. Communication from Planning Director Sylvester regarding project update for the City's Intergenerational Community Center. (pg. 086)

President O'Malley made a motion, seconded by Vice President Litten, to receive and file the communication. All members voted in favor. Motion passed.

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19. Communication from Planning Director Sylvester regarding recommended purchase agreement for the Trinity Church site, adaptive reuse development project. (pg. 088)

Frank Scalish, President of Scalish Construction, spoke briefly about his firm's excitement and plans to occupy and rehabilitate the Trinity Church site with green construction, which will incorporate a wellness platform that focuses on human health as a point of building configuration.

President O'Malley made a motion, seconded by Vice President Litten, to receive and file the communication.

*Discussion: Councilmember Bullock thanked Mr. Scalish for his creative reuse of the structure. He noted that the city was able to purchase the church initially through use of Land Acquisition Fund dollars. Councilmember Shachner applauded Mr. Scalish for investing in the community in which he lives and works.*

All members voted in favor. Motion passed.

20. **RESOLUTION 2020-03** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor and Director of Law to enter into a purchase agreement with Scalish Construction LLC, an Ohio limited liability company, for purchase and sale of the property located at 16300-16400 Detroit Avenue, Lakewood, Ohio (PPN 311-30-028, -029 and -030), and to execute all documents necessary to effectuate the purchase and sale according to the terms of that agreement, pursuant to Section 155.07 of the Codified Ordinances. (pg. 089)

President O'Malley made a motion, seconded by Vice President Litten, to refer Resolution 2020-03 to Committee of the Whole.

21. Communication from Chief Assistant Law Director Swallow regarding 2020-22 collective bargaining agreements, correction officers. (pg. 122)

President O'Malley made a motion, seconded by Vice President Litten, to receive and file the communication.

*Discussion: Acting Director Corrigan requested that Council move to amend to include Exhibit A in the ordinance, which was provided on 1/06/2020. Councilmember Bullock*

*requested an overview of the agreement. President O'Malley noted that he did not notice any significant disparities between corrections officers contract and the agreements ratified with the firefighters and paramedics unions. Director Yousefi confirmed that the city followed the same pattern as it has with other bargaining units. Wages increases are 3%, 2.25%, and 2.5% over the next three years. The corrections officers bargaining unit, consisting of 2 members, have ratified the agreement.*

All members voted in favor of receiving and filing the communication. Motion passed.

**22. RESOLUTION 2020-04** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, ratifying and authorizing the Mayor of the City of Lakewood, Ohio, to enter into an Agreement with the Ohio Patrolmen's Benevolent Association (representing our Corrections Officers) of for a three-year period commencing January 1, 2020 and ending December 31, 2022. (pg. 123)

President O'Malley made a motion, seconded by Vice President Litten, to amend Resolution 2020-04 by including Exhibit A, the actual red-line agreement.

A roll call vote was taken as follows:

Yeas: Bullock, Litten, Neff, O'Malley, Rader, Shachner

Nays: none

Motion passed. Resolution 2020-04 was amended to include Exhibit A.

President O'Malley made a motion, seconded by Vice President Litten, to adopt Resolution 2020-04 as amended.

A roll call vote was taken as follows:

Yeas: Bullock, Litten, Neff, O'Malley, Rader, Shachner

Nays: none

Motion passed. Resolution 2020-04 adopted as amended.

**\*\*\*\*\*ANNOUNCEMENTS\*\*\*\*\***

Director Gelsomino made Council aware that H2O is bringing back the Home Alone Program to Lakewood. This program talks to 9-12 year old children about safety and involves parents and peer mentorship. The program was award winning many years ago, but it has been difficult to staff recently due to the extensive training it requires. The first day is January 15<sup>th</sup> at Garfield Elemntary.

Councilmember Rader congratulated the new administration and personally thanked Acting Director Schuster for taking on the role of Acting Director in a crucial time for the city.

Councilmember Bullock requested a timeline for the remainder of bargaining unit negotiations. Mayor George there are 5 outstanding units and Director Yousefi indicated that the city would be meeting with both AFSCME unions this week along with the police patrolmen's union. There will be meetings with the police supervisors and the dispatchers unions the following week. Director Yousefi anticipates that the city may have another ratified contract on the docket for the next Council meeting.

President O'Malley thanked members' families and friends for coming out to view the swearing-in ceremony.

President O'Malley made a motion, seconded by Vice President Litten, to adjourn. All members voted in favor. Motion passed.

The meeting was adjourned at 8:41 p.m.

Approved: 1/21/2020

Maura M. Buel  
CLERK

Daniel J. Malley  
PRESIDENT