

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
FEBRUARY 21, 2017  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:38 PM by Council President O’Leary.

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

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Also Present: Law Director Butler, Finance Director Pae Acting Police Hassing, Fire Chief Gilman, Health & Human Services Director Gelsomino, Planning & Development Director Sylvester, Human Resources Director Yousefi, approximately 25 members of the public, members of the media.

Reading & disposal of the minutes of the Regular Meeting of Council held February 6, 2017.

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

Motion adopted. All members voting yea.

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

1. Committee of the Whole Report regarding February 21, 2017 Committee meeting. Mr. O’Leary; Chair. (To Be provided)

Committee of the Whole met briefly before tonight’s meeting. Discussed were two items, the first was a proposed name change of the Housing Committee to the Housing and Development Committee. Council had a discussion on that topic and

identified three different options as to how to proceed there. One would be to leave the existing committee structure as it is. Another would be to change the name of Housing to Housing and Development. And a third would be to create a standing Development Committee. With those three options before us I asked Council to put some thought into which of those three options they would most prefer and we will revisit that topic with the note that the standing committee names are set by ordinance so to make two of those described changes we would have to make a legislative change. So that was the proposed name change of the Housing Committee issue.

Next we had an update on the downtown Lakewood Request for Qualification which is in regard to the redevelopment of the former hospital site. We heard from Director Sylvester as well as your truly on that topic. We had a great event last week on February 15<sup>th</sup> to open our public engagement on this topic and to get people thinking about what they'd like to see in downtown going forward, which is an exciting topic to be sure. We look forward to continue to engage the public on that and also to work through the process with the developers. Move that the oral report be received and filed.

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

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2. Finance Committee Report regarding Resolutions 8921-17 & 8922-17, Ordinance 1-17; Ordinances 3-17 through 12-17. Mr. Bullock, Chair. (Report to be Provided)

The Finance Committee met a week and a day ago and deliberated upon all of those ordinances. They fall into two major categories 1) salaries and collective bargaining agreements, and 2) financing of our capital projects this year and the refinancing of capital projects from last year. And I'll take those in order.

For the collective bargaining agreements Finance Committee considered the first two of our seven bargaining unit three-year contracts. These two had been negotiated and voted on unanimously to be supported by the members of the paramedics and firefighters unions. All of the collective bargaining agreements and contracts run on the same three year cycle. So they are all up for negotiation and renewal. These are the first two.

The total salary and benefits package are in line with the operating expenditure levels that Council adopted in our 2017 budget. In sum, these two collective

bargaining agreements these two collective bargaining agreement maintain positions and headcounts at a steady rate. It would increase salary and wages 3% the first year, 2% the second year, and 2% in the third year. We are not the top of the market on the west side but we're not the bottom of the market, we are right in the range that other cities are considering as the economy modestly recovers. It includes some increases for firefighter reimbursements for training and certifications. A major feature of the proposed contract that is pending Council's approval is that it establishes a health care committee to meet in the first two years of the contract for mutual deliberations between the administration and the employees with expert help from medical insurance and physicians to begin to figure out how to really improve health outcomes and reduce costs for the mutual benefit of everybody involved – for health, quality of life, and cost to the City.

In the third year it is then called for under this proposed contract that health benefits could be revisited and new terms could be set for year three. So after this full deliberation, Council's Finance Committee recommended both of these collective bargaining agreements for adoption by full Council on the third reading. Tonight is the second reading.

Second we heard Ord 1-17 which is the salary ordinance that covers non-collective bargaining agreement employees; In other words, at-will employees and other professionals in the management side. This ordinance would make a number of positional adjustments to update our current practice. Some positions are defined in the Code. Sometimes those fall out of use and this would make some adjustments to clear away some of the old and define some of the new. In addition it would provide salary increases in line with the firefighter and paramedic contracts – 3%, 2% and 2%. Finance Committee also recommended that ordinance for adoption upon third reading.

Ordinances 3-17 through 12-17 is a group of legislative items that in some regard is ministerial in nature. It is legislation to carry out capital projects that we already committed to last December in our budget. Those are listed in our budget which is currently on our website. There is substance though in the manner in which the city pursues financial terms – how we approach getting the portion of the capital costs financed out in the bond market. To that effect we heard from Bricker and Eckler bond counsel and our Keybank capital markets expert. That dynamic duo has been the City's financial agents for several years now and they described our recommended financial strategy this year which would be to do two things. First, in Ordinance 3-17 to take the remaining balance from last year's projects in the amount of \$10.5 million and re-roll those notes for an additional year and not at

this point go to bond. Number two is to engage in \$11.6 million in new capital projects that cover everything from water, sewer, roads, improvements to the wastewater treatment plant, park improvements, sidewalk improvements, and roof and facility improvements for City buildings. The total of all of that is \$11.6 million. In both cases the City is proposing to go to one year notes - short term debt and at a future point in time, maybe next year or the year after that, go to longer term debt where we can lock in a predictable interest rate.

All of this detail is important because its attention to keeping the City's costs low and stretching our dollars so that we can get more projects done for the tax payer without increasing taxes. We have held the line on taxes since I've been here and even before that. It's a job well done by the financial leadership in the administration and Council has been happy to partner with that prudent approach. The Finance Committee recommended upon third reading the adoption of ordinances 3-17 through 12-17. Move to receive and file that oral report.

Motion by Mr. Bullock, seconded by Mr. O'Leary, to receive and file the oral report.

Motion adopted. All members voting yea.

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3. **RESOLUTION NO. 8921-17** – 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 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 Lakewood Paramedic Association for a three-year period commencing January 1, 2017 an ending December 31, 2019. (referred TO Finance Committee 2/6/17) (Pg. 9)

Director Butler noted that this item is a Resolution not requiring three readings and asked for adoption tonight due to requirements in the agreement about the timeline for execution.

Councilmember Anderson emphasized that the collective bargaining agreements fall in line with 2017 budget and the projections within it. He expressed appreciation to the administration and the bargaining units for working together on the agreements.

Councilmember O’Leary remarked that Lakewood has been fortunate to have had positive labor relations for many years. He expressed appreciation for the hard work of all the union employee and his support for the agreements.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8921-17.  
Motion adopted. All members voting yea.

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4. **RESOLUTION NO. 8922-17** - 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 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 Lakewood Association of Firefighters, IAFF Local 382, for a three-year period commencing January 1, 2017 and ending December 31, 2019. (REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 32)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8922-17.  
Motion adopted. All members voting yea.

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5. **ORDINANCE NO. 1-17** – AN ORDINANCE to take effect on January 1, 2017, provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to provide for creating positions and rates of pay for full-time and certain part-time annual salaried employees and hourly rate employees not covered by a collective bargaining agreement in the several departments, division and offices of the City of Lakewood, including the Chief of Fire, Chief of Police and Civil Service Commissioners. (1<sup>ST</sup> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg.55)

Councilmember O’Malley noted that the rate of pay for some positions in the ordinance is set lower than the rate set by the City’s fair employment wage law. He stated his belief that the City should be compliant with the fair employment wage ordinance.

Councilmember O’Leary noted that additional information from the administration will be forthcoming.

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

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**6. ORDINANCE 3-17 - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$10,584,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF (I) IMPROVING MADISON AVENUE BY PROVIDING NEW TRAFFIC SIGNALIZATION; (II) IMPROVING AND RENOVATING THE REFUSE FACILITY; (III) REPLACING THE ROOF ON CITY HALL; (IV) RESURFACING ATKINS AVENUE, ARLINGTON ROAD, ARTHUR AVENUE, BLOSSOM PARK AVENUE, BROCKLEY AVENUE, CLIFTON BOULEVARD, CRANFORD STREET, COVE AVENUE, DONALD STREET, HIRD AVENUE, LAKELAND ROAD, LAKELAND AVENUE, LARCHMONT AVENUE, LAUDERDALE AVENUE, LEWIS DRIVE, MADISON AVENUE, MCKINLEY AVENUE, MARLOWE AVENUE, MORRISON AVENUE, NICHOLSON STREET, NORTH MARGINAL STREET, NORTHLAND AVENUE, OLIVE AVENUE, OVERLOOK ROAD, SOUTH MARGINAL STREET, ST. CHARLES AVENUE, SUMMIT AVENUE, WASCANA AVENUE, WATERBURY ROAD, WOODWARD AVENUE, WOODWARD STREET, WYANDOTTE AVENUE, AND OTHER STREETS LOCATED WITHIN THE CITY; (V) IMPROVING DETROIT AVENUE, FRANKLIN STREET, HILLIARD STREET AND MADISON AVENUE BY PROVIDING NEW AND UPGRADED TRAFFIC SIGNALIZATION AND PEDESTRIAN SIGNALS; (VI) IMPROVING THE MUNICIPAL GARAGE VENTILATION SYSTEM; (VII) IMPROVING PARKS WITHIN THE CITY, INCLUDING LAKEWOOD PARK, WAGAR PARK AND THE LAKEWOOD PARK SKATE HOUSE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (VIII) RECONSTRUCTING MADISON AVENUE; (IX) CONSTRUCTING A SHEET PILE BULKHEAD, DOCKS AND A PARKING AREA, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (X) IMPROVING SIDEWALKS WITHIN THE CITY, (XI) REPLACING A SALT STORAGE FACILITY AND (XII) IMPROVING THE SEWER SYSTEM IN THE CITY BY CONSTRUCTING THE WEST END SEWER SEPARATION PROJECT AND A NEW SANITARY SEWER AND IMPROVEMENTS AND RENOVATIONS TO THE EXISTING SANITARY SEWERS AND STORM WATER SEWERS ALONG EDGEWATER DRIVE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; APPROVING RELATED MATTERS; 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (PG. 61)

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

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*\*{Motion by Mr. O’Leary, seconded by Mr. Anderson, to read items 7-15 for collective motion.*

*Yeas: Anderson, Bullock, Litten, Marx, Nowlin, O’Leary, O’Malley  
Motion adopted.*

*Items 7-15 read consecutively with blanket motion made after item 15}*

**7. ORDINANCE NO. 4-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,250,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS; TO PAY COSTS OF DESIGNING, ENGINEERING, PERMITTING AND CONSTRUCTING IMPROVEMENTS TO THE CITY’S EXISTING DIGESTER MIXERS, HEAT EXCHANGERS AND TANKS, 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 71)

\*Blanket motion to defer made after item 15

**8. ORDINANCE 5-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$2,270,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS; TO PAY COSTS OF DESIGNING, PERMITTING, 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) Pg. 80)

\*Blanket motion to defer made after item 15

9. **ORDINANCE NO. 6-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$745,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS; TO PAY COSTS OF DESIGNING, ENGINEERING AND CONSTRUCTING DRAINAGE 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg.89)

\*Blanket motion to defer made after item 15

10. **ORDINANCE NO. 7-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$2,745,000 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 98)

\*Blanket motion to defer made after item 15

11. **ORDINANCE NO. 8-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,800,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS; TO PAY COSTS OF IMPROVING LAKE AVENUE AND MAPLE CLIFF DRIVE 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 107)

\*Blanket motion to defer made after item 15

**12. ORDINANCE NO. 9-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$800,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS; TO PAY COSTS OF IMPROVING PARKS WITHIN THE CITY, INCLUDING KIDS COVE PLAYGROUND AND KAUFMANN PARK, TOGETHER WITH ALL NECESSARY APPURTENANCE 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 116)

\*Blanket motion to defer made after item 15

**13. ORDINANCE NO. 10-17** - 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 125).

\*Blanket motion to defer made after item 15

**14. ORDINANCE NO. 11-17-** AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$300,000 IN ANTICIPATION OF THE

ISSUANCE OF BONDS; TO PAY COSTS OF REPLACING OR IMPROVING THE ROOF OF THE PUBLIC WORKS GARAGE 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 134)

\*Blanket motion to defer made after item 15

**15. ORDINANCE NO. 12-17** - AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION INCOME TAX REVENUE NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,100,000 TO PAY COSTS OF DESIGNING, ENGINEERING, AND CONSTRUCTING IMPROVEMENTS AND INSTALLING A RETAINING WALL ON THE NORTHERLY PROPERTY LINE OF THE WINTON CLIFF TO STABILIZE THE EXPOSED SHALE BLUFF; 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> READING & REFERRED TO FINANCE COMMITTEE 2/6/17) (Pg. 143)

\*Motion by Mr. Bullock, seconded by Mr. O'Leary, to defer items 7-15.  
Motion adopted. All members voting yea.

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16. Public Works Committee Report regarding Resolution 8920-17. Mr. Nowlin; Chair. (Pg. 152)

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

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**17. RESOLUTION NO. 8920-17** - 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 after the earliest period allowed by law, approving the use of submerged lands for

property located at and abutting the Northern Terminus of Webb Road, Lakewood, Ohio (a legal description of which is attached hereto as Exhibit “A”, in order to permit the owners the opportunity to undertake lakeshore protection measures. (read & REFERRED TO PUBLIC WORKS COMMITTEE 2/6/17) (Pg. 153)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8920-17 as amended.

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

Nays None

Motion adopted. Resolution 8920-17 adopted as amended.

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18. Public Safety Committee Report regarding February 13, 2017 Public Safety Committee Meeting. Mr. O’Malley; Chair (Pg. 158)

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

Motion adopted. All members voting yea.

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**19. RESOLUTION NO. 8916-17** – 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, to extend a moratorium on the granting of building permits or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana for a period not to exceed six months from the effective date of this resolution, in order to allow Council and the Lakewood Planning Commission to review applicable Ohio statutes, criminal codes and the Lakewood Zoning Code relative to such use. (Referred to the Public Safety Committee 1/17/17) (Pg. 160)

Councilmember O’Malley stated that the Public Safety Committee will reconvene to further discuss this ordinance and make a recommendation.

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

Motion adopted. All members voting yea.

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**20. ORDINANCE NO. 13-17** – AN ORDINANCE AMENDING Section 109.04, Minutes Open to Public, of the Codified Ordinances of the City of Lakewood. (READ & REFERRED TO THE RULES & ORDINANCES COMMITTEE 2/6/17) (Pg. 163)

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

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

21.Communication from Councilmember Marx regarding Lakewood Animal Safety and Welfare Advisory Board Educational Materials. (Pg. 165)

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

Motion adopted. All members voting yea.

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22.Communication from Councilmember Anderson regarding Proposed Ordinance regarding Owner Occupied Two-Family Homes. (Pg.170)

Councilmember Anderson made a correction to his written report. The correct number of triples is 230, not 600 as written.

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

Motion adopted. All members voting yea.

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23.**ORDINANCE NO. 14-17** – AN ORDINANCE amending Section 1306.43, Housing and Vacant Property License, and Section 1306.44, License Application Form and Fee, of the Codified Ordinances of the City of Lakewood. (Pg. 172)

Councilmember Litten asked if in the past the City had any incentives to encourage landlords to be owner-occupants of their rental properties.

Director Sylvester mentioned the doubles to singles conversion program as one possible example.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Ordinance 14-17 to the Housing Committee.

Motion adopted. All members voting yea.

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24.Communication from Mayor Summers regarding Mayoral appointment to the Lakewood Citizens Advisory Committee. (Pg. 178)

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

Motion adopted. All members voting yea.

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25. Communication from Law Director Butler regarding 2016 fourth quarter codification ordinances. (Pg. 179)

Councilmember O’Leary remarked on the ministerial nature of the ordinance and stated that it would not be referred to Committee unless any member feels it is necessary.

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

Motion adopted. All members voting yea.

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**26. ORDINANCE NO. 15-17** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, to approve the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matter. (Pg. 180)

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

Motion adopted. All members voting yea.

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27. Communication from Finance Director Pae regarding 2017 1<sup>st</sup> Quarter Transfers and Advances. (Pg. 182)

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

Motion adopted. All members voting yea.

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**28. ORDINANCE NO. 16-17** – 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 at the earliest period allowed by law, authorizing the transfer and advance of certain funds. (Pg. 183)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Ordinance 16-17 to the finance Committee.

Motion adopted. All members voting yea.

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29. Communication from Planning & Development Director Sylvester regarding Planned Development Zoning Chapter 1156. (Pg. 185)

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

Motion adopted. All members voting yea.

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30. **ORDINANCE NO. 17-17** – AN ORDINANCE to expand Chapter 1159, Planned Development, of the Zoning Code to permit planned developments in any zoning district and allowed any use so long as that use is sensitive to the former permitted use and adjacent. (Pg. 186 )

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Ordinance 17-17 to the Committee of the Whole

Motion adopted. All members voting yea.

\*\*\*\*PUBLIC COMMENT\*\*\*\*

Linette Eady – 12506 Edgewater, Lake Shore Towers

Ms. Eady updated Council on the buildings two year struggle with their management company about bed bugs. She summarized the trials and tribulations that she and residents had gone through, including rent hikes and fees to cover the cost of bed bug treatments. Legal Aide took up the residents’ case and they recently achieved a settlement. She could not extensively comment on the settlement but noted that residents are no longer required to pay for bed bug treatments and anyone with a current balance will have the balance zeroed out. She gave special thanks to Councilman O’Malley and Director Gelsomino for their help and presented them with awards.

Councilmember O’Leary remarked that he is happy to hear about this great outcome.

Councilmember Marx thanked Ms. Eady for speaking up and bringing her concerns to Council and noted Councilmember O’Malley’s work as an exemplary councilmember.

Leslie Bass – 12506 Edgewater, Lake Shore Towers

Ms. Bass thanked Council for its attention to the issues at Lakeshore Towers. She noted that the experience illuminated a disconnect between citizens and the political process. She offered her ideas for how this could be rectified.

Councilmember O'Malley thanked Ms. Eady and Ms. Bass for the award and recognition. He stated that what he did was part of his job but that what the LST residents did to organize and speak up was extraordinary. He remarked that it is uncommon for a group of low-income residents to stand up and fight back against an injustice and to be successful. He stated that the case highlights what is possible when people have access to the justice system. He commended Legal Aide for taking on the case for free and bringing it to court. He congratulated residents on their success.

Councilmember Litten expressed support for Ms. Bass's ideas to educate adults about the government process.

Paul Csia – 2107 Concord Dr.

Mr. Csia commented on a recent resolution passed by Council expressing support for diversity and immigrants in response to policies of President Trump. He voiced skepticism about the value of the ordinance and questioned the need for it. He spoke about his experiences as an immigrant coming to the U.S.

Councilmember O'Leary explained why he feels the Resolution is important in addition to direct neighbor to neighbor outreach. He noted that immigrants have reached out to councilmembers thanking them for the resolution, saying that it reassures them.

Councilmember Litten shared gratitude expressed to him by Cleveland Police officers who felt that Lakewood first responders acted quickly to rescue fall Cleveland officer Fahey.

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

Councilmember Bullock invited Director Pae to review and discuss the following financial documents:

- 2016 City of Lakewood Financial Overview
- City of Lakewood Financial Overview History 2007-2016
- City of Lakewood Reserves 2007-2016

Motion by Mr. O'Leary, seconded by Mr. Anderson to adjourn.

Motion adopted. All members present voting yea.

Meeting adjourned 8: 50 PM.

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

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CLERK

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PRESIDENT