

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
MARCH 6, 2017
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:33 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 .

Also Present: Mayor Summers, 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 21, 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 March 6, 2017 Committee meeting. Mr. O’Leary; Chair. (To Be provided)

Committee of the Whole met this evening immediately prior to the Council meeting. On our agenda was proposed ordinance 17-17. We had a presentation from Director Sylvester regarding that ordinance which is an amendment to the planned development provisions of the Zoning Chapter of the Code. Specifically, it

makes several changes to that chapter to facilitate the use of planned developments in the future and to ensure a better process for the City in implementing those planned developments. After that presentation we had an opportunity for discussion and questions. Committee of the Whole recommended adoption on third reading

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

Motion adopted. All members voting yea.

2. **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 uses. (Read & REFERRED TO COMMITTEE OF THE WHOLE 2/21/17) (Pg. 9)

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

Motion adopted. All members voting yea.

3. Finance Committee Report regarding Resolutions Ordinance 1-17; Ordinances 3-17 through 12-17 & ordinance 16-17. Mr. Bullock, Chair. (Report to be Provided)

Discussion: Councilmember Bullock reminded Council that that formal Finance Committee report was delivered at the last Council meeting. He reviewed the main points from that report. The Finance Committee met on all of the following legislation and moved to recommend adoption upon third reading. He briefly summarized the nature of the legislation. He noted that Ordinance 3-17 needs to be substituted to reflect an accurate list of projects. He also noted that in regards to Ordinance 1-17 Council received a correspondence from Mayor Summers addressing considerations raised by Councilmember O’Malley.

It was clarified that Ordinance 3-17 is a substitute version that was emailed to Council.

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

Motion adopted. All members voting yea.

4. **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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2nd 2/21/17) (Pg. 32)

Councilmember O'Malley expressed concern that a number of positions outlined in the ordinance earn a rate that is lower than the City's Fair Employment Wage which is set annually by the Fair Employment Wage Board. He mentioned an email from the Mayor which specifies that 34 employees make less than the \$12.99 Fair Employment Wage. He pointed out that private employers that do business with the City must abide by the Fair Employment Wage and he questioned why the City is not holding itself to this same standard.

Mayor Summers replied that all employees earning below the Fair Employment Wage are part-time. He stated that he would consider raising the pay these employees. He stated would like to re-evaluate the crossing guard position in a comprehensive manner that takes into consideration all aspects of the position, including pay. He noted that a few of the 34 employees who earn less than the Fair Employment Wage have their wages paid for by a federal grant and they would have to investigate if the grant dictates anything about pay rates. He expressed that improvements can be made to comply with the Fair Employment Wage. Parks security guard is the only other position earning less than the Fair Employment Wage.

Director Pae clarified that if Council did not pass the ordinance that employees covered in it would not receive the 3% cost of living increase.

Councilmember O'Malley emphasized that \$12.99 is the minimum Fair Employment Wage and employees ought not to have to do anything above and beyond to earn it. He asked to know more about the federal grant covering the kitchen aide position. He questioned why wages can't simply be raised since it is a relatively small gap.

Councilmember Bullock discussed the history of the discussions between the administration and council regarding the crossing guard position. He remarked that everyone is in agreement on the problem and the goal we're trying to reach but need to work on the strategy to get there. He remarked that he expects the administration to re-introduce this legislation in the next several months. He expressed support for the ordinance due to the 3% increase it delivers to all employees.

Councilmember O'Leary added that he agrees that the City should follow the Fair Employment Wage but that he will support the ordinance in order to provide the 3% increase. He stressed the importance of doing what is possible to raise wages and hold the City to the same standards that it holds other businesses.

Councilmember Marx expressed her opinion that employees earning less than the Fair Employment Wage should receive their 3% increase on the Fair Employment Wage.

O'Malley remarked that he will support the ordinance as long as the administration is committed to raising the wages of all employees to the Fair Employment Wage (if it is possible for the kitchen aides). He questioned what the City is doing to ensure compliance with the Fair Employment Wage and asked that compliance be strengthened.

Councilmember O'Leary made concluding remarks and stated that Council believes a Fair Employment Wage is important and that all Lakewood employees should earn it.

Motion by Mr. O'Leary, seconded by Mr. O'Malley, to adopt Ordinance 1-17.
Motion adopted. All members voting yea.

5. 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) DESIGNING, ENGINEERING AND CONSTRUCTING SEWER IMPROVEMENTS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (II) DESIGNING, ENGINEERING AND CONSTRUCTING WATER IMPROVEMENTS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (III) IMPROVING ANDREWS AVENUE, ATHENS AVENUE,

CHESTERLAND AVENUE, CONCORD DRIVE, DELAWARE AVENUE, ERIE CLIFF DRIVE, HALL AVENUE, LAKE POINT DRIVE, LEEDALE AVENUE, LEONARD AVENUE, MARS AVENUE, MCKINLEY AVENUE, NORTHWOOD AVENUE, RICHLAND AVENUE, SHAW AVENUE AND WEST 117TH STREET, AND OTHER STREETS LOCATED WITHIN THE CITY, BETWEEN CERTAIN TERMINI, BY RESURFACING AND REPLACING CONCRETE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (IV) IMPROVING PARKS WITHIN THE CITY, INCLUDING KIDS COVE PLAYGROUND, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (V) TO PAY COSTS OF PROVIDING, CONSTRUCTING AND INSTALLING A REVETMENT ON THE NORTHERLY PROPERTY LINE OF THE MERIDIAN CONDOMINIUM TO PROTECT THE MERIDIAN CONDOMINIUM'S WESTERLY PROPERTY LINE WITH LAKE ERIE, EASTWARD TO THE INTERSECTION OF MERIDIAN CONDOMINIUM'S EASTERLY PROPERTY LINE WITH LAKE ERIE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (VI) IMPROVING SIDEWALKS WITHIN THE CITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; (VII) IMPROVING FRANKLIN AVENUE AND HILLIARD ROAD, BETWEEN CERTAIN TERMINI, BY PROVIDING NEW TRAFFIC SIGNALIZATION, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND (VIII) REPLACING OR IMPROVING ROOFS OF THE FIRE STATION AND WINTERHURST ICE RINK, 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 (**PLEASE SUBSTITUTE** FOR ORDINANCE 3-17 1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (PG. 38)

Director Pae explained that a substitute version of Ordinance 3-17 is necessary because the list of projects in the introduction was incorrect.

Motion by Mr. O’Leary, seconded by Mr. O’Malley, to substitute Ordinance 3-17 with the ordinance provided.

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

Nays: None

Motion adopted. Ordinance 3-17 substituted.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 3-17 as substituted.

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

Nays: None

Motion adopted. Ordinance 3-17 adopted substituted.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to suspend the rules and directing the Clerk to read ordinances 4-17 through 12-17 consecutively for blanket motion after reading.

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

Nays: None

Clerk read items.

6. 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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 48)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

7. **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. ((1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) Pg. 57)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

8. **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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 66)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

9. **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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 75)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

10. **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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 84)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

11. **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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 93)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

12. **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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 102).

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

13. 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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 111)

***Blanket motion to adopt made after item 14 (after Ordinance 12-17)**

14. 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. (1ST READING & REFERRED TO FINANCE COMMITTEE 2/6/17, 2ND READING 2/21/17) (Pg. 120)

It was clarified that the prior year's bond anticipation notes will be due April 4th.

*Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt items 6-14 - Ordinances Nos. 4-17, 5-17, 6-17, 7-17, 8-17, 9-17, 10-17, 11-17, and 12-17.

Motion adopted. All members voting yea.

15. 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. (READ & REFERRED TO THE FINANCE COMMITTEE 2/21/17) (Pg. 129)

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

Motion adopted. All members voting yea.

16. Rules & Ordinances Committee Report regarding Ordinance 59-16. (TO BE PROVIDED)

The Rules & Ordinances Committee met this evening. Present were Councilmembers and Committee Members Nowlin and Marx as well as Councilmembers O’Malley & Anderson, Law Director Butler, Director Beno, Bill Hanna from Walter Haverfield and Karen Kirshner from First Energy as well as our Legislative Liaison Maureen Bach. We did have two items on the agenda – Ordinance 59-16 related to use of public ways by service providers where we looked over and debated a substitute version of that ordinance. The changes fall into two distinct categories. One, we solidified that it was the Public Works Director and not the Building Commissioner that would oversee aspects of this ordinance. And then also responding to some of the concerns of the utility companies involved, I would summarize those by saying that a number of requests were given their due time and consideration. The Committee ultimately moved to defer the Ordinance to give the utilities time to review the substituted version.

The Committee also reviewed Ordinance 13-17 related to minutes and that they be open to the public and posted on that City website. It was noted that City Council already complies with aspects of this ordinance but this would apply to the many boards and commissions that the City also oversees. The discussion was very much in favor of moving forward with this. The one suggestion that Councilmember O’Malley added, not as part of the ordinance, was for all committees to consider making their minutes not only available, but searchable, so that someone could

easily find key items in the future. The Committee did move to recommend adoption on Ordinance 13-17.

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

Motion adopted. All members voting yea.

17.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, 2ND READING 2/21/17) (Pg. 131)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 13-17.

Motion adopted. All members voting yea.

18.ORDINANCE 59-16 – 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. (Placed on 1st reading and referred to Rules & Ordinances 12/19/16; Second reading 1/3/17) (Pg. 133)

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

Motion adopted. All members voting yea.

19.Housing Committee Report regarding Ordnances 2-17 and 14-17. (Pg. 167)

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

Motion adopted. All members voting yea.

20.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. (READ & REFERRED TO HOUSING COMMITTEE 2/21/17)(Pg. 169)

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

Motion adopted. All members voting yea.

21.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. (1st READ 2/21/17) (Pg. 175)

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

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

22.Communication from Councilmember Bullock regarding Lakewood Animal Safety Welfare Advisory Board Appointment. (Pg. 177)

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

Motion adopted. All members voting yea.

23.Communication from Councilmember Marx regarding Erik Meinhardt to Citizens Advisory Committee. (Pg. 178)

Councilmember O’Leary remarked that he knows Mr. Meinhardt personally and indicated he will be a great addition to the CAC.

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

Motion adopted. All members voting yea.

24.Communication from Councilmember Bullock regarding Determining the next phase of work for the Lakewood Public Arts Task Force and initiating a public arts pilot project or projects in 2017. (Pg. 179)

Motion by Mr. Bullock, seconded by Mr. O’Leary, to receive, file and refer the communication to the Committee of the Whole.

Motion adopted. All members voting yea.

25.Communication from Councilmember Litten regarding Overlook Park Signage Project. (Pg. 181)

Anne Spence – 13939 Edgewater Dr.

Ms. Spence remarked that neighbors have been advocating for this project for 3-4 years. She stated that the Neighborhood Association has raised all the funds to complete the project and a special assessment may be unnecessary. She encouraged Council and the Neighborhood Association to work together to complete the project.

Jeff Weber – 1095 Homewood Dr.

Mr. Weber spoke in support of the proposed project. He added that the neighbors have taken care to select sign posts that are similar in design to those used in downtown Lakewood.

Patrick Hruby – 1040 Nicholson

Mr. Hruby spoke in support of the proposed project as a member of the Board of the Neighborhood Association. He referenced a neighborhood meeting hosted by Councilmember Litten which 75 people attended.

Jane Johnson – 1037 Wilbert Rd.

Ms. Johnson spoke in support of the proposed project as a member of the Board of the Neighborhood Association. She remarked that the City should consider the sign project to be similar to the Adopt a Spot program which provides beautification for the City and neighborhood. She expressed frustration with the challenges that have delayed the project and looks forward to working together.

Chris Martine – 13425 Cliff Dr.

Mr. Martine spoke in support of the proposed project. She emphasized that the neighborhood is not seeking to separate itself from the City but that it wants to unify and improve the City through this project.

Eddy Reardon – 13425 Cliff Dr.

Mr. Reardon spoke in support of the proposed project and remarked on the benefits of the project. He noted that neighbors are seeking to keep the style of the signs consistent with those found in downtown.

Cary Slabaugh – 13950 Lake

Mr. Slabaugh spoke in support of the proposed project.

Elizabeth Nolan – 1033 Roy Dr.

Ms. Nolan spoke in support of the proposed project and looked forward to cooperation working on it.

Sean Riley – 1096 Homewood

Mr. Riley spoke in support of the proposed project. He remarked on the delays that the neighborhood association has encountered and ask that the City put a system in place to prevent projects from languishing. He expressed interest in enhancing Lakewood’s assets.

Councilmember Litten asked the administration if an assessment can be paid for via a donation. He asked for an explanation of the west end project regarding the differences and similarities to this project.

Mayor Summers responded that the west end project was a concept developed by Beck Center to create an Arts District. Grant funding was sought from the County but the City did not receive the grant.

Councilmember Bullock acknowledged that this project has been waiting too long and he is glad that Councilmember Litten has brought it forward. He remarked that the City does not have a preexisting process or standard by which it could evaluate a proposal such as this. He hopes that this project can help the City develop those standards for the future.

Councilmember Marx expressed support for the project.

Motion by Mr. Litten, seconded by Mr. O’Leary, to receive, file and refer the communication to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

26.Communication from Mayor Summers regarding Cornucopia Concessions Services. (Pg. 182)

Councilmember Litten expressed interest in understanding the proposed concession area and if renovations will be needed

Councilmember O’Leary thanked the Mayor for pursuing this opportunity.

Councilmember Marx expressed support for healthy options and for integrating Cornucopia.

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

Motion adopted. All members voting yea.

27. Communication from Mayor Summers regarding Mayoral appointment to the Lakewood Animal Safety and Welfare Advisory Board. (Pg. 183)

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

Motion adopted. All members voting yea.

28. Communication from Mayor Summers regarding Mayoral appointment to the Lakewood Human Rights Commission. (Pg. 184)

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

Motion adopted. All members voting yea.

29. Communication from Finance Director Pae regarding Memberships for 2017. (Pg. 185)

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

Motion adopted. All members voting yea.

30. **ORDINANCE 45-16A** – 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 Ordinance No. 45-16, adopted December 19, 2016 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. 186)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Ordinance 45-16A to the Finance Committee.

Motion adopted. All members voting yea.

31. Communication from Planning & Development Director Sylvester regarding Economic Development Grant – University Tees. (Pg. 193)

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

Motion adopted. All members voting yea.

32.RESOLUTION NO. 8923-17 A RESOLUTION 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 or his designee to enter into an agreement with University Tees, inc. for an economic development grant, issued in the form of annual rebates, for a total amount not to exceed one hundred thousand dollars (\$100,000). (Pg. 194)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Resolution 8923-17 to the Committee of the Whole.

Motion adopted. All members voting yea.

****PUBLIC COMMENT****

Tom Yanks – 17452 Norton Ave

Mr. Yanks described a situation in his neighborhood in which deer are living in backyards. He said that neighbors have tried many tactics to scare the deer away but they will not move. He has called Animal Control and the Building Department but has not had much help. He asked what the City can do to help.

Mayor Summers responded that the City does not currently have the authority to thin the herd and would have to pass new legislation to do so. He said that the City would consider this if the problem started to endanger public health. He said that he would follow up with animal control.

Councilmember Anderson responded that he has reached out to Cleveland Metroparks for more information about their deer culling tactics.

Councilmember Bullock asked that this issue be referred to LASWAB for guidance. He cautioned that we ought not to assume all wildlife is hostile and that it should be eliminated. He encouraged the City to develop a policy on wildlife that views wildlife as interesting and includes a thoughtful way of helping neighbors. He agrees that there should be a way to deter deer from our neighborhoods and that it will have to be a combination of City and resident effort.

Councilmember Marx responded that LASWAB’s 2017 agenda includes working on wildlife in the community.

Bethany Francis - 1647 Elmwood

Ms. Francis asked Council to end the moratorium on medical marijuana dispensaries in Lakewood and gave many arguments to support her position. She described health and financial benefits that other communities have achieved by supporting medical marijuana dispensaries. She cited recent research demonstrating benefits of medical marijuana and positive public health

outcomes. She explained personal circumstances in her life where people she cared about benefitted from medical marijuana.

Councilmember O'Malley announced that Public Safety Committee would meet to discuss this item on March 20th.

****ANNOUNCEMENTS****

Mayor Summers announced the Community Leaders Breakfast this Friday.

It was announced that the State of the City will be held in the auditorium on March 15th.

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

Motion adopted. All members present voting yea.

Meeting adjourned 9: 10 PM.

Approved: _____

CLERK

PRESIDENT