

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JUNE 4, 2018
7:30 P.M.**

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

Present: David Anderson, Thomas R. Bullock III, Meghan George, John Litten, Samuel T. O'Leary, Daniel J. O'Malley, Tristan Rader.

Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Planning and Development Director Sylvester, Police Chief Malley, Human Resources Director Yousefi, Darren Collins of LFD, Human Services Director Gelsomino & Public Works Director Beno

Reading and disposal of the minutes of the Special Meeting of Council held April 30, 2018. Motion by Mr. O'Leary, seconded by Mr. Anderson, to defer reading and disposal of the minutes.

Motion adopted. All members voting yea.

Reading and disposal of the minutes of the Regular Meeting of Council held May 7, 2018. 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*******

Without objection, item #3 was moved to the front of the agenda.

1. Public Works Committee Report Regarding Resolution 9002-18; Mr. Rader, Chair (To Be Provided)

There is a property on Edge Cliff Drive and toward the end of the property abutting the Lake there is a storm sewer that cuts directly through that property. It's an empty lot. The owner wants to move the sewer so that whoever he sells it to can potentially build. This Resolution basically creates the easement. There is no current easement there, on the portion of the property where this new storm sewer will be directed. One of the good questions we had, and the answer is 'yes,' was 'is this going to be something the owner will pay for?' That is - the installation of

this new storm drain to replace the one hundred year old storm drain that is there. So we did recommend this for adoption. I'd be happy to answer any questions. Also, Director Beno was in the meeting, if you have any more questions related to this. But again, it was recommended for adoption.

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

Discussion: Mr. Anderson remarked that he took away from the meeting the sense that residents and the City are working together in partnership to make improvements.

Motion adopted. All members voting yea.

2. **RESOLUTION NO. 9002-18** – A RESOLUTION to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the Mayor to enter into an easement agreement with JLL Properties, Ltd., an Ohio limited liability company, governing the rights of the parties relative to a parcel located at Erie Cliff Drive, Lakewood, Ohio 44107 (PPN#311-13-113) which grants the City of Lakewood access to the parcel for construction and ongoing maintenance of the underlying sewer lines for a payment of \$1.00. (REFERRED TO PUBLIC WORKS COMMITTEE 5/7/18)(Pg. 5)

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9002-18.

Motion adopted. All members voting yea. Resolution 9002-18 adopted.

3. **RESOLUTION NO. 9004-18** – 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, adopting the recommendations of the Foundation Planning Task Force for the creation of the Healthy Lakewood Foundation, the appointment of its initial board and the approval of its initial governing documents, all in accordance with the Master Agreement governing healthcare in Lakewood dated December 21, 2015. (REFERRED TO THE COMMITTEE OF THE WHOLE 5/21/18) (Pg. 11)

Mr. Cohn, Vice Chair of the Foundation Planning Task Force delivered a presentation announcing the Board Selection Committee's proposed slate of board members. He introduced Vicki Smigelski, Katie Collin, and Martha Halko who served on the Board Selection Committee and discussed their professional backgrounds and qualifications. He also introduced Julie Clark of Business of Volunteers Unlimited. Ms. Clark assisted the Committee in a consulting role. Mr. Cohn discussed the process the Committee used to select board members and listed the criteria it

was seeking including non-profit experience, diversity, and thoughtfulness. Eighty-one individuals applied to be board members. The Committee narrowed the list to 21. Eighteen were interviewed and 15 were ultimately recommended. Three members of the task force were included in the slate of recommended board members. Committee members took turns introducing recommended board members, remarking on their professional and personal attributes.

Mr. Rader thanked the Task Force members for their work and for taking time to address questions of councilmembers.

Mr. Bullock expressed his preference for Council to deliberate separately on each piece of the Task Force's work and to schedule time to further discuss each. He brought up several areas on which he would like additional information. He stated that at a minimum he would like Council to be able to assess the applicants and to interact one-on-one with the 15 Board members selected. He expressed appreciation to the Task Force for its work.

Mr. O'Leary mentioned the timeline of this topic. He stated that it would be ideal for the Foundation to be up and running as soon as funds are available, potentially in July. He remarked that Council should thoughtfully consider the Task Force recommendations but not re-do work that has been delegated to the Task Force. He noted that taking too long with discussions may cause delays in when the Foundation can begin operating. He added that delegating work to the Task Force helps to ensure the neutrality of that work.

Task Force members expressed their understanding of the expectations put upon them by Council. They expressed willingness to clear up misunderstandings or questions in whatever way Council sees fit.

Mr. Bullock clarified that he does not doubt the quality of the Task Force's work, however, he understood their charge was to make recommendations and that recommendations are not always fully agreed to.

Mr. Cohn and Mayor Summers updated Council on the Task Force's discussions with LHA. LHA may be ready to move on the Task Force recommendations on June 13th.

Mayor Summers encouraged Council to place trust in the work of the Task Force and expressed great confidence in its methods. He distributed a revised code of regulations and Ms. Clark discussed the changes made.

In response to a question by Mr. Litten, Mr. Cohn described what the Board Selection Committee communicated to the recommended slate of candidates about the ultimate decision making roles of Council and LHA.

Mr. Anderson noted that \$200,000 was allocated to the Task Force for its work. He asked about the balance.

Task Force members stated that they used some funds to pay for consultants but nowhere near \$200,000. Director Pae explained that the \$200,000 is held in trust by the City. Once the Foundation is up and running the remaining funds can be dispersed.

Mr. O’Leary made concluding remarks about the upcoming schedule for discussion on this topic. He encouraged Councilmembers to articulate any specific questions in advance.

Motion by Mr. O’Leary, seconded by Mr. Anderson to defer Resolution 9004-18.

Motion adopted. All members voting yea.

4. Rules & Ordinances Committee Report Regarding legislation to implement the Third Amended Charter; Ms. George, Chair (To Be Provided)

We had a number of proposed ordinances in Rules & Ordinances all stemming from the Charter which passed on November 7th. We had nine ordinances we reviewed, all of which we would like to adopt at the next meeting.

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

Motion adopted. All members voting yea.

Director Butler added that one of the nine ordinances will be amended and that the Committee considered the amended version and recommended for passage the substitute version.

5. **ORDINANCE NO. 29-18** – 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 at the earliest period allowed by law, enacting various sections of the Codified Ordinances of the City of Lakewood in order to codify certain provisions with respect to financial processes in the city. (PLACED ON FIRST READING AND REFERRED TO RULES & ORDINANCES COMMITTEE 5/21/18) (Pg. 38)

Motion by Mr. O’Leary, seconded by Mr. Anderson to defer Ordinance 29-18.

Motion adopted. All members voting yea.

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

6. Communication from Mayor Summers regarding Common Grounds Conversation – Acceptance of Grant Money from Cleveland Foundation. (Pg. 41)

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

Motion adopted. All members voting yea.

7. Communication from Finance Director Pae regarding 2018 2nd Quarter Transfers and Advances. (Pg.43)

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

Motion adopted. All members voting yea.

8. **ORDINANCE NO. 30-18** – 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 after the earliest period allowed by law, authorizing the transfer and advance of certain funds. (Pg.44)

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Finance Committee.

Motion adopted. All members voting yea.

9. Communication from Finance Director Pae regarding 2019 Tax Budget, 2019 Tax Advance Resolution and 2019 Tax Rate Resolution (Pg. 46)

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

Motion adopted. All members voting yea.

10. **RESOLUTION NO. 9006-18** – 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 Tax Budget of the City of Lakewood, Ohio for the year 2019, and authorizing the filing of same with the Cuyahoga County Fiscal Officer. (Pg. 47)

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Finance Committee.

Motion adopted. All members voting yea.

11. **RESOLUTION NO. 9007-18** – 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, requesting the Cuyahoga County Fiscal Officer to draw and the Cuyahoga County Treasurer to pay to the City of Lakewood Director of Finance an advance of all real, personal property, and estate taxes and special assessments collected in the year 2019 in such amounts as may be requested and available. (Pg. 48)

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Finance Committee.

Motion adopted. All members voting yea.

12. **RESOLUTION NO. 9008 – 18** - 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, accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer. (Pg. 50)

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Finance Committee.

Motion adopted. All members voting yea.

13. Communication from Finance Director Pae regarding Contracting Authority Amendment and Appropriations Ordinances. (Pg. 52)

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

Motion adopted. All members voting yea.

14. **ORDINANCE NO. 43-17A** – 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 after the earliest period allowed by law, amending Ordinance 43-17, adopted December 18, 20176, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2018 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg. 53)

Councilmembers discussed to which committee Ordinance 43-17A should be referred.

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Finance Committee.

Motion adopted. All members voting yea.

15. **ORDINANCE NO. 31-18** – 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 after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2018. (Pg. 59)

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Finance Committee.

Motion adopted. All members voting yea.

16. Communication from Planning & Development Director Sylvester regarding Authority to sell real property. (Pg. 72)

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

Discussion: In response to a question by Councilmember Bullock, Mr. Sylvester clarified that Council previously passed an ordinance granting authority to sell the two private lots next door to these properties.

Motion adopted. All members voting yea.

17. **ORDINANCE NO. 32-18** – 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 after the earliest period allowed by law, authorizing and directing the Director of Planning and Development of the Mayor to enter into an agreement with a licensed real estate broker to market for sale the real property located at 2115 Robin Avenue, Lakewood, Ohio and 2117 Robin Avenue, Lakewood, Ohio (PPN 315-22-121) for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances. (Pg. 74)

Motion by Mr. O’Leary, seconded by Mr. Anderson to refer to Housing Committee.

Motion adopted. All members voting yea.

*****ANNOUNCEMENTS*****

Mary Sidell of EMS was invited to announce that Lakewood Fire Department has received the American Heart Association's Mission Lifeline EMS Silver Plus Level Recognition Award. She described the award and the criteria for receiving it. She described the steps that EMS takes when it responds to a possible heart attack call and the coordination between EMS and the area hospitals. She spoke about the importance of data in evaluating and continually improving EMS care.

Mr. Rader asked the Administration for an update on Carnegie's plans to pursue either a high-rise or mid-rise design option for One Lakewood Place.

Director Sylvester responded that currently they are still pursuing the mid-rise option. They will consider the high-rise if the market can support it.

Mr. Litten announced that he is actively seeking ways to honor Lakewood Hospital and to please share ideas with him. Final tours, group photos and creative use of the building's bricks are under consideration as options.

Ms. George, Mr. O'Leary and Director Sylvester discussed providing Council with a brief regular update on the downtown development project in person or via email.

Mr. Bullock thanked the Administration for a successful Meet the Trucks event and for having the final piece of the Kid's Cove complete. He acknowledged the long list of summer events that make our community special.

Mr. O'Malley acknowledged Planning Department and its Boards and Commissions for its successful implementation of the body art ordinance. As a result of the ordinance, four new businesses have opened.

Mr. O'Leary recognized the success of Meet the Trucks last weekend.

Mr. Anderson recognized the youth travel baseball team which won in Hudson tonight.

Motion by Mr. O'Leary, seconded, to adjourn the meeting.

Motion adopted. All members voting yea.

Meeting adjourned 9:21 P.M.

Approved: _____

CLERK

PRESIDENT