

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
JULY 2, 2018  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:40 PM by Council President O'Leary.

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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, Fire Chief Gilman, Human Services Director Gelsomino & Public Works Director Beno

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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 June 18, 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\*\*\*\***

1. Committee of the Whole Report Regarding Meeting Held 7/2/18; Mr. O'Leary, Chair

Committee of the Whole did meet immediately prior to this meeting. We had one item on our agenda that was Resolution 9004-18, which is the Resolution adopting the recommendations of the Foundation Planning Task Force for the creation of the Healthy Lakewood Foundation. We've had a number of meetings on this topic to date. This evening was a final opportunity for Council dialogue as well as for some additional proposed changes. We considered two such possible changes in our deliberations this evening and ultimately did decide to further amend the Articles of Incorporation, specifically Article VI to include language with respect to the necessity of the Foundation sharing some of its broader information with respect to strategies and

objectives for community health and their assessment of those community health objectives. There being no further business before Committee of the Whole this evening Committee of the Whole adjourned.

Director Butler clarified that the amendment made during tonight's Committee of the Whole was to the Code of Regulations not the Articles of Incorporation.

Motion by Mr. O'Leary, seconded by Mr. Anderson to file that oral report.  
Motion passed. All members voted yea.

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2. Committee of the Whole Report Regarding Meeting Held 6/18/18; Mr. O'Leary, Chair

Committee of the Whole also met June 18, 2018. Again, we considered Resolution 9004-18. We heard again from the Vice Chairs of the Planning Task Force for the new Healthy Lakewood Foundation. We had additional discussion, specifically with respect to how the Task Force made some of its determinations regarding what to include in the Articles of Incorporation as well as the Code of Regulations and what would be ultimately left to the future Board members to determine. We also discussed some additional depth as far as their selection process for prospective Board members and ultimately Councilmembers did recommend some changes. We considered some of the changes that LHA had recommended to the documents at that point as well as Councilmembers O'Malley and George proposed some additional changes to achieve harmony between the proposed documents and the Master Agreement. Those proposed changes were accepted and Committee of the Whole adjourned.

Motion by Mr. O'Leary, seconded by Mr. Anderson to receive and file the Committee of the Whole report.  
Motion passed. All members voted yea.

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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, DEFERRED 6/4/18 & 6/18/18)

Mr. O'Leary clarified that Committee of the Whole recommended adoption of Resolution 9004-18. The substitute contains the changes made at the June 18<sup>th</sup> meeting as well as the changes made at prior Committee of the Whole meetings.

Motion by Mr. O'Leary, seconded by Mr. Rader to substitute Resolution 9004-18.

Yeas: Anderson, Bullock, George, Litten, O'Leary, O'Malley, Rader  
Nays: None

Motion adopted. Resolution 9004-18 substituted.

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9004-18 as substituted.

Yeas: Anderson, Bullock, George, Litten, O'Leary, O'Malley, Rader  
Nays: None

Motion adopted. Resolution 9004-18 adopted as substituted.

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4. **ORDINANCE NO. 33-18** - 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 Mayor to enter into a first amendment to the amended and restated lease agreement with IceLand USA-Lakewood, LLC for the lease of the real property located at 14740 Lakewood Heights Boulevard, known as Serpentine Arena at Winterhurst, pursuant to Section 155.08 of the Codified Ordinances. (READ & REFERRED TO COMMITTEE OF THE WHOLE 6/18/18)

Motion by Mr. O'Leary, seconded by Mr. Anderson to defer Ordinance 33-18.

Mr. O'Leary announced that Committee of the Whole will take up Ordinance 33-18 at a meeting on July 9<sup>th</sup>.

Motion passed. All members voted yea.

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5. Finance Committee Report Regarding Meeting Held 6/25/18; Mr. O'Malley, Chair

The Finance Committee met last Monday. Present were committee members; myself, Councilmember Bullock, Councilmember George. Councilmember Rader was also there, Director Sylvester, Director Pae and Assistant Finance Director Schuster. We had a good meeting. We first took up discussion of Ordinance 43-17A which is to amend that Ordinance to include contracting authority for the demolition of the Lakewood Hospital building and preparation of that site for future development. We saw a presentation from Director Pae and Director Sylvester on that subject. We talked about the history there and the Master Agreement designating transition costs related to that demolition and site prep. We also talked about why this is being done via contracting authority and not direct awarding by Council. There was discussion about what would happen with this funding should the cost of demolition and abatement and site preparation be south of the \$7 million dollar figure. The Master Agreement stipulates that that funding should go into the development of this property in other ways. It was

Council's desire to be more specific with the language in this Ordinance and have it state that this contracting authority is for the demolition of the hospital as well as abatement and site preparation as well as maintaining the \$500,000 in professional services related to Lakewood Hospital and that amendment was made. In subsequent conversation I had with Director Butler, he advised that we specify demolition, hazardous material abatement and site prep in the Ordinance. There was a motion and second. All members voted in favor of recommending adoption of Ordinance 43-17A.

We then moved on to discussion of Ordinance 31-18. Director Pae explained that this is the appropriations ordinance that accompanies Ordinance 43-17A. All members voted in favor of recommending adoption of that Ordinance.

Resolution 9007-18 pertains to the property tax budget. The City passes a similar ordinance to this each year. If the City can certify an estimate to the County then the County can advance that amount to the City. The Resolution allows the City to get its property tax revenues in a timely manner. A motion was unanimously agreed to to recommend adoption of that resolution.

Ordinance 9008-18 is similar in that it certifies to the County that the City's millage is to remain the same as in years past. That Resolution was unanimously agreed to for recommendation for adoption.

Finally, Resolution 9006-18 pertains to the property tax budget. Again, this is a perennial resolution. The City estimates the property tax based on our millage and submits that estimate to the County. A motion was made and seconded to recommend adoption of this Resolution. And that was unanimously agreed to.

We deferred consideration of Ordinance 44-17A which is to incorporate a proposed small business program into that Ordinance. We will take it up in Finance Committee in advance of our next Council meeting so that we can have this voted upon in advance of Council's recess. That concludes my report.

Motion by Mr. O'Leary, seconded by Mr. Anderson to receive and file the oral report.  
Motion passed. All members voted yea.

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6. **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.

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9006-18.  
Motion passed. All members voted yea.

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7. **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.

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Resolution 9007-18.  
Motion passed. All members voted yea.

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8. **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.

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Resolution 9008-18.  
Motion passed. All members voted yea.

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9. **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. (READ AND REFERRED TO FINANCE COMMITTEE 6/4/18; SECOND READING 6/18/18)

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Ordinance 31-18.  
Motion passed. All members voted yea.

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10. **SUBSTITUTE 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, 2017, 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. (READ AND REFERRED TO FINANCE COMMITTEE 6/4/18; SECOND READING 6/18/18)

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Substitute Ordinance 43-17A.  
Motion passed. All members voted yea.

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11. **ORDINANCE NO. 44-17A** - 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 44-17, adopted December 18, 2017, 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 service contracts in accordance with the Administrative Code of the City of Lakewood for the Department of Planning & Development in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (READ & REFERRED TO FINANCE COMMITTEE 6/18/18)

Motion by Mr. O'Leary, seconded by Mr. Anderson to defer Ordinance 44-17A.  
Motion passed. All members voted yea.

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12. Public Safety Committee Report Regarding Meeting Held 6/25/18; Mr. Bullock, Chair

The Public Safety Committee met on June 25<sup>th</sup>. We had two members of the Committee present with an excused absence and a discussion with the police chief and the Law Department about two items. We discussed the Traffic Code update, Ordinance 37-17, and heard that this is a periodic change to align our local Code with State Code. The State government has a higher authority on Traffic Code and periodically updates their sets of laws. When the City of Lakewood brings our own into conformity it is less confusing and secondly we can use our police officers to enforce and collect the fines. After a short discussion, the Committee moved to recommend adoption by full Council. That motion was passed unanimously.

The second ordinance is Ordinance 22-18. We had a discussion on this important issue which is to consider a revision to the list of offenses for Lakewood's chronic nuisance ordinance such that we do not have unintended consequences directly or indirectly. The concern by some in the community that by listing certain offenses such as domestic violence we could be harming or discouraging reports to law enforcement by victims of domestic violence. It's a concern everyone agrees is an important one, as has been consistently reported by the administration and has been studied in the Committee, we do know that that has not been the reality of our enforcement of chronic nuisance policies in Lakewood. The primary response the City provides is the law enforcement officer responding to an incident. The law enforcement response to cases of domestic violence is to find out what is going on and to support anybody who is being victimized. That is a separate response from the chronic nuisance review process which is a discretionary fee process by which the City may, and does not always, first warn, and then levy a fee to property owners for repeated City service calls. We reviewed all these facts. While there is agreement on the domestic violence charge, the administration spoke with the view that aggravated menacing and menacing ought not to be removed from Section 510.01(a) as this

ordinance proposes to remove them. So rather than keep the proposed ordinance is committee, the Committee agreed to refer it without a recommendation back to Council so that the full Council can resume discussion of these important issues. What I'd recommend to my colleagues is that we give thoughtful discussion to that now.

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

*Discussion:* Mr. O'Malley stated that he is amendable to removing menacing and aggravated menacing from the ordinance. He prefers to keep menacing by stalking. He acknowledged that these changes will not impact how domestic violence cases are investigated or prosecuted but wants to err on the right side by removing domestic violence and menacing by stalking from this section of the Code.

It was clarified that a substitute version that was distributed reflects Mr. O'Malley's proposed changes.

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

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13. **ORDINANCE NO. 22-18** - AN ORDINANCE repealing Section 510.01(a), Declaration of Nuisance Activity, of the Codified Ordinances of the City of Lakewood and enacting a new section in its place to remove the offenses of Domestic Violence, Menacing and Aggravated Menacing from the definition of Nuisance Activity under this provision. (**SUBSTITUTE TO BE PROVIDED**) (READ, REFERRED TO THE PUBLIC SAFETY COMMITTEE 3/19/18; SECOND READING 4/2/18)

Motion by Mr. O'Leary, seconded by Mr. Anderson to substitute Ordinance 22-18.

*Discussion:*

At the suggestion of Councilmember Bullock, Chief Malley explained the value of retaining menacing and aggravated menacing in this section of the Code. He stated that menacing and aggravated menacing are covered under domestic violence and come into play when they occur within a family situation. He believes that menacing and aggravated menacing should be kept in the list of nuisance violations since these things occur between neighbors.

Mr. Rader thanked Mr. O'Malley for bringing the matter forward and expressed support.

At the request of Ms. George, Chief Malley explained how the police handle menacing and aggravated menacing differently from stalking.

Mr. O'Malley clarified that if adopted domestic violence and menacing by stalking will be removed from the list of nuisance activities. He stated that the spirit of the Ordinance is to send a message to the vulnerable that you should not be deterred from contacting the police in a situation like this.

Mr. Bullock expressed support for the spirit of the Ordinance which is to remove barriers to victims reporting crimes and getting the benefit of law enforcement. He asked about how law enforcement will differentiate between the victim and the suspect.

Chief Malley stated that the nuisance violation would be associated with the suspect's address.

Mr. O'Malley expressed confidence that the administration has not nor would not bring a nuisance violation against a victim but that he has proposed the Ordinance out of an abundance of caution.

Mayor Summers explained that nuisance declarations are ultimately the Mayor's decision and that the primary intent is to eliminate patterns of neighborhood disruption. He stated that there are judgement calls throughout the process but the goal is to protect the quality of the neighborhood.

Mr. Anderson asked about other situations involving trauma in the home such as abuse/neglect of a child that might be inappropriately result in a nuisance declaration.

Mayor Summers explained that such a situation would have to occur three times to be deemed a nuisance. He described a situation of a disruptive adolescent that resulted in multiple police calls. It was decided that a nuisance declaration would have been inappropriate. A more complex intervention involving social services and social workers was initiated.

Mr. Anderson expressed concern that the current nuisance law could have a chilling effect on someone calling the police about suspected child abuse or endangerment.

Mr. O'Malley explained that the Committee narrowed its discussion to domestic violence as it is the most common.

Director Butler explained that by removing domestic violence and stalking from the Code that no nuisance declaration or warning can be made on activities that meet those offenses.

On the motion to substitute:

Yeas: Anderson, Bullock, George, Litten, O'Leary, O'Malley, Rader

Nays: none

Motion passed. Ordinance 22-18 substituted.

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Ordinance 22-18 as substituted.

Yeas: Anderson, Bullock, George, Litten, O'Leary, O'Malley, Rader

Nays: none

*Discussion:* Mr. Bullock expressed support for the Ordinance and the message it communicates to the public. He encouraged the administration to spread the message about this ordinance.

On the motion: Motion adopted. All members voting yea. Ordinance 22-18 adopted as substituted.

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14. **ORDINANCE NO. 37-17** – 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, amending various sections within Part Three, Traffic Code, of the Codified Ordinances of the City of Lakewood, to reflect recent changes in the state traffic code. (1<sup>ST</sup> READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 11/6/17; SECOND READING 11/20/17)

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Ordinance 37-18.  
Motion passed. All members voting yea.

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15. Housing Committee Report Regarding Meeting Held 7/2/18; Mr. Anderson, Chair

The Housing Committee met this evening to discuss Ordinance 18-18 and Ordinance 2-18. Work continues on both of those ordinances so we will be scheduling a follow up soon.

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

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16. **ORDINANCE NO. 2-18** – 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, amending various parts of Chapter 1306, Property Maintenance and Safety Code...(light pollution) (REFERRED TO THE HOUSING COMMITTEE 1/2/18; SECOND READING 1/16/18; DEFERRED 6/18/18)

Motion by Mr. O’Leary, seconded by Mr. Anderson to defer Ordinance 2-18.  
Motion passed. All members voting yea.

17. **ORDINANCE NO. 18-18** – 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, 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 in order to update the code with respect to the regulation of condominium associations and unit owners in the City. (REFERRED TO THE HOUSING COMMITTEE 2/5/18; SECOND READING 2/20/18; DEFERRED 6/18/18)

Motion by Mr. O’Leary, seconded by Mr. Anderson to defer Ordinance 18-18.  
Motion passed. All members voting yea.

18. **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. (READ AND REFERRED TO HOUSING COMMITTEE 6/4/18; SECOND READING 6/18/18)

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Ordinance 32-18.

*Discussion:* Mr. Anderson reminded all that Housing Committee recommended passage of the Ordinance.

Motion passed. All members voting yea.

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

19. Communication from Councilmembers Bullock, Rader, and Litten Regarding Resolution Condemning the Trump Administration’s Policy of separating migrant children from their parents at the U.S. – Mexico border.

Dear Colleagues:

The current policy of separating young children from their parents at United States / Mexico border is a clear violation of human dignity. These actions should never be tolerated even if they are simply a function of a broken immigration system. Unfortunately, the current administration has made it clear that breaking up these families is the deliberate aim of the policy. Separating young children from their mothers is being used intentionally as a deterrent.

No human being should be treated in this manner, regardless of origin. We are a nation of immigrants. The failure of our immigration system should not be heaped upon the backs of those who risk everything to start a life here. Actions such as these not only harm those involved but induce fear and panic among communities far from the southern border, particularly communities like ours with a vibrant and diverse population. We must be united in condemning this abhorrent precedent-setting practice. We can be better than this.

With more than 2,000 children separated from their families, we would like this Council to add its collective voice to the call to end these separations and reunite these poor families.

Therefore, we present the following resolution condemning the practice of family separation, to let our community know that we are committed to compassion, to equality, to inclusion and to freedom from fear of having your child ripped from your arms. Thank you for your consideration.

Mr. Litten remarked that the Resolution is important that the City and Council express its opposition and encouraged all to reach out to our members of Congress.

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

*Discussion:* Mr. Rader remarked that it is up to elected officials to speak up on behalf of those who can’t and those who are trying to come to the U.S. He encouraged communities to band together against these harmful policies in light of the current dysfunction in congress.

Mr. O’Leary thanked the three sponsors of the Resolution and acknowledged that many on Council had expressed interest in the topic.

Referring to the fourth paragraph, Mr. Anderson explained why trauma such as parent-child separation cannot cause or worsen ADHD because it is a neurodevelopmental disorder.

Ms. George expressed support for the Resolution, stating that we are a country of immigrants.

On the motion – Motion passed. All members voting yea.

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**20. RESOLUTION 9011-18** – A RESOLUTION Condemning the Trump Administration’s Policy of Separating Migrant Children from their Parents at the U.S. – Mexico Border.

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Resolution 9011-18.

*Discussion:* Mr. Bullock suggested that the Resolution be amended to take into consideration the factual correction pointed out by Mr. Anderson.

Motion to adopt rescinded.

Motion by Mr. Bullock, seconded by Mr. O’Leary to strike “ADHD” from the second to last whereas clause.

Yeas: Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader

Nays: none

Motion by Mr. O’Leary seconded by Mr. Anderson to adopt as amended.

John Hill – 1075 Lakeland

Mr. Hill expressed shared outrage over the policy of separating parents and children. He remarked further on his strong position on this matter, stating that it is cruel and unusual. He asked for the community to be united in condemning this policy, as an attack on the most vulnerable is an attack on us all. He encouraged Council to pass the Resolution, sending a message that our community is welcoming and committed to human rights.

On the motion to adopt as amended:

Yeas: Anderson, Bullock, George, Litten, O'Leary, O'Malley, Rader

Nays: none

Motion passed. Resolution 9011-18 adopted as amended.

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21. Communication from Mayor Summers regarding Appointment to Loan Approval Board.

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

Motion passed. All members voting yea.

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22. Communication from Law Director Butler regarding Ordinance Enacting Chapter Governing Small Cell Wireless Telecommunications Providers Operating in Right of Way

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

*Discussion:* In response to a question by Mr. O'Leary, Director Butler explained that the Ordinance would not be appropriate for Planning Commission's consideration until the City develops design guidelines for these structures. This Ordinance deals with the application process. In response to a question by Mr. Rader he clarified that the administration is asking for the Ordinance to be passed on an emergency basis upon second reading.

On the motion: Motion passed. All members voting yea.

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23. **ORDINANCE NO. 34-18** – 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, enacting Chapter 906, Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures, of the Codified Ordinances of the City of Lakewood in order to regulate small cell wireless facilities in the right-of-way.

Motion by Mr. O'Leary, seconded by Mr. Anderson to refer Ordinance 34-18 to Public Works.

*Discussion:* Mr. Bullock expressed support for design guidelines. He asked about projected proposals by the wireless companies to install these structures coming up and encouraged the City to use any latitude provided by the State in this realm.

Mayor Summers stated that the proposal gives the City a reasonable time frame to consider proposals by wireless providers. The proposed Ordinance gives the City the opportunity to

consider factors such as fees, aesthetics, line of site safety issues, noise and light during decision making. He expressed that the City is welcoming and wanting 5G capability for residents but that the City has to work together with these providers to ensure good outcomes for all.

Director Beno stated that the City has installed 15 such structures over the last 1.5 years. There have been no requests in the past 6 months. He remarked further on the City's process for managing these requests and the criteria used to make decisions about their placement.

On the motion: Motion passed. All members voting yea. Ordinance 34-18 referred to Public Works.

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24. Communication from Fire Chief Gilman regarding Grant Award from Community West Foundation

Motion by Mr. O'Leary, seconded by Mr. Anderson to receive and file the communication. Motion Passed. All members voting yea.

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

Ben Lee – 1335 Cove Ave

Mr. Lee advocated for municipal broadband. He spoke about his personal circumstances as a rent-burdened household. He argues that internet is essential for many people and that the City's few providers charge high rates and sometimes have limited access. He asked that Lakewood undertake a feasibility study and listed other municipalities which have done this.

Mr. O'Malley cited a recent study that reported half of Cleveland households lack broadband internet. He expressed interest in looking into the issue.

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

Mayor Summers announced the schedule of events for the Fourth of July festivities. He announced that 30,000 copies of Lakewood Life were mailed out. A third one is planned for November and will include significant discussion about the City's sewer system.

Mr. Rader announced that the seniors he met with during his recent town halls vocally advocated for an improved senior center.

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

Meeting adjourned 9:05 PM.

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

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CLERK

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PRESIDENT