

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
OCTOBER 1, 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, Dan 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 & Public Works Director Beno, Human Services Director Gelsomino

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Reading and disposal of the minutes of the Regular Meeting of Council held September 17, 2018.

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

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

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

1. Committee of the Whole Report Regarding meeting held 10/1/18; Mr. O'Leary, Chair (to be provided)

Committee of the Whole met immediately prior to this meeting. We had a discussion on our sole agenda item which was Resolution 9021-18 which would authorize the purchase of Trinity Lutheran Church and we were just in the midst of that discussion when Councilwoman George had an additional question to pose and we moved into this meeting.

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

All members voting yea. Motion passed.

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2. **RESOLUTION NO. 9021-18** - 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, authorizing the Mayor and Director of Law to enter into a purchase agreement with The Trinity Lutheran Church aka Trinity Lutheran Church aka Lakewood English Evangelical Lutheran Church, an Ohio non-profit corporation, owner of the property located at 16300-16400 Detroit Avenue, Lakewood, Ohio (PPN 311-30-028, -029 and -030), and to execute all documents necessary to effectuate the purchase and sale according to the terms of that agreement. (REFERRED TO COW 9/17/18) (pg. 1)

*Discussion:*

Council discussed the property's holding costs. They are estimated to be about \$40,000 if the property is being used. If the property is kept vacant the holding costs would be significantly less and mainly entail property maintenance and security. Holding costs would be paid for out of the land acquisition fund.

Councilmember Bullock expressed support for the purchase for the strategic reasons discussed. He remarked that the holding costs are manageable especially considering the opportunity that this purchase will bring.

Councilmember O'Leary expressed support for the purchase for the strategic reasons discussed and because holding costs are manageable. He expressed support for it tonight in order to signal to the sellers that the City does not have any reservations but will understand if others prefer to wait for additional information.

Council discussed the idea of deed restricting the property at the time the City decides to re-sell it to prevent a situation where the buyer quickly turns around and sells it to an entity that doesn't fit with the community vision.

In response to a Councilmember's question, Director Butler stated that the sale price in the Resolution is the agreed upon price between the City and the church. It is not at risk of changing/increasing while Council considers the legislation.

Councilmember Anderson expressed support for the sale, the information that has been provided and the strategy.

In response to a Councilmember's question, it was clarified that the sale of the property does not bind the City to any future plans regarding the property. Any lease arrangement for the property would come before Council for approval.

Councilmember Rader expressed support for the sale in light of the above information and with the future intent to deed restrict the property.

Councilmember George questioned why Council doesn't pass legislation restricting drive-thrus instead of spending money on a property in order to prevent one.

Councilmember O'Leary responded that purchasing the property offers a broader benefit than simply preventing a drive-thru. He stated that the sale is an opportunity for the City to play a larger role in the future of the neighborhood. He also noted that the City strengthened its drive-thru ordinance after McDonalds came in.

Motion was made by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9021-18.

Director Butler added that since the Resolution was drafted the City agreed to allow the church to remove its stained glass windows and a time capsule in the future event that the City demolishes the church. These things were added into the purchase agreement but are not considered a material change.

Councilmember Bullock asked questions to try and arrive at an estimate of how long the City may end up holding the property. The answer is dependent on development of the surrounding properties and could be up to three years. He expressed support.

It was clarified that the property is being sold to the City at fair market value.

Councilmember George explained that she would vote no on the Resolution due to the many unknowns including holding costs and future use of the property

On the motion:

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

Nays: George

Motion passed. Resolution 9021-18 adopted.

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3. Public Works Committee Report regarding meeting held 9/24/18; Mr. Rader, Chair (to be provided)

On September 24<sup>th</sup> we had a meeting with Public Works Director Beno. The whole committee was present. At that meeting we considered Ordinance 42-18, which was a proposed easement that was to go in right in front of the parking lot at 15538 Madison Ave. that would allow for a box that AT&T was going to put there to allow access to fiber optics on a certain number of streets around that area. Unfortunately, a representative from AT&T could not be present. Also Councilmembers Bullock and Anderson brought up, and I think it was great, that we should probably look for a different space for this box if possible. So we put it to Director Beno to look for some additional space. Were it to go in that space it would take out two trees. However, I was happy to see that AT&T put in some effort to try to landscape the area had we put it there. We did defer at that meeting.

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

Discussion: Director Beno added that he contacted AT&T and they are researching potential additional sites.

President O'Leary agreed that changing the location is a good outcome.

All members voting yea. Motion passed.

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4. **ORDINANCE NO. 42-18** - AN ORDINANCE authorizing the Mayor on behalf of the City of Lakewood to enter into an agreement necessary to grant an exclusive easement to The Ohio Bell Telephone Company, d/b/a AT&T Ohio, for placement of and access to equipment used in the transmission of signals used in the provision of communication, video and/or information services on property located at 15538 Madison Avenue, Lakewood, Ohio (313-27-010). (PLACED ON 1<sup>ST</sup> READING & REFERRED TO PUBLIC WORKS 9/17/18) (pg. 16)

Motion by Mr. O'Leary, seconded by Mr. Anderson to defer Ordinance 42-18.

All members voting yea. Motion passed.

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5. Human Services Committee Report regarding meeting held 9/24/18; Mr. Litten, Chair (to be provided)

The Health & Human Services Committee met on September 24<sup>th</sup>, last Monday. Present were Councilmembers George, Anderson, and myself, our Clerk, Human Services Director Gelsomino, Erin Helmes from the Woodrow Project, Gina Norris from Project SOAR and a couple other members of the public were there as well. The entirety of our agenda was to discuss Project SOAR and to receive and update on its progress from both the administration and the representatives that I mentioned. Ms. Helmes spoke broadly about addiction and the different strategies used over the years. I think it was pointed out that while this is something that officially began last December, it began back in January of 2016 when we as a City when the administration saw a need due to a spike in overdoses and deaths due to this epidemic. That started with Lakewood looking at leadership across agencies, governments, police, EMS, etc. to operate under the presumption that a support system matters. That having as many heads at the table matters. With that, we embarked on Project SOAR. The way people connect with Project SOAR is through our Emergency Department at Cleveland Clinic Lakewood Family Health Center, at Fire Station 1, known as a Safe Station, and through home visits. Ms. Helmes also gave us handouts and other information. The short of it is that it appears overdoses and fatalities are decreasing in 2018 thus far. Access to narcans the effectiveness of SOAR are both credited for those reductions. The Committee also discussed program statistics, particularly indicating that of the 36 people that entered into the program, 27 have initiated treatment – representing a 75% success rate within the program so far. Ms. Norris provided an overview of the peer support concept and how it works. She shared her

own personal story of overcoming addiction in a way that hit home for the Committee members and also put in a way, faces or people to the statistics that were shared. The bottom line from my perspective is that Lakewood is being innovative by bringing together all relevant voices in being both comprehensive and hands-on in its approach rather than just sweeping it under the rug. We acknowledge that we had a problem and are doing everything we can comprehensively to do something about it. Lastly, one of the things I expressed in the meeting is a hope to have a full report after we've got a full year under our belt of the program so we can compare last year's numbers to this years.

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

Discussion: Mr. Anderson referred to the rates of overdose and death that were discussed in Committee, noting that overall numbers are down but that the percentage of overdoses resulting in death has not gone down. He expressed full support for the program.

Director Gelsomino remarked that overdose deaths are associated with fentanyl being added to the drugs and that we need to continue partnering with law enforcement to crack down on fentanyl.

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

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6. Finance Committee Report regarding meetings held 9/10/18, 9/24/18 & 10/1/18; Mr. O'Malley, Chair

The Finance Committee met on those referenced dates. We have already dispensed with one of the items discussed at the first meeting. I believe that we passed the transfer and advance ordinance at the last meeting where I was not present. The bulk of our discussion at those three meetings was around our discussion of Council budget priorities. This process was started a couple years ago when Councilmember Bullock was chairing Finance Committee. The thought process behind it was that it would give Council an opportunity to formally make its voice heard in drafting our budget. I think there was a characterization previously that Council was presented with a budget in the middle of November and we would take a few weeks to discuss it and did not have enough of an opportunity to influence that. My view is that we do have an opportunity regularly and continuously throughout the year to work with the administration to discuss areas where we would like to see improvement or investment. This is an opportunity to do so formally by way of the resolution that we had before us this evening. We do have a number of items that made it into the final resolution.

- Provide funding for Council travel to conferences and membership in organizations where those are.
  - This was an important one and one where we had broad agreement. Councilwoman George made this proposal. Where we can go and learn from our counterparts in other cities to improve ourselves not only professionally but to be able to improve our processes as well.

- Commission a study of our transportation needs; particularly as referenced the loss of our community circulator route proposed by Councilman Rader
- Purchasing green e-certified energy proposed by Councilman Bullock
- Continue upgrades to AV System in Auditorium proposed by President O’Leary
- Preservation of slate sidewalks
- A number of park-related items, particularly as they related to St. Charles Green – possibly St. Charles Park in the near future, Kauffman Park, and Edwards Park
- Funding a design study for installing sidewalks on Clifton Blvd. between W. Clifton and Lake Rd.
- Implementing the Bicycle Master Plan
- Continuing public art development and installations
- Electric vehicle charging stations
  - We are well on our way with that as evidenced by the BOC meeting today where contracts were entered into for two of those.
- Prioritizing curb repair proposed by Councilmember Litten
- Purchasing additional speed notifications proposed by Councilmember Litten
- Expanding traffic calming to additional streets

I’d like to thank Director Pae, the Mayor and the rest of the administration for their diligence in working with us on these items and the rest of the committee members as well. We did recommend adopting this resolution as substituted.

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

Discussion: Mr. Bullock noted that the process was well executed this year and thanked the administration for its partnership on the new initiatives. He expressed optimism that the work will enhance quality of life in the City. He noted that he has an update for Council on the clean energy purchase budget item.

President O’Leary thanked everyone for a robust process. He noted that there is much overlap between Council’s and the administration’s priorities.

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

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**7. RESOLUTION NO. 9020-18** - A RESOLUTION to formally identify agreed-upon priorities that Council would like to see reflected in the 2019 budget. (REFERRED TO FINANCE 9/17/18) (pg. 20)

Motion by Mr. O’Leary, seconded by Mr. Anderson to substitute Resolution 9020-18.

Yeas: Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader  
 Nays: none

Motion passed. Resolution 9020-18 substituted

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9020-18 as substituted.

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

Motion passed. Resolution 9020-18 adopted as substituted.

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8. Housing Committee Report regarding Ordinance 18-18; Mr. Anderson, Chair (pg. 23)

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

Discussion: Councilmember O'Malley made remarks about the other item discussed during Housing Committee – Ordinance 39-18 regarding warrantless searches. He expressed concern that the City advertised on social media that point of sale inspections have ceased before Council has had the chance to further deliberate and vote on that policy.

President O'Leary replied that the legality of point of sale inspections has been called into question by the Courts and that several Ohio cities have faced class action lawsuits. He remarked that by the City conducting the inspections while legislation to eliminate them is pending could be a cause for legal action against the City.

Director Butler added that suspension of point of sale inspections is temporary while Council considers the legislation.

Councilmember O'Malley stated that he sees great value in point of sale inspections for Lakewood in light of its higher number of rental properties. He believes that there is a way to work through the constitutional concerns while maintaining these inspections.

Mayor Summers stated that he would have the social media post be taken down.

Director Butler clarified that the intent of the post was to announce that point of sale inspections will not be required while the legislation is pending. He recommended against resuming the inspections in the interim.

President O'Leary stated that the point of sale inspection program fulfills an important public safety need in our community. He expressed hope that Lakewood can continue the inspections while also complying with case law.

Councilmember Anderson remarked that at the upcoming hearing on the ordinance he will seek to look at the overall housing inspection program and how we can add value and capacity in a number of areas.

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

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9. **SUBSTITUTE 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, 7/2/18, 9/17/18) (pg. 25)

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

Discussion: Mr. O’Malley expressed appreciation for Councilmember Anderson’s leadership and for all who participated. He remarked that treating rental condominiums the same as all rentals protects tenants.

In response to a prompt by a Councilmember, Fire Chief Gilman clarified the reasons why he was originally opposed to portions of the ordinance that have since been resolved. The Committee decided not to amend a portion of the ordinance, as originally proposed, which would have eliminated the requirement for paper copies of housing licenses to be displayed.

On the motion: Yeas: Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader  
Nays: none

Motion passed. Ordinance 18-18 substituted.

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

On the motion: Yeas: Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader  
Nays: none

Motion passed. Ordinance 18-18 adopted as substituted.

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10. **ORDINANCE NO. 41-18** - AN ORDINANCE amending Chapter 516, Discrimination Prohibited, of the Codified Ordinances of the City of Lakewood to prohibit any psychiatric treatment, including conversion therapy, which purpose is an attempt to change an individual’s sexual orientation. (PLACED ON 1<sup>ST</sup> READING AND REFERRED TO HEALTH & HUMAN SERVICES 9/17/18) (pg. 34)

Motion by Mr. O’Leary, seconded by Mr. Anderson to defer Ordinance 41-18.

Pastor John Lutz – North Coast Baptist Church

Pastor Lutz asked if the proposed ban on conversion therapy applies to clergy. He asked that such an exemption be considered if it has not already. He presented different hypothetical counseling scenarios and asked if they were within the scope of the ordinance to regulate.

Councilmember O'Malley clarified that the ordinance is clear in its definition of a mental health professional and does not include clergy. He remarked that he would consider the Pastor's other hypothetical scenarios and give them some thought.

Director Butler stated that it is unlikely that ORC considers clergy under its definitions of licensed mental health professionals.

Councilmember Litten reminded Council that Health & Human Services will meet next Monday to discuss the ordinance.

President O'Leary added that regarding the Pastor's comments he is not overly concerned with carving out exclusions given the harmful nature of conversion therapy as evidenced in the medical literature.

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

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11. **ORDINANCE NO. 40-18** - 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 at the earliest period allowed by law, to approve the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matter. (PLACED ON 1<sup>ST</sup> READING 9/4/18, 2<sup>ND</sup> READING 9/17/18) (pg. 37)

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Ordinance 40-18.

All members voting yea. Motion passed.

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

12. Communication from Council President O'Leary regarding Council appointment to the Civil Service Commission (pg. 39)

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

All members voting yea. Motion passed.

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13. **RESOLUTION NO. 9028-18** - 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, appointing     Kenneth Kowalski     to the Civil Service Commission to a three year term beginning January 1, 2019 and ending December 31, 2021. (pg. 40)

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Resolution 9028-18.

Discussion: Councilmember Rader expressed support for Mr. Kowalski’s appointment based on his personal knowledge of Mr. Kowalski’s background and education.

All members voting yea. Motion passed.

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14. Communication from Council President O’Leary and Councilmember O’Malley regarding responsible contractor ordinance. (pg.41)

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

All members voting yea. Motion passed.

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15. **ORDINANCE 43-18** – AN ORDINANCE establishing Section 111.16, Responsible Contracting Required of the Codified Ordinances of the City of Lakewood (to be provided)

Councilmembers deliberated as to the most appropriate committee to refer the Ordinance.

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

All members voting yea. Motion passed.

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16. Communication from Mayor Summers regarding compliance with the Clean Water Act: The Road Ahead (pg. 42)

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

Discussion:

President O’Leary recognized Lou McMahon present in the audience. Mr. McMahon is the City’s counsel on sewer matters. He thanked Mayor Summers for bringing this matter to the forefront.

Councilmember Litten remarked that the importance of this topic comes across loud and clear and that if Council does its job correctly, no one will notice.

Mayor Summers clarified that March 1<sup>st</sup> is the beginning of the City's discussion with its regulators when the City will formally submit its plan to them. He expressed that he wants Council to be very familiar with the plan by then in order to advocate for it to the regulators.

Councilmember Rader expressed appreciation to the administration for taking on this issue and for its concern about the high burden of sewer and water costs to residents. He expressed support for any measures that Council can take to help offset the burden of increased costs to residents.

Mayor Summers discussed the project timelines. He stated that the EPA wants all of the work to be completed in about 20 years but that there is realistically 130 years of massively expensive and disruptive work to be done. The City will be advocating for an extended timeframe and flexibility. He noted that spreading out the improvements may make sense because technology may be introduced that can make the work more efficient, noting that the high rate treatment plant was not available as an option 20 years ago. He noted that Lakewood's measures of success may be different from the EPA's.

Councilmember Anderson observed that the City increased its capture rate by 9-10% at a cost of \$83 million. Increasing this rate by another 3% could cost \$70 million and take 18 years. The closer you get to 100% capture and treat the more expensive it is.

In response to questions by Councilmember Bullock, Mayor Summers clarified what the March 1<sup>st</sup> document will tell the EPA how the City intends to capture and treat 98% of sanitary sewer waste. After March 1<sup>st</sup> the City will know the rough costs of the proposed projects. Ultimately the EPAs will decide if they will accept the City's plan. The best outcome for the City is flexibility over a long period of time and a five year permit verses a consent decree. He noted that such flexibility is not typically provided and that the usual pattern is a twenty-year consent decree overseen by a Judge. He explained why Lakewood's situation is unique and requires a different approach.

Mayor Summers discussed how all of this work has been funded to date.

On the motion: All members voted in favor. Communication referred to Committee of the Whole.

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17. Communication from Fire Chief Gilman regarding Firefighter Memorial Day (pg.51)

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

It was clarified that the address of Fire Station 1 is 14601 Madison Ave.

All members voting yea. Motion passed.

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18. **RESOLUTION NO. 9023-18** – A RESOLUTION to recognize Firefighter Memorial Day in the City of Lakewood (pg. 52)

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Resolution 9023-18.

All members voting yea. Motion passed. Resolution 9023-18 adopted.

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19. Communication from Police Chief Malley regarding Resolution to accept Ohio Attorney General Grant Funding (pg. 53)

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

All members voting yea. Motion passed.

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20. **RESOLUTION 9024-18** - 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, authorizing the Mayor (Director of Public Safety), to enter into an agreement to accept a grant from the Ohio Attorney General 2018-2019 Ohio Law Enforcement body Armor Program in the amount of \$25,863.75 which will fund 75% of the replacement cost of body armor vests. (pg. 54)

Motion by Mr. O’Leary, seconded by Mr. Anderson to adopt Resolution 9024-18.

Discussion: In response to a Councilmember question, Chief Malley explained that body armor expires due to perspiration, sun and heat. All officers wear the body armor. The armor is warranted for only 5 years.

All members voting yea. Motion passed. Resolution 9024-18 adopted.

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21. Communication from Human Services Director Gelsomino regarding Resolution to accept funding for congregate meal and transportation services. (pg. 58)

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

All members voting yea. Motion passed.

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22. **RESOLUTION 9025-18** - A RESOLUTION authorizing the Mayor or his designee to enter into an agreement with Cuyahoga County to accept funds estimated to be \$35,000 for the provision of congregate meals and transportation for seniors through the Division of Senior and Adult Services for a one year contract beginning January 1, 2019. (pg. 59)

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9025-18.

Discussion: In response to a Councilmember question, Director Gelsomino stated that it was her preference to have the Resolution passed this evening due to the grant's tight timeline.

Councilmember O'Malley expressed support for the programs being supported and spoke about his experiences attending the congregate meals.

Director Gelsomino thanked Councilmember O'Malley for attending the meals and invited all councilmembers to attend.

In response to a Councilmember's question, Director Gelsomino explained that the program is a reimbursement based program and that the program was hoping to receive \$10,000 more than it did.

All members voting yea. Motion passed. Resolution 9025-18 adopted.

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23. Communication from Planning Director Sylvester regarding salvage of building materials by the Lakewood Historical Society (pg. 60)

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

All members voting yea. Motion passed.

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24. **RESOLUTION 9026-18** - 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, authorizing the Director of Finance to transfer certain obsolete items at the site of the former Lakewood Hospital to the Lakewood Historical Society. (pg. 61)

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9026-18.

On the motion: Yeas: Anderson, Bullock, George, Litten, O'Leary, Rader

Nays: none

Absent: O'Malley

Motion passed. Resolution 9026-18 adopted.

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25. Communication from Finance Director Pae regarding amended purchasing and contracting ordinance FY2018 (pg. 64)

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

All members voting yea. Motion passed.

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26. **ORDINANCE 43-17B** - 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 43-17A, adopted July 2, 2018, 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. 65)

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

All members voting yea. Motion passed.

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27. Communication from Law Director Butler regarding Resolution permitting legal settlement with Global Outdoor Solutions, LLC (pg. 71)

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

All members voting yea. Motion passed.

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28. **RESOLUTION 9027-18** - 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, authorizing the Mayor and Director of Law to enter into an agreement with Global Outdoor Solutions, LLC, in the amount of \$40,000.00 for the full and final settlement of

all claims raised in and related to the matter titled City of Lakewood v. Global Outdoor Solutions, LLC, Case No. CV-18-898612 pending in the Cuyahoga County Court of Common Pleas. (pg. 72)

Motion by Mr. O'Leary, seconded by Mr. Anderson to adopt Resolution 9027-18.

All members voting yea. Motion passed.

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29. Liquor Permit notice regarding MMRS Beverage LLC, DBA McGinty's Pub at 13747-51 Madison Ave. (pg. 74)

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

All members voting yea. Motion passed.

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

Councilmember O'Malley thanked the Planning and Public Works Departments on the great progress on Cove Park.

Councilmember Litten reported out about the final walk-through of the Lakewood Hospital site that he and Councilwoman George hosted.

Councilmember O'Leary thanked Animal Control for its help dealing with a stray cat and expressed gratitude to the City for its shelter facilities.

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

Motion adopted. All members voting yea.

Meeting adjourned 9:50 PM.

Approved: 10/15/18

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CLERK

[Signature]  
PRESIDENT