

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
OCTOBER 3, 2016
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:45 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 .

Motion adopted. All members voting yea.

Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Assistant Finance Director Keith Schuster, Public Works Director Beno, Police Chief Representative, Fire Chief Gilman, Planning & Development Sylvester, Human Resources Director Yousefi,, Approximately 18 members of the Lakewood Fire Department present in honor of Firefighter Scavone, members of the public, members of the media.

Reading & disposal of the minutes of the Regular Meeting of Council held September 6, 2016. 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.

{Without objection from Council items 7, 8, 9, 10 and add-on item 18 were brought forward in the agenda order consecutively}

*******OLD BUSINESS*******

1. Committee of the Whole Report regarding October 3, 2016 Committee of the Whole Meeting. Mr. O'Leary; Chair. (Report to Be Provided)

We made the decision to forgo Committee of the Whole this evening. Therefore Committee of the Whole did not meet and there is no report. I would just note that the two agenda items were an update on the ongoing discussions with EPA and the City's compliance efforts in that regard. We would expect to receive that update at a later date. The administration recently met with the EPA last week to continue that discussion and so we will have that update eventually. The other item was an update from the Planning & Development Department regarding their ongoing

projects and issues of interest to Council and we will provide an opportunity for that update in the future. Move to receive and file that report.

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

Motion adopted. All members voting yea.

2. Finance Committee Report re: Resolution 8886-16, Ordinance Nos. 36-15C, 38-15A, 33-16 & Budget Priorities - 2017 Mr. Bullock; Chair. (Report to Be Provided)

The Finance Committee met tonight and all members of Council were in attendance as were several of the directors. We began by reviewing the city’s financial climate. We discussed in depth the funds and the projected trends in those funds – the projected expenditures anticipated in coming years for those funds. It was a good introduction to the upcoming 2017 budget process that we’ll go through in Council in November and December of this year. We then continued the 2017 budget priorities deliberation and concluded by having the Finance Committee recommend to the full Council passage of an amended version of Resolution 8886-16. I can detail the recommended amendments in motions on the floor.

Motion by Mr. Bullock, seconded by Mr. Anderson, to receive and file the oral report.

Motion adopted. All members voting yea.

3. **RESOLUTION NO. 8886-16** – A RESOLUTION to formally identify agreed-upon priorities that Council would like to see reflected in the 2017 budget. (REFERRED TO FINANCE COMMITTEE 9/19/16) (Pg.5)

Motion by Mr. Bullock, seconded by Mr. O’Leary, to amend Resolution 8886-16 by inserting in Section 1 the word, “among” after ‘as’ and “preliminary” after “priorities to that it reads, “...that this Council hereby establishes as among its preliminary priorities for the 2017 Fiscal year...

Mr. O’Malley commented on appreciation for the Finance Chair’s inclusiveness in the process and the amendment to allow for possibility of future change and input.

Mr. Bullock indicated he did want to provide preliminary priorities before additional details and priorities are worked through at the budget hearings at a later date. He emphasized that the enumerated issues were not the only ones Council would require deliberation on at a later date.

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

Nays: None

Motion adopted. Section 1 – of Resolution 8886-16 amended.

Motion by Mr. Bullock, seconded by Mr. O’leary, to substitute Exhibit A from place holder blank that is attached to read as listed on the chart that has been distributed to all Councilmembers and law Director, Finance Director and Mayor. (Attached)

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

Nays: None

Motion adopted. Exhibit A of Resolution 8886-16 amended.

Motion by Mr. Bullock, seconded by Mr. O’Leary to Amend Exhibit B to list all of the budget forms.

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

Nays: None

Motion adopted. Exhibit B of Resolution 8886-16 amended

Motion by Mr. Bullock, seconded by Mr. O’Leary, to adopt Resolution 8886-16 as amended.

4. **ORDINANCE 36-15C** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 36-15B, adopted June 6, 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 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 2016 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. (1ST READING & REFERRED TO THE FINANCE COMMITTEE 9/6/16, 2nd READING 9/19/16) (Pg. 7)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 36-15C.

Motion adopted. All members voting yea.

5. **ORDINANCE NO. 38-15A** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 38-15, adopted December 21, 2015, 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 **Memberships** as authorized by the 2016 Appropriation Ordinance and the Administrative Code of the city of Lakewood, contracts not to exceed \$60,000 without separate Ordinance of Council. (**PLEASE SUBSTITUTE** FOR ORDINANCE 38-15A - 1ST READING & REFERRED TO THE FINANCE COMMITTEE 9/6/16, 2ND READING 9/19/16)(Pg. 13)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to substitute Ordinance 38-15A.

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

Nays: None

Motion adopted. Ordinance No. 38-15A substituted.

Motino by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 38-15A as substituted.

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

Nays: None

Motion adopted. Ordinance No. 38-15A adopted. substituted

6. **ORDINANCE NO. 35-16** – AN ORDINANCE amending Section 121.07, Official Reports, of the Codified Ordinances of the City of Lakewood to reflect current technology and practices. (1ST READING 9/6/16, 2ND 9/19/16) (Pg. 20)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 35-16.

Motion adopted. All members voting yea.

****NEW BUSINESS****

7. Communication from All members of Lakewood City Council regarding Resolution to Honor Firefighter Terrance W. Scavone. (Pg.22)

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

Motion adopted. All members voting yea.

8. **RESOLUTION NO. 8889-16** – A RESOLUTION to express condolences to the family, friends, and fellow firefighters of Terrance Scavone on their loss and to recognize the thirty years of service Mr. Scavone dedicated to the Lakewood Fire Department. (Pg.23)

Councilmembers O’Malley & O’Leary expressed condolences to the family of Mr. Scavone and acknowledged the presence of many firefighters in the audience.

Mayor Summers announced that Mr. Scavone would be further recognized at this Sunday’s Fallen Firefighter event at noon at Fire Station 1.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8889-16.

Motion adopted. All members voting yea.

9. Communication from Councilmember Litten regarding Olympian Makorobundo Salukombo Recognition. (Pg. 24)

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

Motion adopted. All members voting yea.

- 10.**RESOLUTION NO. 8890-16** A RESOLUTION commending Olympian Makorobondo Salukombo (To Be Provided – Pg. 25)

Motion by Mr. Litten, seconded by Mr. O’Leary, to adopt Resolution 8890-16.

Motion adopted. All members voting yea.

- 11.Communication from Mayor Summers regarding September 26, 2016 joint meeting of Lakewood Board of Education and Lakewood City Council. (Pg. 26)

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.

12.Communication from Law Director Butler regarding 2016 third quarter codification ordinance. (Pg. 27)

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

Motion adopted. All members voting yea.

13.**ORDINANCE NO. 36-16** AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, to approve the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matter. (Pg. 28)

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

Motion adopted. All members voting yea.

14.Communication from Law Director Butler regarding Resolution authorizing the Mayor to enter into agreement with the Cuyahoga County Board of Health for the provision of public health services in Lakewood in 2017. (Pg. 30)

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

Motion adopted. All members voting yea.

15.**RESOLUTION NO. 8891-16** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor to enter into an agreement with the District Advisory Council of Cuyahoga County, Ohio General Health District for the provision of public health services within the City of Lakewood in an amount not to exceed \$214,780.00 for a one-year period commencing January 1, 2017. (Pg. 31)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to reer Resolution 8891-16 to the Health & Human Services Committee.

Motion adopted. All members voting yea.

16. Communication from Public Works Director Beno regarding Ohio Public Works Commission Funding 2017-additional project proposal. (Pg. 34)

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

Motion adopted. All members voting yea.

17. RESOLUTION NO. 8892-16 - A RESOLUTION 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, authorizing the Mayor of the City of Lakewood, or his designee, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program, Local Transportation Improvement Program or any other appropriate Ohio Public Works Commission program that these projects qualify for and to execute contracts as required. (Pg. 35)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Resolution No. 8892-16 to the Public Works Committee.

Motion adopted. All members voting yea.

***ADD-ON - Item 18** – State Auditors Award for Audit with Distinction presented to Lakewood Finance Department; Jennifer Pae; Director; Keith Schuster; Assistant Finance Director recipients.

Rebecca Widowski of the State Auditor’s Office presented the award to Finance Director Pae.

Councilmember O’Leary praised the Finance Department, noting that the Department is perennially recognized for its good work. He remarked on the strengths of the Department including its accountability, transparency, and vision.

Councilmember Bullock congratulated Director Pae. He explained the significance of the award.

Tom Feser – 17852 Lake Rd.

Mr. Feser expressed support for the Clifton Road Extension project. He explained that 50 years ago the highway was put in and divided the neighborhood, that it is the only area of the City without sidewalks. He asserted that the area does not accommodate pedestrians or the neighbors who live there. He and his neighbors favor a 2 lane road with bike lanes on both sides. He asked Council to budget money for this project.

Greg Pilgrim – 13471 Clifton Blvd

Mr. Pilgrim expressed concern about the shooting at W. 117th. He asked for an explanation of how the City plans to crack down on crime and respond to this incident in particular.

Mayor Summers provided details of the situation that occurred. He explained the roles of the police and security cameras in apprehending the four individuals involved. He encouraged private property owners to install cameras and explained the depth and breadth of LPD departments, training, technology and other aspects of public safety. He stated that we have a greater societal question to answer about the role of guns.

Councilmember Bullock noted that half of the City's budget is dedicated to Public Safety including maintaining a high headcount of officers.

Mayor Summers added that body cameras were implemented in July and that they proved useful in this situation.

Tom Monahan – 1487 Waterbury

Mr. Monahan referenced administration's previous statements about the closure of Lakewood Hospital and stated objection to contents of campaign literature.

Mayor Summers indicated he would welcome constructive conversation about the future of health care in the City of Lakewood stating it was false to claim opposition to issue 64 would mean that Lakewood Hospital would then be able to open.

Mr. Monahan indicated that he did not say that.

Director Pae backed the information referenced in as a letter to the editor indicating the factual information remains unchanged.

Councilmember Bullock stated that he is grateful for the clarifying statements made by the Mayor and Chief Gilman because Save Lakewood Hospital has been circulating false information that is confusing the public.

Councilmember Anderson stated that it puts people's health at risk to tell them to bypass the ER when it is fully functioning.

Councilmember Marx expressed frustration that Save Lakewood Hospital continues to tell people that the ER is not legitimate and that Lakewood Hospital will re-open if Issue 64 is opposed.

****ANNOUNCEMENTS****

Mayor Summers announced the Fallen Firefighter event at 12:00 on Sunday at Fire Station 1 followed by a "Blessing of the scarecrows" on Madison. He also noted that the administration will have a detailed meeting with the EPA this week.

Councilmember O'Malley responded to Mr. Pilgrim's concerns about safety, expressing empathy and noting that people have a right to feel safe.

Councilmember Litten offered congratulations to Councilmember O'Leary on his upcoming nuptials.

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

Motion adopted. All members voting yea.

Meeting adjourned 8:58 PM

Approved: _____

CLERK

PRESIDENT