

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
OCTOBER 7, 2019  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:31 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 O'Malley, Tristan Rader

Also Present: Mayor Summers, Law Director Butler, Planning and Development Director Sylvester, Human Resources Director Yousefi, Finance Director Pae, LPD Captain Leslie Wilkins, Fire Chief Dunphy, Public Works Director Beno, Human Services Director Gelsomino, and many members of the public.

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Reading and disposal of the minutes of the Regular Meeting of Council held September 16, 2019.

Motion by Mr. O'Leary, seconded by Mr. Anderson, to approve without the necessity of a reading. All members voted in favor. Motion passed.

Without objection, President O'Leary moved docket items #19, #15, #16 & #20 to the top of the agenda.

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

1. Committee of the Whole report regarding meeting held September 30, 2019. (pg. 1)

Motion by President O'Leary, seconded by Vice President Anderson to receive and file the committee report.

All members voted in favor. Motion passed.

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2. **SUBSTITUTE RESOLUTION 9090-19** - 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 Laura Balliett to the Tree Advisory & Education Board for a term beginning immediately and ending December 31, 2020. (*Referred to COW 9/16/19*) (pg. 2)

Motion by President O'Leary, seconded by Vice President Anderson to adopt S. Resolution 9090-19.

All members voted in favor. Motion passed. S. Resolution 9090-19 adopted.

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3. **SUBSTITUTE RESOLUTION 9091-19** - 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 Marc Dann to the Tree Advisory & Education Board for a term beginning immediately and ending December 31, 2021. (*Referred to COW 9/16/19*) (pg.3)

Motion by President O'Leary, seconded by Vice President Anderson to adopt S. Resolution 9091-19.

All members voted in favor. Motion passed. S. Resolution 9091-19 adopted.

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4. **SUBSTITUTE RESOLUTION 9092-19** - 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 Linda Grandstaff to the Tree Advisory & Education Board for a term beginning immediately and ending December 31, 2022. (*Referred to COW 9/16/19*) (pg. 4)

Motion by President O'Leary, seconded by Vice President Anderson to adopt S. Resolution 9092-19.

*Discussion:* In response to a Councilmember's comment, Mayor Summers affirmed that he had received the remaining applications and the recommendations of some Councilmembers.

*On the motion:* All members voted in favor. Motion passed. S. Resolution 9092-19 adopted.

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5. Public Safety Committee report regarding meeting held September 23, 2019. (pg. 5)

Motion by Councilmember Bullock, seconded by President O'Leary to receive and file the committee report.

All members voted in favor. Motion passed.

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6. Housing Committee report regarding meeting held September 23, 2019. (to be provided)

Housing Committee Chairman Anderson delivered the following committee report:

*The Housing Committee met on September 23<sup>rd</sup> with all members present, along with other members of Council, members of the administration's Building Department, representatives of WXZ Development, and a couple members of the public.*

*After thorough discussion, Housing Committee recommended Resolution 9093-19, which grants a \$100,000 rebate to WXZ Development on completion of necessary environmental remediation at its Lake Avenue homes development site.*

*The committee then deliberated on a communication from Councilwoman George regarding the demolition and re-build of homes in Lakewood. Members of the Committee pledged additional discussion, which is being scheduled for next week.*

*The committee then focused discussion on Ordinance 18-19, which seeks to require contactors registered with the City to receive a training or orientation to be provided by the City. We had a robust discussion with the Housing Department and another pledge for further discussion at a forthcoming meeting. Lastly, the committee approved the minutes from its last meeting on July 22<sup>nd</sup>.*

Motion by Vice President Anderson, seconded by President O'Leary to receive and file the committee report.

All members voted in favor. Motion passed.

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7. **RESOLUTION 9093-19** - 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 at the earliest period allowed by law, authorizing the Mayor or his designee to enter into an agreement with WXZ Residential Group/Lakewood, LLC for an economic development grant, issued in the form a single rebate, for a total amount not to exceed one hundred thousand dollars (\$100,000.00), in order to assist the grantee in preparing the site for residential development. (*1<sup>st</sup> read and referred to Housing Committee 9/16/19*) (pg. 7)

President O'Leary recognized the presence of Jim Wymer and made reference to previous discussions on this item.

Motion by President O'Leary, seconded by Vice President Anderson to adopt Resolution 9093-19.

*Discussion:* In response to a question by Councilmember Litten, Director Sylvester affirmed that the rebate is a one-time payment that will be paid upon completion of the environmental remediation.

*On the motion:* All members voted in favor. Motion passed. Resolution 9093-19 adopted.

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8. Finance Committee report regarding meeting held October 7, 2019. (to be provided)

Finance Committee Chairman O'Malley delivered the following committee report:

*The Finance Committee met this evening and discussed the Council budget priority process. We reviewed some items that had not been previously discussed and gave a great deal of attention to the item that referred to the hiring of a community organizer. It was the sentiment of the committee that we would keep that included in this resolution. A good deal of discretion would be given to the next Council and Mayor in terms of how that priority is realized. The remaining items were given an overview and discussion. We also approved the minutes from our previous meeting. We voted to recommend adoption of the resolution that follows. The concludes my report.*

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

*Discussion:* Councilmember Bullock complimented all for a thoughtful process resulting in creative ideas responsive to resident needs.

All members voted in favor. Motion passed.

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9. **RESOLUTION 9096-19** - A RESOLUTION to formally identify agreed-upon priorities that Council would like to see reflected in the 2020 budget. (pg. 31)

Motion by President O'Leary, seconded by Vice President Anderson to substitute Resolution 9096-19. A roll call vote was taken as follows:

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

Motion passed. Resolution 9096-19 substituted.

Motion by President O'Leary and seconded to adopt Resolution 9096-19 as substituted.

*Discussion:* Councilmember Rader remarked that the priorities represent a theme of sustainability and excitement for working on these items in 2020.

All members voted in favor. Motion passed. Resolution 9096-19 adopted as substituted.

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10. Rules & Ordinances Committee meeting regarding meeting held October 7, 2019. (to be provided)

Rules & Ordinances Committee Chair George delivered the following committee report:

*The Rules & Ordinances Committee met this evening to discuss two ordinances. The first is Ord. 16-19, enacting a new chapter for public records access. We did get an update from the Law Department that an agreement has been signed with NextRequest, which will be a public records portal which should be up and running by the end of the year. We had a pretty thorough discussion on the ordinance itself. It needs some updating from the Law Department and so we will meet one more time in Rules & Ordinances.*

*The second item we met on was Ord. 25-19 requiring all dogs in Lakewood's parks to be registered with the County and wear registration tags. We had a thorough discussion concluding with Councilman Anderson saying that a resolution may be a better fit than an ordinance and he will return to the committee with that. We will return to both items at a future meeting.*

Motion by Councilmember George, seconded by President O'Leary to receive and file the report.

All members voted in favor. Motion passed.

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11. **ORDINANCE 16-19** - AN ORDINANCE enacting new Chapter 110, Access Public Records, of the Codified Ordinances of the City of Lakewood to create transparency and timely easy-of-access to public records and set requirements for the city's online public records request system. (1st read and referred to Rules & Ordinances Committee 5/20/19; 2<sup>nd</sup> reading 6/3/19) (pg. 34)

Motion by President O'Leary, seconded by Vice President Anderson to defer Ordinance 16-19.

All members voted in favor. Motion passed. Ordinance 16-19 deferred.

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12. **ORDINANCE 25-19** - AN ORDINANCE repealing 905.07 Animals, and enacting a new 905.07 Animals which require that all dogs in any park be registered with the County Fiscal Officer and wear a registration tag. (*Placed on 1<sup>st</sup> reading and referred to Rules & Ordinances 9/3/19; 2<sup>nd</sup> reading 9/16/19*) (pg. 40)

Motion by President O'Leary, seconded by Vice President Anderson to defer Ordinance 25-19.

All members voted in favor. Motion passed. Ordinance 25-19 deferred.

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13. **RESOLUTION 9080-19** - 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 Emerald Light Investments, Ltd., an Ohio limited liability company, owner of the property located at 18100 Detroit Avenue, Lakewood, Ohio (PPN 311-17-013), and to execute all documents necessary to effectuate the purchase and sale according to the terms of that agreement. (*Referred to Public Safety Committee 7/15/19*) (pg. 43)

President O'Leary explained the property is being purchased in order to make necessary expansions to the Fire Station.

Motion by President O'Leary, seconded by Vice President Anderson to substitute Resolution 9080-19.

A roll call vote was taken as follows:

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

Nays: none

Motion passed. Resolution 9080-19 substituted.

Motion by President O'Leary, seconded by Vice President Anderson to adopt Resolution 9080-19 as substituted.

A roll call vote was taken as follows:

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

Nays: none

Motion passed. Resolution 9096-19 adopted as substituted.

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14. **ORDINANCE 26-19** - 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. (*1<sup>st</sup> reading 9/16/19*) (pg. 46)

Motion by President O'Leary, seconded by Vice President Anderson to defer Ordinance 26-19.

All members voted in favor. Motion passed. Ordinance 26-19 deferred.

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

15. Communication from Councilmember Rader regarding resolution to recognize WIC Perks pilot project at Lakewood Farmers Market. (pg. 48)

A representative from OSU Extension addressed Council regarding WIC Perks. She recognized the partnership with Cuyahoga County WIC and the Lakewood Farmers Market and reported out on the total number of families served. She reported that the team was planning to initiate WIC Perks again next year.

A representative of WIC expressed enthusiasm for being part of the Lakewood community and remarked on the large turnout for WIC Perks. She expressed hope for continuing this program in future years.

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

President O'Leary encouraged the audience to check out the final farmers market of the year and thanked the WIC Perks partners for their work on this program.

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

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16. **RESOLUTION 9094-19** - A RESOLUTION to recognize the success of the WIC Perks pilot project which provided fresh produce vouchers to 257 families visiting the Lakewood Farmers Market this season. (pg. 50)

Motion by President O'Leary, seconded by Councilmember Rader to adopt Resolution 9094-19.

All members voted in favor. Motion passed.

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17. Communication from Councilmember Bullock regarding Midwest Green Transportation Forum & Expo. (pg. 51)

Motion by Councilman Bullock, seconded by President O'Leary to receive and file the communication and refer it to Public Works Committee.

All members in favor. Motion passed.

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18. Communication from Councilmember Rader regarding appointment to Animal Safety & Welfare Advisory Board. (pg. 53)

Motion by Councilman Rader, seconded by President O'Leary to receive and file the communication.

All members in favor. Motion passed.

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19. Lakewood Police Department Medal of Valor Presentation (pg. 54)

Lt. Warner delivered a presentation describing the heroic actions of Officers Bunner & Mejstrik to save the life of an individual attempting suicide. He clarified that the Medal of Honor would be presented, not the Medal of Valor. He described the qualifications for this Medal and remarked about how the officers exceeded each one by their actions.

Lt. Warner screened a 5 minute video that was edited from police body camera footage showing the heroic actions.

Captain Leslie Wilkins addressed Council and the officers present. She congratulated the officers and expressed her pride on behalf of herself and Chief Malley. She spoke about the value and rigor of the crisis intervention training that the officers voluntarily completed.

Mayor Summers presented the awards and made brief remarks about each officer. He extolled the value of new body camera technology which allows the public to view this incident.

President O'Leary thanked LPD for showing the video and acknowledged the large turnout of officers, auxiliary officers, and LPD families present in support of Officers Bunner & Mejstrik.



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

All members in favor. Motion passed.

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20. Communication from Mayor Summers regarding investment in Human Capital. (pg. 55)

Leslie Yerkes of Catalyst Consulting Group, Inc. gave a presentation on improvements made to performance review systems in place at City Hall and their positive effects on employees. A one-page performance review sheet was replaced with a quarterly conversation between an employee and his/her supervisor. This process was implemented across 100% of the managerial workforce, and police and fire voluntarily participated in the process. Managers, grouped into cohorts, participated in emotional intelligence classes taught by Case Western University staff. Case Western Staff have done 3 appreciative inquiries for the Public Works, Building & Housing, and Fire Departments.

Councilmembers expressed their appreciation for the report and support for the services rendered to employees.

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

All members in favor. Motion passed.

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21. Communication from Mayor Summers regarding a resolution authorizing the issuance of a design build RFQ for the adaptive reuse of Cove Church. (pg. 56)

Mayor Summers gave an overview of the process leading up to the development of the draft RFQ.

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

All members in favor. Motion passed.

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22. **RESOLUTION 9097-19** - 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 (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and /or the Purchasing Manager to establish procedures for and engage in the process of

letting of one or more contracts with one or more qualified entities for design and construction for the repurposing of Cove Church without the necessity of competitive bidding; and exempting the City from certain provisions within the Ohio Revised Code related to design-build contracting for the purposes of this project. (pg. 66)

Motion by President O’Leary, seconded by Vice President Anderson to refer Resolution 9097-19 to Committee of the Whole.

Councilmembers asked questions of the administration pertaining to the timeline of the project. Mayor Summers clarified that there is no hard and fast timeline that must be abided by, however a delay in the project will likely cause it to incur larger costs in material and labor.

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

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23. Communication from Director Gelsomino regarding Title III of the Older American’s Act, 2020-21 Proposal. (pg. 69)

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

All members in favor. Motion passed.

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24. **RESOLUTION 9098-19** - 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 or his designee to apply for and enter into an agreement with the Western Reserve Area Agency on Aging for title III of the Older Americans Act, Senior Community Services for the 2020-2021 program years. (pg. 70)

Motion by President O’Leary, seconded by Vice President Anderson to adopt Resolution 9098-19.

President O’Leary acknowledged that the funding provided is incredibly important for the community and provides a variety of services to those in need.

*On the motion:* All members voted in favor. Motion passed. Resolution 9098-19 adopted.

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25. Communication from Director Pae regarding Amended 2019 Purchasing and Contracting Authority. (pg. 72)

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

All members in favor. Motion passed.

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26. **ORDINANCE 50-18B** - 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, amending Ordinance 50-18A adopted May 20, 2019, 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 2019 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. 73)

Motion by President O’Leary, seconded by Vice President Anderson to refer Ordinance 50-18B to Finance Committee.

All members in favor. Motion passed. Ordinance 50-18B referred to Finance Committee.

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27. Communication from Director Sylvester regarding authority to sell real property located at 2117 Robin Ave. (pg. 80)

Director Sylvester requested that Council pass Ordinance 27-19 on first reading tonight in order to get the property back on the market as soon as possible. President O’Leary noted that while it is unusual for Council to pass legislation on first reading, Council had already read another piece of legislation authorizing the sale of the property three times previous.

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

Councilmembers expressed their familiarity with the property and expressed support for passage on first reading, due to the seasonal nature of the real estate industry.

*Public comment: Bill Fronomo, Lakewood resident, owns rental property on Lauderdale Ave. that is adjacent to a house that was sold through the city’s affordable housing program. He noted that in the past that the city’s program often led to a 4-5 year home rehab period. He proposed opening the home up for sale to the free market and not putting any affordable housing restrictions on the sale.*

*Director Sylvester noted that he spoke with the resident previously on his front lawn and sought to speak with him again after the meeting to address specifics in this project and the project on Lauderdale.*

*On the motion:* All members in favor. Motion passed.

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**28. ORDINANCE 27-19** - 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 or the Mayor to enter into an agreement with a licensed real estate broker to market for sale the real property located at 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. 81)

Motion by President O’Leary, seconded by Vice President Anderson to suspend the rules and approve for adoption on first reading.

A roll call vote was taken as follows:

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

Nays: none

Motion passed. Rules suspended.

Motion by President O’Leary, seconded by Vice President Anderson to adopt Ordinance 27-19.

Vice President Anderson asked where the proceeds of the sale of the property would go. Director Sylvester indicated they would go into the CDBG Fund to then be reinvested into another project, renovation or new build. The City will remain with the same broker for the sale of the property, as they have worked to build a pipeline of buyers together.

A roll call vote was taken as follows:

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

Nays: none

Motion passed. Ordinance 27-19 adopted.

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**29. Communication from Fire Chief Dunphy regarding Fire Prevention Week 2019.** (pg. 83)

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

President O’Leary noted that Council heard the winning essay from a Lincoln Elementary student at the Fallen Firefighters Memorial and Promotional Ceremony the previous week. It was noted that house fires are a regular occurrence in the city and that folks should be as prepared as possible with an escape plan.

*On the motion:* All members in favor. Motion passed.

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30. **RESOLUTION 9095-19** - A RESOLUTION, calling upon the citizens of Lakewood to participate in fire prevention activities at home, and to heed the message, “Not Every Hero Wears A Cape... Plan and Practice Your Escape,” as the 2019 Fire Prevention Week theme suggests. (pg. 84)

Motion by President O’Leary, seconded by Vice President Anderson to adopt Resolution 9095-19.

All members in favor. Motion passed. Resolution 9095-19 adopted.

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

Ms. Fay Olson of Clifton Blvd. expressed dismay that the ban on retractable leashes will not be reviewed this month. She shared her personal experiences in the community and provided facts about the retractable leash and its benefits for small dog owners. She asked that the ordinance not be enforced, if it is to remain in the city code. She also claimed a councilmember had disrespected her at a public meeting. The councilmember disputed that characterization and thanked her for sharing her thoughts on the law.

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

Mayor Summers noted that the upcoming issue of Lakewood Life is at the printer and contains information about various affordable housing programs, lead safe issues and strategies, home improvement resources, Census 2020, community awards, preservation strategies, and information on the handheld mobile phone ban while driving. He added that Public Works has been hard at work acquiring speed signals that indicate the speed of an oncoming car. Two temporary units will be replaced with two, permanent solar-powered units. One will be on Arthur Ave., another will be at the east end of Franklin Ave., and there will be two more placed on Parkwood Ave., one facing north and the other facing south. There will also be five more units coming that will be placed based on feedback from the Police Department and Council.

Director Gelsomino noted that a viewing of *Resilience: The Biology of Stress and the Science of Hope*, a documentary, will be hosted in the Auditorium on October 22<sup>nd</sup> at 6:30 p.m.

President O'Leary made a motion, seconded by Vice President Anderson, to adjourn. All members voted in favor. Motion passed.

Meeting adjourned: 9:20 p.m.

Approved: 10/21/2019

Mannion Bach  
CLERK

[Signature]  
PRESIDENT