

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
NOVEMBER 18, 2019  
7:30 P.M.**

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

\*\*\*\*

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, Police Chief Malley, Fire Chief Dunphy, Public Works Director Beno, Human Services Director Gelsomino, and many members of the public.

\*\*\*\*

Reading and disposal of the minutes of the Regular Meeting of Council held November 4, 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 #7 to the top of the agenda.

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

1. Public Safety Committee report regarding meeting held November 11, 2019. (to be provided)

Public Safety Committee Chairman Bullock delivered the following oral report:

*Public Safety Committee met on November 11<sup>th</sup> and considered two matters. One was the continued deliberation over the possible matter of a scooter and bicycle-share program through the Cuyahoga County contract. The second was proposed Ordinance 29-19, related to firearms. On the first matter the committee reviewed a draft ordinance that had not been introduced at that time, prepared by the Law Department and administration to update our traffic code in various ways to give our public safety forces the authority to regulate scooter*

*and e-bikes the same way that we would regulate any other vehicle on the streets. Because scooters and e-bikes are new vehicles, they don't meet the definitions of traditional vehicles and therefore fall outside the clear authority of public safety so to address that gap, the committee discussed and then agreed to a motion to recommend that Council consider such an update to our traffic code and adopt it by the year's end. I believe we have a proposal on the docket tonight to that effect. That's not that that revolutionary; it's just to make sure that our safety forces have the tools they need. Scooters can and do come onto Lakewood streets already because people already own them at home and use them or because they are visiting from Cleveland, where the scooter share programs are. That motion was unanimously agreed to.*

*The second item we discussed was Ordinance 29-19 to amend or repeal various sections of LCO that relate to firearms, specifically, that would regulate owning, possessing, purchasing, transporting, storing, sale, transfer, manufacture, keeping, and reporting the loss or theft of firearms. This is necessary because the state government changed the state statutes and we are required to comply with those. This does not affect the discharge or firing of firearms within the City. We still have our own laws relating to that but on that list of matters the state law changed and we must come into compliance. We did clarify with the Police Captain in attendance that these changes do not really change their practical day-to-day conduct of police work. They still feel they have the tools they need to keep the community safe. So the committee recommended adoption of this ordinance to the full council.*

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

*Discussion:* Councilmember Rader underscored that passing the law about scooter does not authorize a scooter contract for Lakewood and that this is just a first step.

President O'Leary and Councilman Bullock clarified that the concept of Ordinance 47-19 has been recommended out of Public Safety but the Ordinance itself is in first reading tonight.

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

\*\*\*\*

2. Communication from Director Sylvester regarding updates to the City Traffic Code to account for mobility devices, including electric bicycles and scooters. (pg. 1)

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

*Discussion:* Councilmember Bullock suggested that Ordinance 47-19 stay on the floor for deliberation since it has been discussed so thoroughly in Public Safety.

Councilmember O'Malley expressed support for ensuring three readings of Ordinance 47-19.

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

\*\*\*\*

3. **ORDINANCE 47-19** - 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 at the earliest period allowed by law, amending or repealing various sections of the Lakewood Codified Ordinances to allow for the regulation and distinction of electronic bikes and electronic scooters within the City of Lakewood. (pg. 2)

Motion by President O'Leary, seconded by Vice President Anderson to defer Ordinance 47-19.

*Discussion:* Councilmember Bullock stated that Public Safety would convene, as scheduled on December 9<sup>th</sup> to continue deliberations on scooters and to consider if Lakewood wants to include a scooter program in the community. The Planning Department is working on a public meeting this weekend. He stated that he is neutral on the issue and wants to examine all the pros and cons before moving forward.

Vice President Anderson put forth questions regarding scooters and scooter use that he is seeking to have answered in upcoming committee meetings.

Councilmember Litten noted that it was helpful to have the scooter operators attend meetings and asked for them to attend additional meetings.

Councilmember George commended the Planning Department for taking the first steps with this legislation. She stated that the City needed a lot more research and public input before moving ahead.

*On the motion:* All members voted in favor. Motion passed. Ordinance 47-19 deferred.

\*\*\*\*

4. **ORDINANCE 29-19** - 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 at the earliest period allowed by law amending or repealing various sections of the Lakewood Codified Ordinances that regulate owning, possessing, purchasing or other acquisition, transporting, storing, carrying, sale or other transfer, manufacture, keeping, and reporting of loss or theft of firearms within the City of Lakewood. (*1<sup>st</sup> read & referred to Public Safety 10/21/19, 2<sup>nd</sup> reading 11/4/19*) (pg. 17)

Motion by President O'Leary, seconded by Vice President Anderson to adopt Ordinance 29-19.

*Discussion:* Councilmember Bullock asked Chief Malley to verify the characterization that this legislation has little effect on LPD's day-to-day operations. Chief Malley affirmed this and stated the Department has no issue with it.

*On the motion:* All members voted in favor. Motion passed. Ordinance 29-19 adopted.

\*\*\*\*

5. Housing Committee report regarding meeting held November 11, 2019. (to be provided)

Housing Committee Chairman Anderson delivered the following oral report:

*The Housing Committee met on November 11<sup>th</sup> and talked about Resolution 2019-08, which would add a new tool in our toolbox to advance affordable housing in new multi-family and mixed-use construction projects, via the community reinvestment area. This is the first of two hearings that we are going to have on this topic – the second is scheduled for 5:00 p.m. on December 2<sup>nd</sup>. All members of the committee were present as well as members of the administration, notably Planning Director Bryce Sylvester.*

*There is a bit of history in regard to using the community reinvestment area going back a number of years. We talked about the history of that particular tool. We also walked through the various components of our current affordable housing strategy, this additional component is still being considered by the Housing Committee and we look forward to having a conclusion on our deliberation after December 2<sup>nd</sup> hearing. SO we will look for a more complete as to the recommendations or not on this resolution after December 2<sup>nd</sup>.*

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

All members voted in favor. Motion passed.

\*\*\*\*

6. Finance Committee report regarding meeting held November 18, 2019 (to be provided)

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

*The Finance Committee met this evening for what was effectively the beginning of the budget hearing process. We began with an overview of this year's process, which includes about 13 hours' worth of hearings between now and December 16<sup>th</sup> and hopefully then we will have a vote on the FY 2020 budget. We got an overview of the budget document and budget 101 from Director Pae, Mayor Summers, and Finance Director Schuster. We had a number of good questions from councilmembers and a good beginning discussion for this hearing process. The Committee is scheduled to meet again on November 25<sup>th</sup> from 6:00-8:00 where we will be discussing our Community Development Block Grant/ Emergency Solutions Grant allocations. We will be joined at that meeting by the Chair of the Citizens Advisory*

*Committee, Lee Silvis. We will also be joined by Lakewood Alive to discuss their operations and will also discuss the budget for the Planning & Development Department.*

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

All members voted in favor. Motion passed.

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

7. Keep Lakewood Beautiful – Beautiful Home Awards.

Ruth Gillett of the Keep Lakewood Beautiful Board delivered the attached 2019 Beautiful Home Awards presentation. She discussed the mission of the Board and its initiatives and the process by which a homeowner can be nominated for a Beautiful Home Award. The awardees were:

- 17449 Norton
- 15710 Clifton Blvd.
- 1032 Edgewater
- 1584 Marlowe
- 2093 Arthur
- 1451 Clarence
- 1520 Grace Ave.

She discussed the history of each home and summarized the features of each.

President O’Leary thanked Board members and homeowners for their investments. He encouraged residents to nominate their neighbors and to get involved with Keep Lakewood Beautiful.

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

*Discussion:* Councilmember Bullock requested a copy of the presentation and thanked the presenters.

On the motion, all members voted in favor. Motion passed.

\*\*\*\*

8. Communication from Director Pae regarding 2019 Year-End and 2020 Budget Ordinances. (pg. 31)

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

All members voted in favor. Motion passed.

\*\*\*\*

Motion by President O’Leary, seconded by Vice President Anderson to suspend the rules to allow for consecutive reading of docket items #9 - #23.

A roll call vote was taken as follows:

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

Nays: none

Motion passed. Rules suspended.

\*\*\*\*

9. **ORDINANCE 30-19** - 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 establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2019. (pg. 32)
10. **ORDINANCE 31-19** - 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, authorizing the transfer and advance of certain funds. (pg. 45)
11. **ORDINANCE 32-19** - 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 establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2020. (pg. 47)
12. **ORDINANCE 33-19** - 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, 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 2020 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. 60)
13. **ORDINANCE 34-19** - 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, 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. (pg. 64)

14. **ORDINANCE 35-19** - 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, and 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 **Memberships** as authorized by the 2020 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$90,000 without separate Ordinance of Council. (pg. 67)
15. **ORDINANCE 36-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Street Infrastructure Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 71)
16. **ORDINANCE 37-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Wastewater System and Treatment Improvement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 73)
17. **ORDINANCE 38-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Water System Replacement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 75)
18. **ORDINANCE 39-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for Community Development Block Grant **CDBG Fund Infrastructure Improvements** in accordance with the administrative code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 77)

19. **ORDINANCE 40-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Equipment** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 79)
20. **ORDINANCE 41-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Buildings & Facilities Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 81)
21. **ORDINANCE 42-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Traffic Signs & Signals** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 83)
22. **ORDINANCE 43-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the

Administrative Code of the City of Lakewood for **Parks & Pools Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 85)

23. **ORDINANCE 44-19** - 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, authorizing and directing 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 advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the **Sidewalk Improvement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (pg. 87)

\*\*\*\*

Motion by President O’Leary, seconded by Vice President Anderson to refer docket items #9 - #23 to Finance Committee.

Vice President Anderson explained to the public Council’s approach to these budget ordinances and their role in the budget process.

A roll call vote was taken on the motion as follows:

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

Nays: none

Motion passed. Docket items #9 - #23 referred to Finance Committee.

\*\*\*\*

24. Communication from Director Pae regarding Section 129.54 Operational Cash Accounts. (pg. 89)

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

All members voted in favor. Motion passed.

\*\*\*\*

25. **ORDINANCE 45-19** - AN ORDINANCE to take effect immediately provided it received 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 129.54, Operational Cash Funds, of the Codified Ordinances of the City of Lakewood to comply with previous changes to the chapter. (pg. 90)

Motion by President O’Leary, seconded by Vice President Anderson to refer Ordinance 45-19 to Finance Committee.

All members voted in favor. Motion passed.

\*\*\*\*

26. Communication from Director Yousefi regarding a revision to the Salary Ordinance. (pg. 92)

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

*Discussion:* A typo was discovered in the legislation and an updated version was requested by the Council President. It was clarified that the salary bands do not reflect more than a 3% increase.

All members voted in favor. Motion passed.

\*\*\*\*

27. **ORDINANCE 46-19** - AN ORDINANCE to take effect on January 1, 2019, 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 provide for creating positions and rates of pay for full-time and certain part-time annual salaried employees and hourly rate employees not covered by a collective bargaining agreement in the several departments, divisions and offices of the City of Lakewood, including the Chief of Fire, Chief of Police and Civil Service Commissioners. (pg. 93)

Motion by President O’Leary, seconded by Vice President Anderson to refer Ordinance 46-19 to Finance Committee.

All members voted in favor. Motion passed. Ordinance 46-19 referred to Finance Committee.

**\*\*\*\*LIQUOR PERMITS\*\*\*\***

28. Liquor Permit Notice – Phantasy Nite Club at 11802-14 Detroit Ave. (pg. 099)

Motion by President O’Leary, seconded by Vice President Anderson to file without objection.

All members voted in favor. Motion passed.

\*\*\*\*

29. Liquor Permit Notice – The Symposium at 11794-96 Detroit Ave. (pg. 100)

Motion by President O’Leary, seconded by Vice President Anderson to file without objection.

All members voted in favor. Motion passed.

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

Mayor Summers encouraged citizens to continue to support NOPEC when they receive mail to opt-out. He spoke about the benefits that NOPEC brings to Lakewood, including competitive rates.

Councilmember Bullock provided a brief report out from the NOPEC Annual Meeting and the benefits of participating in NOPEC.

Mayor Summers reported out traffic data after the installation of traffic speed tables on Marlowe Ave. The speed tables have reduced overall speeds from 32 mph to 20mph. It was clarified that the tables will remain through the winter and assess how they interact with snow plows. It was further clarified that permanent speed tables would be installed in a different manner and that these existing speed tables are intended to be temporary while the City continues to collect data. Councilmember Anderson compared the traffic calming on Marlowe to the prior initiative on Woodward and also spoke about the new speed detectors.

Councilmember Litten congratulated Councilmember George on winning the Mayoral race and expressed optimism for the City coming together in the post-election season. A discussion ensued regarding a process for accepting applications to the soon-to- be vacant Council At-Large seat. Law Director Butler stated that it is the prerogative of Council to begin accepting applications. It was clarified that the current Council will not decide on the appointment.

Vice President Anderson reminded residents to bring their leaves to the curb for pickup. Leaf pickup will continue into December.

Councilmember Bullock thanked the Finance team for the comprehensive budget book and accompanying ordinances. He thanked Director Beno for assisting with the removal of a pole for a neighbor. He announced the inaugural Local Governments Clean Energy Caucus event tomorrow at 12:00 p.m.

Vice President Anderson announced the Lakewood Hospital Brick Pick Up event and Director Sylvester provided additional details.

President O’Leary requested that Council change the docket deadline to Tuesday Nov. 26<sup>th</sup> due to the Thanksgiving Holiday.

President O’Leary made a motion, seconded by Vice President Anderson, to adjourn.

All members voted in favor. Motion passed.

Meeting adjourned: 8:50 p.m.

Approved: 12/2/2019

Mariam M Bach  
CLERK

[Signature]  
PRESIDENT

# Beautiful Home Awards 2019

17449  
Norton

Bruce Moss &  
Michael Schaefer



1584  
Marlowe

Maryella Rowher  
& Dan Kingland



2093  
Arthur

Jack and Maureen  
Schroeck



15710  
Clifton

The Munday  
Family



1032  
Edgewater

Cheryl and David  
Jerome



1451  
Clarence

The Orsine  
Family



1520  
Grace

The Hoy  
Family

