

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
NOVEMBER 20, 2017
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:30 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.

Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Human Services Director Gelsomino, Planning and Development Director Sylvester, Fire Chief Gilman, Police Chief Malley, approximately 35 members of the public

Reading and disposal of the minutes of the Regular Meeting of Council held November 6, 2017. Motion by Mr. O’Leary, seconded by Mr. Anderson, to approve the minutes without the necessity of a reading.

Motion adopted. All members voting yea.

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

1. Committee of the Whole Report regarding Committee of the Whole Meetings 11/13/17 & 11/20/17 regarding Communication from Mayor Summers, Council President O’Leary and Planning Director Sylvester - recommended Developer for Mixed-Use Development (Referred to Committee of the Whole 10-2-17) . (To Be Provided)

Committee of the Whole met on November 13th and had two discussions. The first was a discussion regarding the need for input and additional professional expertise with respect to the downtown Lakewood development project. At that meeting it was discussed retaining and rehiring Tracey Nichols who served for a long time as the City of Cleveland’s Economic Development Director and now has a new role in the private sector but for a long time held various positions throughout economic development agencies regionally and has done work throughout the country as well. We however took not formal action on that discussion at that time. We then went into executive session to discuss the sale and/or acquisition of land related to the downtown Lakewood development.

We also met this evening November 20th and also entered into executive session for that discussion. I would note that the reason for that executive session, and although the analogy doesn't quite translate as neatly because the transactions are of a vastly different scale and complexity, the notion is that when the City is trying to transact land deals that discussion of the City's terms of that deal in a public way that could provide a competitive advantage to the entity to whom the City is selling or buying from requires that we have some of those discussions in executive session. So that is rationale for that rule. City Council looks forward to sharing as much additional information on the process as we can and as soon as we can. We have shared a lot so far and have heard a lot back from the community so far over the course of the month's long discussion and several public meetings. We definitely look forward to continuing that dialogue.

Mr. Dean Dilzell – 1276 French Ave spoke:

Mr. Dilzell indicated information related to the downtown development project had not been shared with the public, such as certain financials that the transfer of land to the developer was for one dollar. He stated the project will not be transformative. He asked Council to present financial information to the community and to do so in town hall meetings.

Councilmember O'Leary replied, stating that he takes issue with the characterization made by Mr. Dilzell that the City will transfer the land to the developer for \$1. In reality, the developer is getting the chance to make an eight or nine figure investment in the land. He explained why the project will be transformative and that many in the community have expressed excitement about it. He referred Mr. Dilzell and everyone to refer to the RFQ and RFP for the project to obtain answers and insight on these topics. s

Mayor Summers clarified that Mr. Dilzell's information is from a Crain's article in which it was reported that Carnegie, and all of the developers, requested the land for \$1. He noted that requesting is different from receiving.

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

Motion adopted. All members voting yea.

2. Health & Human Services Committee Report regarding 31-17 and 35-17; Chair; Marx (To Be Provided)

Meeting was called to order November 13th at 6:00 PM with committee members Councilmen Anderson and Litten present. Also present were: Councilmembers O'Malley, Bullock and O'Leary. Directors Gelsomino and Sylvester, Allison Urbanek and Ian Andrews of Lakewood Alive, Mary Leigh and Michelle Nochta of the Planning Department, Assistant Law Director Sallow, Cuyahoga County Board of Health staff Denise Romano, Tom Barsa, Gerry Scott and Rick Novickis and Council-elect Megan George and Tristan Rader.

Ordinance 31-17 repealing Tattooing, amending Schedule 1129.02 was briefly discussed with Planning Commission at the request of Councilman Anderson's regarding disposal of infectious waste and sharps. Mr. Scott from CCBH explained that most establishments regardless of volume of waste do contract out for this service and that Ordinance 31-17 exceeds the current regulations but that it is still workable.

Councilmember O'Malley expressed concern about the provision that restricts establishments from being less than 500 feet from a playground, school or park and felt that may be too limiting for establishments looking for space. Director Sylvester explained that the City removed the churches from the list which opens up more property and that the restrictions could be lessened in the future should the market require it.

A motion was made and seconded to recommend adoption of Ordinance 31-17. All members voted in favor, and the motion was passed.

Ordinance 35-17 to amend Section 1306.34, Responsibility for Pest Extermination continued from last meeting. Mr. Barsa provided feedback on the proposed ordinance and acknowledged that Lakewood is comparable in scope to other municipalities taking legislative action on bed bugs. He advised that state law requires that a licensed pest exterminator perform this duty in any building with more than four units. He remarked that time is of the essence in treating bedbugs and questioned our timeline from complaint to treatment. Ms. Leigh responded that the Building Department will encourage promptness through best practices and community education and felt the ordinance should have some flexibility for this timeline.

Ms. Urbanek remarked that it is ideal that the property owner be made aware of bed bugs within 24-48 hours. Ms. Swallow remarked that the use of the word "promptly" would be problematic to enforce.

Director Gelsomino and councilmembers and Director Sylvester had a vibrant discussion on the advantages and disadvantages of adding a specific timeline to the ordinance. A motion was made to change the language from "promptly" to 48-72 hrs. All members voted in favor. Motion passed.

Further discussion on who best should manage pest control. Planning Department expressed concern requiring licensed pest management for "all pests". A discussion with councilmembers and others to carve out a new section of the Code related to bed bugs. Councilmembers also agreed to change the tenant notice to 24-72 hours and supported Ms. Urbanek's solution that requires adjacent and opposite units to be notified of pests instead of "all building units".

The Committee briefly discussed that landlords may add terms to a lease to counteract this ordinance.

A member of the public expressed concern that the proposed ordinance violates Ohio Revised Code by putting the full burden of remediation on the Landlord.

Committee deferred action on the ordinance until it meets again on Nov. 20th to address suggested changes. Committee adjourned at 7:00 PM

On November 20th we continued this conversation and corrections were made to 1306.34 and it states that “in the event that the dwelling is infested with or if there is a report of infestation with bed bugs, the owner should make written notification to all contiguous units (including adjacent units on either side, across the hall or above or below the affected unit) within 72 hours of confirmation of the presence of bed bugs. In addition, where there are confirmed bed bugs in a dwelling unit within a building of more than three dwelling units, the owner or agent shall cause all affected units to be treated by a licensed pesticide applicator under Section 921.06 of the Revised Code or for the affected units to be heat-treated to eliminate the bed bugs.” And also in Section (c) there was a change that an occupant will notify the owner within 72 hours of discovery of a bed bug. Motion was made and approved by all and we recommended adoption.

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

3. Communication from Planning & Development Director Sylvester regarding Zoning Code – body art establishments. (Pg. 9)

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

Motion adopted. All members voting yea.

4. **ORDINANCE NO. 31-17** – AN ORDINANCE repealing Chapter 1793, Tattooing, amending Schedule 1129.02, Permitted Uses in Commercial Districts, and creating new Section 1161.03(XX), Supplemental Regulations for Specific Uses (Body Art Establishments), of the Codified Ordinances of the City of Lakewood in order to permit tattoo studios as a conditional use in commercial districts within the City of Lakewood. (**PLEASE SUBSTITUTE** OR ORDINANCE 31-17 1ST READING, REFERRED TO THE HEALTH & HUMAN SERVICES COMMITTEE & PLANNING COMMISSION 9/5/17, 2nd reading 9/18/17) (Pg. 10)

Discussion:

Councilmember O’Malley recognized directors and departments in the City as well as residents and body art professionals who helped this ordinance succeed. He

remarked that the stigma of tattoos is breaking down now that a majority of people ages 30-40 have a tattoo. He noted the increase in professionalization of this industry. He stated that he is glad to retire an unfair business restriction and looks forward to welcoming body art establishments into the City.

Councilmember Anderson praised the aspects of this ordinance that make it stricter than the state Code, specifically, the requirement for single-use equipment and the requirements on waste disposal.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to substitute Ordinance 31-17.

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

Nays: None

Motion adopted. Ordinance 31-17 substituted.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 31-17 as substituted.

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

Nays: None

Motion adopted. Ordinance 31-17 adopted as substituted.

5. **ORDINANCE NO. 35-17 – AND ORDINANCE** to amend Section 1306.34, Responsibility for Pest Extermination, of the Codified Ordinances of the City of Lakewood in order to clarify responsibility for pest identification and extermination. (1st READING & REFERRED TO THE HEALTH & HUMAN SERVICES COMMITTEE 10/16/17, 2nd READING 11/6/17) (Pg. 21)

Discussion:

Councilmembers applauded the effort put into bringing this ordinance forward. Councilmember Marx was recognized for her leadership as well as Lakewood Alive, CCBH and many other City departments.

Councilmember Marx encouraged everyone to support the educational process going forward to ensure that residents are aware of bed bugs and that stigma is reduced.

Councilmember Anderson pointed out that while pest extermination has always been in the Code, that this ordinance takes the additional step to specify actions for bed bugs, which is appropriate.

Christopher Corrigan – 26220 Hilliard Blvd

Mr. Corrigan represents Lakewood landlords. He asserted the ordinance violates the State’s landlord/tenant statute and is seriously problematic for this reason. He stated that the landlord absolves tenants of any responsibility and leaves landlords with no recourse. He asked Council to revise the ordinance to correct these problems.

Director Butler indicated disagreement with the assertions of Mr. Corrigan. He stated that the landlord/tenant act does not conflict with the proposed ordinance and that it actually harmonizes well. He remarked that subsection (c) addresses tenant responsibilities and that the ordinance clearly divides landlord and tenant responsibilities.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to substitute Ordinance 35-17.

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

Nays: None

Motion adopted. Ordinance 35-17 substituted.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Ordinance 35-17 as substituted.

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

Nays: None

Motion adopted. Ordinance 35-17 adopted as substituted.

6. Communication from Planning & Development Director Sylvester regarding Planning Commission Report on Outdoor Dining definition. (Pg.23)

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

Motion adopted. All members voting yea.

7. ORDINANCE NO. 34-17 – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 1103.02(zz), Definitions (Outdoor/Seasonal Dining Facility), of the

Codified Ordinances of the City of Lakewood in order to further clarify an outdoor dining space. (1st READING & referred to the COMMITTEE OF THE WHOLE & PLANNING COMMISSION 9/18/17, 2ND READING 10/2/17) (Pg. 24)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to defer.
Motion adopted. All members voting yea.

8. Communication from Planning & Development Director Sylvester regarding Planning Commission Report on Parking Plan Review Fee. (Pg. 26)

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

Motion adopted. All members voting yea.

9. **ORDINANCE NO. 36-17** – AN ORDINANCE to take effect at the earliest period allowed by law, amending various sections and enacting new chapters of the Zoning Code of the Codified Ordinances of the City of Lakewood in order to further clarify and regulate parking plan review in the City. (1ST READING & REFERRED TO THE COMMITTEE OF THE WHOLE 10/16/17, SECOND READING 11/6/17) (Pg. 27)

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

Motion adopted. All members voting yea.

10. **ORDINANCE NO. 37-17** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, amending various sections within Part Three, Traffic Code, of the Codified Ordinances of the City of Lakewood, to reflect recent changes in the state traffic code. (1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 11/6/17) (Pg. 32)

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

Motion adopted. All members voting yea.

****NEW BUSINESS****

11. Communication from Councilmember O’Malley regarding Review of Lakewood’s nuisance law. (Pg. 90)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer the communication to the Public Safety Committee.

Motion adopted. All members voting yea.

12. Communication from Law Director Butler regarding Ordinances adding to and amending various sections of the Code regarding departments and directors and compatibility of language following passage of Third Amended Charter. (Pg. 91)

Discussion:

Director Butler advised that the Third Amended Charter takes effect once the results of the election are certified – potentially later this month.

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

Motion adopted. All members voting yea.

13. **ORDINANCE NO. 38-17** - AN ORDINANCE to take effect at the earliest period allowed by law enacting Chapter 123, Departments and Directors Established, of the Codified Ordinances of the City of Lakewood in order to codify the administrative departments and their directors’ responsibilities within the City. (Pg. 92)

Discussion:

Director Butler clarified that Council is welcome to wait to address the ordinance. There will be a series of ordinances put forth to address the change from the Second Amended Charter to the Third. The new Charter indicates that existing offices continue in force until there is an explicit change to the contrary.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Ordinance 38-17 to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

14. **ORDINANCE NO. 39-17** - AN ORDINANCE to take effect at the earliest period allowed by law amending various sections within the Codified Ordinances of the City of Lakewood in order to update the code to reflect the adoption of the Third Amended Charter. (Pg. 98)

Motion by Mr. O’Leary, seconded by MR. Anderson, to refer Ordinance 39-17 to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

15.Communication from Law Director Butler regarding Resolution of an amendment to 2004 Rockport TIF revenue sharing agreement with school district. (Pg. 120)

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

Motion adopted. All members voting yea.

16.RESOLUTION NO. 8963-17 - 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 of the City of Lakewood, Ohio, to enter into a First Amendment of the Rockport Square Revitalization Project Tax Financing Agreement dated on or about May 10, 2004 with the Lakewood City School District. (Pg.121)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Resolution 8963-17 to the Committee of the Whole.

Motion adopted. All members voting yea.

17.Communication from Finance Director Pae regarding 2017 Year-End and 2018 Budget Ordinances. (Pg. 128)

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

Motion adopted. All members voting yea.

*Motion made by Mr. O’Leary, seconded by Mr. Anderson, to instruct the Clerk to read items 18-35 consecutively for one blanket motion.

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

Nays: None

Motion passes. Clerk reads items 18-35.

18.**ORDINANCE 40-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2017. (Pg. 129)

*Blanket motion to refer to Finance Committee made after item 35

19.**ORDINANCE 41-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, law authorizing the transfer and advance of certain funds (Pg.142)

*Blanket motion to refer to Finance Committee made after item 35

20.**ORDINANCE NO: 43-16C** - AN ORDINANCE 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, amending Ordinance 43-16B, adopted October 16, 2017, authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2017 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. 144)

*Blanket motion to refer to Finance Committee made after item 35

21.**ORDINANCE NO. 42-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2018. (Pg. 150)

*Blanket motion to refer to Finance Committee made after item 35

22. **ORDINANCE NO. 43-17** - 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, 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. 163)

*Blanket motion to refer to Finance Committee made after item 35

23. **ORDINANCE NO. 44-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) 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), 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. 167)

*Blanket motion to refer to Finance Committee made after item 35

24. **ORDINANCE NO. 45-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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 2018 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$70,000 without separate Ordinance of Council. (Pg. 170)

*Blanket motion to refer to Finance Committee made after item 35

25. **ORDINANCE NO. 46-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending section 902.04, Rates and Charges, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting sewer rates charged against each lot, parcel of land or premises which may have an active sewer connection with the Municipal wastewater disposal system or which may otherwise discharge wastewater either directly or indirectly into such system or any part thereof. (Pg. 174)

*Blanket motion to refer to Finance Committee made after item 35

26. **ORDINANCE NO. 47-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend section 915.01, Establishment of Rates, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting water rates charged against each lot, parcel of land or premises which may have an active water connection with the Municipal water system. (Pg. 176)

*Blanket motion to refer to Finance Committee made after item 35

27. **ORDINANCE NO. 48-17**- AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 178)

*Blanket motion to refer to Finance Committee made after item 35

28. **ORDINANCE NO. 49-17**- AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 180)

*Blanket motion to refer to Finance Committee made after item 35

29.**ORDINANCE NO. 50-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 182)

*Blanket motion to refer to Finance Committee made after item 35

30.**ORDINANCE NO. 51-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 184)

*Blanket motion to refer to Finance Committee made after item 35

31. **ORDINANCE NO. 52-17-** AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 186)

*Blanket motion to refer to Finance Committee made after item 35

32. **ORDINANCE NO. ~~52-17~~ 57-17**– (Re-numbered 57-17 due to duplication) AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 188)

*Blanket motion to refer to Finance Committee made after item 35

33. **ORDINANCE NO. 53-17-** AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 190)

*Blanket motion to refer to Finance Committee made after item 35

34. **ORDINANCE NO. 54-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 192)

*Blanket motion to refer to Finance Committee made after item 35

35. **ORDINANCE NO. 55-17** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after 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. 194)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer items 18-35 to the Finance Committee.

Motion adopted. All members voting yea.

Discussion:

Councilmember Bullock congratulated the Mayor and Director Pae on the work completed to place these ordinances on the docket and the completion of the

budget book. Councilmembers discussed the potential schedule of Finance Committee hearings.

36. Communication from Human Resources Director Yousefi regarding Salary Ordinance. (Pg. 196)

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

Motion adopted. All members voting yea.

37. ORDINANCE NO. 56-17 - AN ORDINANCE to take effect on January 1, 2018, 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, 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. 197)

Motion by Mr. O’Leary, seconded by Mr. Anderson, to refer Ordinance 45-17 to the Finance committee.

Motion adopted. All members voting yea.

38. Communication from Planning & Development Director Sylvester regarding 2017 Cuyahoga County Supplemental Grant Program Application. (Pg.203)

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

Motion adopted. All members voting yea.

39. RESOLUTION NO. 8964-17 - 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 or his designee to apply, in collaboration with the Beck Center/West End District, to the Cuyahoga County Supplemental Grant Program for a \$50,000 grant to be used for improvements to the Detroit-Sloane intersection. (Pg. 204)

Discussion:

Councilmember Marx reported that the public meeting at Black Bird Bakery was well attended. She expressed enthusiasm for investment in this project.

Motion by Mr. O’Leary, seconded by Mr. Anderson, to adopt Resolution 8964-17.
Motion adopted. All members voting yea.

40.Communication from Police Chief Malley regarding Bureau of Justice Assistance Grant Funding. (Pg. 206)

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

Motion adopted. All members voting yea.

41.Liquor Permit for D1, D2, D3, D3A and D6 TREX to Good Chow, 11801 Clifton Blvd, Lakewood, Ohio from 15275 Brookpark Rd, Brook Park, OH . (Pg.207)

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

Motion adopted. All member svoting yea.

****PUBLIC COMMENT****

Greg Murray – 1585 Westwood Ave

Mr. Murray asked Council to address breed specific legislation and to stop expending resources on well-behaved dogs.

Jeff Theman – 2704 Ralph Ave, Cleve

Mr. Theman is a former Lakewood resident and filmmaker. He produced a film in 2013 about breed specific legislation called Guilty Until Proven Innocent. He is working to re-release the film with updates. He requested interviews with the Mayor, Councilmembers, and the Law Director. He asked for Council to re-write its laws on pitbulls.

Jim Stace – 17312 Fries Ave

Mr. Stace expressed opposition to breed specific legislation and spoke about his personal experience with pitbulls as well as the research he has done on the issue.

****ANNOUNCEMENTS****

Councilmember O'Malley announced his ward 4 town hall meeting.

Mayor Summers introduced Katie Nix as the new Public Information Officer.

Councilmember O'Leary wished everyone a happy Thanksgiving and announced Light Up Lakewood on Sat. Dec. 2nd.

Motion by Mr. O'Leary, seconded, to adjourn the meeting.
Meeting adjourned 9:00 PM.

Motion adopted. All members voting yea.

Approved: _____

CLERK

PRESIDENT