

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
FEBRUARY 18, 2020
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:30 PM by President O'Malley.

Present: Thomas R. Bullock III, John Litten, Tess Neff, Daniel O'Malley, Tristan Rader, Jason Shachner

Also Present: Mayor George, Law Director Corrigan, Planning and Development Director Sylvester, Human Resources Director Yousefi, Acting Finance Director Schuster, Police Chief Malley, Fire Chief Dunphy, Public Works Director Ducu, Human Services Director Gelsomino, and many members of the public.

Reading and disposal of the minutes of the Regular Meeting of Council held February 3, 2020. Motion by President O'Malley, seconded by Mr. Litten, to approve without the necessity of a reading. All members voted in favor. Motion passed.

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

1. Committee of the Whole Report regarding meeting held February 10, 2020. (pg. 1)

President O'Malley noted that Committee of the Whole met on February 10th to conclude deliberations on the vacant Council seat. He stated that it was a very difficult decision due to the high quality of the 23 applicants. He added that Council unanimously recommended that Sarah Kepple be the body's new councilperson. Ms. Kepple has been very involved in the community through various non-profits, activist organizations, and community groups. She is a businesswoman and has committed herself to the success of the region's library systems.

President O'Malley made a motion, seconded by Vice President Litten to receive and file the report.

Discussion: President O'Malley recognized the presence of Cleveland Municipal Court Judge Emanuella Groves, former Lakewood Councilmember Cindi Marx, Cuyahoga County Director

of Regionalization Michele Pomerance, and Lakewood Municipal Court Judge Patrick Carroll. Vice President Litten stated that the Council interview process and the plethora of great candidates should give people faith in Lakewood's bright future. President O'Malley noted the obstacles that Lakewood has had in the past in recruiting women to run for City Council. However, half of the applicants for the most recent vacant seats were women, which he found encouraging and exciting.

On the motion: All members voted in favor. Motion passed. The report was received and filed.

2. **SUBSTITUTE RESOLUTION 2020-11** - 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 Sarah Kepple to the Lakewood City Council as an at-large member for the remainder of the four year term ending December 31, 2021. (*Referred to Committee of the Whole 2/3/20*) (pg. 2)

President O'Malley made a motion, seconded by Vice President Litten to adopt.

A roll call vote was taken as follows:

Yeas: Bullock, Litten, Neff, O'Malley, Rader, Shachner

Nays: none

Motion passed. Substitute Resolution 2020-11 was adopted.

3. **Oath of Office of At-large Councilmember.**

Judge Carroll noted how impressive Sarah was and how the community stands to benefit greatly from her energy, skills, and initiative. He highlighted the impact she stands to make on her community.

Judge Carroll administered the oath of office to Ms. Kepple.

Ms. Kepple joined Council on the dais and assumed her seat.

President O'Malley noted that Councilmember Kepple will be appointed to chair the Rules & Ordinances committee, and will serve on the Housing Committee and Health & Human Services Committee.

Councilmember Kepple thanked her colleagues for the great honor and assured community members that she will advocate on their behalf and promote civic engagement and discourse.

Without objection, President O'Malley moved agenda items #8 and #9 to the top of the agenda.

4. Rules & Ordinances Committee report regarding meeting held February 18, 2020. (to be provided)

President O'Malley noted that the committee met this evening to discuss Ordinance 01-2020, which changes the names of various Council committees. It proposes the Housing Committee be changed to the Housing, Planning, and Development committee, which will now address economic development matters. The Public Works Committee would become the Public Works & Sustainability Committee.

President O'Malley made a motion, seconded by Vice President Litten to receive and file the oral report.

All members voted in favor. Motion passed. The oral report was received and filed.

5. **ORDINANCE 01-2020** - 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, to amend the title of certain Council Committees. (*Placed on 1st reading & referred to Committee of the Whole 1/21/20; 2nd reading 2/3/20*) (pg. 3)

Public Comment: McKenzie Levi – 14811 Hilliard Ave. – Mr. Levi asked President O'Malley and Council to clarify what it intends to do on matters of sustainability and what it has been working on. President O'Malley noted that the body has worked on more sustainable sewer outflow, increased environmentally sustainable aspects into the building code, developed a clean water taskforce, and are working to implement the practical use of solar panels. Most of the those items have gone through the Public Works committee in practice and President O'Malley felt that it was important to codify a place for future items regarding sustainability.

President O'Malley noted that the Rules & Ordinances Committee voted unanimously to recommend the passage of Ordinance 01-2020.

President O'Malley made a motion, seconded by Councilmember Bullock to adopt.

Discussion: Councilmember Bullock thanked President O'Malley for the update to the committees. He raised the specter of revisiting the issue.

On the motion: All members voted in favor. Motion passed. Ordinance 01-2020 was adopted.

6. **ORDINANCE 03-2020** - 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 Mayor to enter into an amendment to the concession lease agreement with HELP Foundation, Inc. for the operation of food concessions at Lakewood Park, pursuant to Section 155.08 of the Codified Ordinances. (*Placed on 1st reading and referred to Public Works Committee 2/3/20*) (pg. 5)

President O'Malley made a motion, seconded by Vice President Litten to defer.

All members voted in favor. Motion passed. Ordinance 03-2020 was deferred.

7. **ORDINANCE 04-2020** - 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. (*Placed on 1st reading and referred to Finance Committee 2/3/20*) (pg. 10)

President O'Malley made a motion, seconded by Vice President Litten to defer.

All members voted in favor. Motion passed. Ordinance 04-2020 was deferred.

******NEW BUSINESS******

8. Communication from Councilmembers Shachner & Neff regarding League of Women Voters 100 Year Anniversary. (pg. 12)

President O'Malley made a motion, seconded by Vice President Litten to receive and file the communication.

Discussion: Councilmember Shachner expressed his excitement regarding the resolution and the organization's 100-year anniversary.

On the motion: All members voted in favor. Motion passed. The communication was received and filed.

9. **RESOLUTION 2020-13** - A RESOLUTION to celebrate the 100th Anniversary of the League of Women Voters of the United States. (pg. 13)

President O'Malley made a motion, seconded by Councilmember Shachner to adopt.

All members voted in favor. Motion passed. Resolution 2020-13 was adopted.

10. Communication from Councilmember Rader regarding safe use of herbicides. (pg. 14)

Invited by Councilmember Rader, Director Ducu shared news that the city has stopped using Roundup or a weed killer called Mirimichi in any of the city's parks for 2020. Councilmember Rader noted that some chemical components of Roundup have been found to be potentially carcinogenic, adding that Cuyahoga County has banned its use at its facilities.

President O'Malley made a motion, seconded by Councilmember Bullock to refer the communication to Public Works & Sustainability Committee.

Discussion: Councilmember Bullock thanked Councilmember Rader and the administration for following through on this matter. He highlighted the need for railroad companies' responsiveness to the issue, and proposed limiting use of herbicide in city parks.

On the motion: All members voted in favor. Motion passed. The communication was referred to Public Works & Sustainability Committee.

11. Communication from Councilmember Shachner regarding appointment to the Community Relations Advisory Commission. (pg. 16)

Councilmember Shachner made a motion, seconded by President O'Malley to receive and file the communication.

All members voted in favor. Motion passed. The communication was received and filed.

12. Communication from Mayor George regarding a mayoral appointment to the Lakewood Human Rights Commission. (pg. 17)

President O'Malley made a motion, seconded by Vice President Litten to receive and file the communication.

Discussion: Councilmember Rader and President O'Malley congratulated and thanked Ms. Parke for volunteering.

On the motion: All members voted in favor. Motion passed. The communication was received and filed.

13. Communication from Law Director Corrigan regarding 2020-22 collective bargaining agreements, administrative employees. (pg. 18)

President O'Malley made a motion, seconded by Vice President Litten to receive and file the communication.

All members voted in favor. Motion passed. The communication was received and filed.

14. **RESOLUTION 2020-15** - 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, ratifying and authorizing the Mayor of the City of Lakewood, Ohio, to enter into an Agreement with the American Federation of State, County and Municipal Employees, AFL-CIO, Administrative Employee Chapter of for a three-year period commencing January 1, 2020 and ending December 31, 2022. (pg. 19)

President O'Malley made a motion, seconded by Vice President Litten to substitute.

Discussion: President O'Malley questioned whether the salary increases are in line with what the city has budgeted and with what other collective bargaining units have agreed to. Director Yousefi confirmed that the same pattern is being followed with collective bargaining agreements and that the bargaining unit has ratified the agreement. Councilmember Bullock asked the administration to highlight the healthcare changes. Director Yousefi noted that the same pattern is being followed on healthcare among bargaining units. Employee premiums will increase across the 3-year contract according to the State Employment Relations Board's (SERB) annual survey.

On the motion:

A roll call vote was taken as follows:

Yeas: Bullock, Kepple, Litten, Neff, O'Malley, Rader, Shachner

Nays: none

Motion passed. Resolution 2020-15 was substituted.

President O'Malley made a motion, seconded by Vice President Litten to adopt.

A roll call vote was taken as follows:

Yeas: Bullock, Kepple, Litten, Neff, O'Malley, Rader, Shachner

Nays: none

Motion passed. Resolution 2020-15 was adopted as substituted.

15. Communication from Director Sylvester regarding authority to sell real property. (pg. 22)

President O'Malley made a motion, seconded by Vice President Litten to receive and file the communication.

All members voted in favor. Motion passed. The communication was received and filed.

16. **ORDINANCE 05-2020** - 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 1612 Orchard Grove Avenue, Lakewood, Ohio (PPN 313-24-006) for a period of 180 days, pursuant to Section 155.07 of the Codified Ordinances. (pg. 23)

President O'Malley made a motion, seconded by Vice President Litten to refer to Housing, Planning, & Development Committee.

Discussion: Councilmember Bullock expressed his anticipated support for the ordinance and his anticipation for committee discussion on this matter and deferred maintenance.

On the motion: All members voted in favor. Motion passed. Ordinance 05-2020 was referred to Housing, Planning, & Development Committee.

17. Communication from City Engineer Papke regarding the replacement and upgrade of guardrails on Clifton Boulevard near the Lake Road intersection. (pg. 25)

President O'Malley made a motion, seconded by Vice President Litten to receive and file the communication.

All members voted in favor. Motion passed. The communication was received and filed.

18. **RESOLUTION 2020-14** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor, Director of Public Works or Law Director to enter into agreements necessary to allow the Ohio Director of Transportation to complete the upgrade of guardrails on Clifton Blvd. near Lake Road in the City of Lakewood. (pg. 29)

President O'Malley made a motion, seconded by Vice President Litten to refer to Public Works & Sustainability Committee.

All members voted in favor. Motion passed. Resolution 2020-14 was referred to Public Works & Sustainability Committee.

******LIQUOR PERMITS******

19. Liquor Permit regarding Nature's Oasis at 15613 Detroit Ave. (pg. 32)

Councilmember Shachner had no objection.

President O'Malley made a motion, seconded by Vice President Litten to receive and file the report.

All members voted in favor. Motion passed. The report was received and filed.

****PUBLIC COMMENT****

McKenzie Levi – 14811 Hilliard Rd. – Mr. Levi stated his appreciation for Councilmember Shachner providing guidance to the Youth Council. He noted his apprehension upon the group's creation. He is opposed to the group creating policy.

****ANNOUNCEMENTS****

Director Gelsomino noted that the final Home Alone program is scheduled for this upcoming Saturday at Garfield Elementary.

President O'Malley noted that there are free, re-usable shopping bags available at the meeting through county funding for attendees to take home.

Councilmember Bullock thanked Director Yousefi for her public service and proposed completing a resolution to honor her. Mayor George personally thanked her for her help during the transition. President O'Malley and Vice President Litten complemented her great work over the years and thanked her.

Councilmember Shachner recognized and thanked Officer Angela Ortiz for her service to Ward 2 residents. He thanked Director Ducu for assisting him with a resident looking to address his sidewalk program situation. Lastly, he complemented the Planning Department and its ability to run ABR meetings.

President O'Malley made a motion, seconded by Vice President Litten to adjourn.

All members voted in favor. Motion passed.

Meeting adjourned: 8:25 p.m.

Approved: 3/2/2020

Manner Brock
CLERK

Daniel J. Maloney
PRESIDENT