

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD ONLINE
JULY 6, 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, Sarah Kepple, John Litten, Tess Neff, Daniel O'Malley, Tristan Rader, Jason Shachner

Also Present: Mayor George, Law Director Corrigan, Acting Planning and Development Director Milius, Finance Director Rancatore, Acting Police Chief Wilkins, Fire Chief Dunphy, Public Works Director Ducu, Human Services Director Gelsomino, and members of the public.

Reading and disposal of the minutes of the Regular Meeting of Council held June 15, 2020.

President O'Malley made a motion, seconded by Vice President Litten to approve the minutes of the June 15, 2020 meeting without the necessity of a reading.

A roll call vote was taken as follows:

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

Nays – None

Motion passed. The minutes were approved.

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

1. Public Works & Sustainability Committee report regarding meeting held June 8, 2020 (to be provided)

Councilmember Rader made a motion, seconded by President O'Malley to defer.

A roll call vote was taken as follows:

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

Nays – None

Motion passed. The item was deferred.

2. Health & Human Services Committee report regarding meeting held June 22, 2020 (to be provided)

Vice President Litten provided the following committee report:

Mayor George described the City's Coronavirus Task Force, which began meeting daily in March and now meets weekly. Playgrounds were re-opened by the State in June 10th. Lakewood opened its playgrounds by the end of the day on June 10th. Mayor George reviewed recent updates on the City's Coronavirus resource page such as data from the state regarding number of cases, deaths, and hospitalizations. She stated that Ohio is seeing an overall decline but there is an uptick in southwest Ohio. Chief Dunphy provided an update on the Fire Department's approach. Members continue to wear masks, gloves, and goggles on calls. Director Gelsomino spoke about plans to bring COVID testing to senior congregate living in Lakewood such as the Westerly, Lakeshore Towers, and others. The Committee and the administration discussed continuing questions around antibody testing. Director Gelsomino stated that ideally, the public needs a test that is quick and reliable, but we are not there yet.

Director Gelsomino discussed various initiatives that we've discussed in the past related to delivery of food to seniors including weekly delivery of frozen meals. On June 30th at LHS there was a community-wide food distribution event where all human services staff and volunteers worked to deliver 240 boxes worth of food.

Clerk Bach asked a good question about how the public will stay up to date on case counts and the like through the Board of Health. Mayor George said she would follow up with the Board of Health. I believe they have started publishing that on social media and other places, Mayor George mentioned that she would also be updating Council on the CDBG/CARES Act funds that are coming to Lakewood.

With that, we approved the minutes from our May 18th meeting.

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

A roll call vote was conducted as follows:

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

Nays - none

Motion passed.

3. Housing, Planning & Development Committee report regarding meeting held June 29, 2020. (to be provided)

Councilmember Shachner provided the following committee report:

We had a Housing, Planning & Development Committee meeting on June 29th, 2020. All members of the committee were present along with Councilmembers Bullock, Neff, Fire Chief Dunphy, Engineer Papke, Allison Hennie, Mayor George, and a few others. The main point of the meeting was to talk over parklet design guidelines. We started the meeting by talking about the rationale behind the original temporary outdoor dining ordinance. The purpose of that of course was because the recommendations were that if you are going to have dining at all, make it outdoor rather than indoor. The CDC has guidelines that specifically calls for prioritizing outdoor dining whenever possible. We also discussed how under the temporary outdoor dining resolution, parklets themselves are permissible. The Planning Commission can approve them, but the administration and Planning Commission requested further guidelines and guidance. We spent some time prior to the meeting creating those guidelines. Those were submitted to the Mayor and her administration. We were also able to hammer out some details on things that could be pitfalls or things that could slow down approvals. We talked with Chief Dunphy about what exactly her has to deem something safe. There was a lot of talk about how we can't have parklets blocking things like fire hydrants, fire department connection, ingress and egress of the buildings. We spoke about jersey barrier and how most jersey barriers are deemed to be safe from traffic. We also talked about how Planning Commission has approved some outdoor dining plans to take up the sidewalk and since parklets are an extension of the sidewalk, this will allow more outdoor dining but also allow for ADA compliance in that none of the sidewalk will have to be taken up. We talked about what those things are that we have to do to become ADA compliant. We essentially talked about what are the next steps are moving forward. The administration will take it to the Planning Commission and have the public safety forces review it administratively and come back to Council. We should, if everything goes according to plan, be able to accept and approve parklet applications by August.

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

A roll call vote was conducted as follows:

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

Nays - none

Motion passed.

4. Public Safety Committee report regarding meeting held June 29, 2020. (to be provided)

Councilmember Neff read the following report into the record:

A robust and informative discussion was had by all who participated in the very meaningful conversation about use of force and training for police officers. Chief Tim Malley and Lieutenant Leslie Wilkins led the discussion by introducing Lt. Roger Warner, Operations/Training Unit and Pat Fiorilli, retired Commander for the Westshore Enforcement Bureau (WEB). Retired Detective Fiorilli was instrumental in the Use of Force and Firearms training for the Lakewood Police Department (LPD). He was also a 17 year member of the WEB swat team. The meeting participants learned the LPD does not employ tear gas, but utilizes the least intrusive method, which is an OC vapor. An individual needs only to step into clean air for relief, and there is no decontamination necessary for OC vapor, whereas with other more intrusive methods decontamination may be necessary. WEB is comprised of the western suburbs police forces. The policies are consistent among all the WEB police departments. Hence, when LPD or another WEB department member is deployed to another suburb, that police department acts as an agent of the department seeking assistance. Because the policies among all the WEB departments are consistent there is an easy transition when assistance is needed.

A question was raised about what the protocol is for dispersing a crowd if it is deemed necessary. First, crowds, groups or protesters have a right to assemble peacefully. LPD will only take steps to disperse a crowd when laws are broken or people become violent. Once there is a perceived violation of law or violence LPD will issue a disperse order, then release a nontoxic smoke as a warning that an agent is forthcoming. The purpose of the nontoxic smoke is to provide the wind direction and also serve as a warning to those present. The last step is to release the OC spray if deemed necessary. LPD does not use bean bags or rubber bullets like other departments.

Lt. Warner walked us through the extensive and comprehensive trainings LPD officers undergo for human relations. Some trainings he discussed were Anti-Bias Training, De-Escalation, and Crisis Intervention Training (CIT). LPD utilizes the Memphis Model for CIT. In 2019, LPD received 191 calls for people in crisis and 49 of those calls were suicidal threats. De-escalation training is incredibly important when responding to these types of calls or anyone in a state of crisis. There are some impressive and positive outcomes that help demonstrate the preparedness of the LPD CIT Officers regarding those 191 crisis calls last year. The results were: zero tasers used; zero firearms used; zero OC spray was used; zero arrests were made; and zero injuries occurred.

Chief Malley stated that the Use of Force Policy is a fluid document that is ever changing with law updates and best practices. Lt. Wilkins, who will be the Acting Chief of Police upon Chief Malley's imminent retirement, is open to further discussions about policing policies. Members of the public participated in the open discussions. One resident candidly said the community could benefit from LPD actively communicating how LPD is different, and active outreach can build community trust. One suggested way to achieve trust is to publish a summary of the trainings so the public is aware of all the positive achievements being made by LPD. Another Public Safety Committee meeting will be scheduled for the month of July to continue the dialogue about policing practices and to address the #8CantWait strategies.

****NEW BUSINESS****

5. Communication from President O'Malley regarding appointment to Lakewood Community Relations Advisory Commission. (to be provided)

President O'Malley made the following oral communication:

Dear Members of Council,

It is my pleasure to appoint Neil Chavan to the Lakewood Community Relations Advisory Commission. Neil is a new resident of Ward 4 and has volunteered to serve on this important commission. Please join me in thanking him for his volunteerism.

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

A roll call vote was conducted as follows:

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

Nays - none

Motion passed.

6. Communication from President O'Malley regarding August recess. (to be provided)

President O'Malley made the following oral communication:

This is simply to say that I do intend on recessing Council for the month of August with the permission of you, my colleagues. This is something that we do on an annual basis and this typically includes committee meetings. I will have a formal communication or resolution, whatever is required on the next docket for us to vote on. My intention is for us to recognize the August recess. I believe there's only been one time in the recent past where Council did not recess in August. So we will plan on that tradition again this year. Also a good reminder to get anything time-sensitive on the next docket.

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

A roll call vote was conducted as follows:

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

Nays - none

Motion passed.

7. Communication from the Civil Service Commission regarding recommendation for Council Members & Mayor Salaries. (pg. 1)

Motion by President O'Malley, seconded by Vice President Litten to refer to Committee of the Whole.

Discussion: President O'Malley remarked that the citizens recently approved a new process whereby every four years the Civil Service Commission makes recommendations regarding the salaries for Council and the Mayor. He noted that the process was appropriate and an improvement over the previous situation in which Council salaries were not raised for 32 years. He questioned why the Civil Service Commission would recommend amending the process to create automatic increases while at the same time recommending no increase in Council salaries for the next term. He noted that while he was not planning to approve a salary increase that he found this to be a contradiction in the report.

Assistant Law Director Swallow replied in her role as legal counsel to the Commission. She explained that the Commission was seeking a way to keep Council salaries competitive through an automatic process.

President O'Malley remarked that he believes the City has an obligation to keep the Mayor's salary competitive in order to attract candidates and that an increase is important.

The Committee and the Law Department clarified the process outlined in the Charter – Council has 90 days to accept or reject the recommendations. If no action is taken then the recommendations go into effect automatically. It was further clarified that the Commission's recommendations regarding the *process* will not go into effect, as an amendment to the Charter would be necessary.

Councilmember Bullock remarked that he appreciates the new process but that examining elected official salaries during a pandemic is not his top priority but that it merits discussion, considering that the increase would not go into effect for several years. He asserted that Lakewood experiences no shortage of candidates for elected office and that pay doesn't appear to detract candidates.

President O'Malley agreed that Council pay is on par with that of other Councils in the region. He pointed out that there has not been a contested race in ward 4 in 20 years.

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

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

Nays - none

Motion passed. Communication referred to Committee of the Whole.

8. Communication from Councilmember Shachner regarding proposed beekeeping ordinance. (to be provided)

Councilmember Shachner delivered the following oral communication:

Back in March I submitted a communication regarding the creating of a beekeeping ordinance that was referred to the Housing, Planning, & Development Committee. We did have one meeting in early March where we sought input from the President of the Ohio State Beekeepers Association along with three beekeepers, including one Lakewood beekeeper. There was a lot of information, insight, and great recommendations. The purpose of this communication is just to introduce the ordinance that will allow beekeeping to occur officially. We do have 23 active hives that are registered with the Ohio Department of Agriculture. This will allow us to provide some regulation, rules of the road, and to keep track of what bees are where and when. I am going to ask that the ordinance be referred simultaneously to the Planning Commission and the Housing, Planning, & Development Committee.

Motion by Councilmember Shachner, seconded by President O'Malley to receive & file the communication.

Discussion: Councilmember Rader remarked that he recently spoke with a beekeeper who instilled in him the importance of bees and beekeeping and their role in pollinating the fields and expressed support for the ordinance.

A roll call vote was conducted as follows:

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

Nays - none

Motion passed.

9. **ORDINANCE 14-2020** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council to amend Section 505.18, Certain Animals Prohibited, Section 1121.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, Section 1123.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, and Section 1127.03, Permitted Accessory Uses, of the Codified Ordinances of the City of Lakewood, to permit the keeping of bees in the City of Lakewood. (pg. 18)

Motion by Councilmember Shachner, seconded by President O'Malley to refer Ordinance 14-2020 to Planning Commission & Housing, Planning, & Development Committee.

A roll call vote was conducted as follows:

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

Nays - none

Motion passed. Ordinance 14-2020 referred to Planning Commission & Housing, Planning, & Development Committee.

10. Communication from Councilmember Neff regarding parking issues on Edwards Ave. and other side streets impacted by business patrons. (to be provided)

Councilmember Neff read the following communication into the record:

Since taking office in January, I have received concerns from residents on Edwards Avenue about the difficulties they experience trying to locate street parking spaces for their vehicles. The opening of the new Truck Park establishment has attracted many more patrons to the immediate area, including parking on Edwards Ave. I believe it is prudent to conduct a traffic study and assess the impact of increased driving and parking on Edwards Ave. by nonresident, to determine a possible solution for any parking issues. Some residents suggested parking decals for residents and signage specifying hours for resident only parking. I hope my colleagues will join me and agree to refer this matter jointly to the Housing, Planning and Development Committee and the Planning and Development Department to work collectively to reach acceptable solutions.

President O'Malley suggested referring the matter to the Public Safety Committee since parking matters are handled by the police. Councilmember Neff and Acting Chief Wilkins expressed agreement with that suggestion.

Motion by President O'Malley, seconded by Councilmember Neff to refer the communication to the Public Safety Committee.

Discussion: City Planner David Baas stated that he had conducted a baseline parking study in fall 2018. That study was part of the Planning Commission's approval of the Lakewood Truck park project. The City intended to conduct a follow up study once the truck park was opened and it currently intends to do so in September/October.

A roll call vote was conducted as follows:

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

Nays - none

Motion passed. Communication referred to Public Safety Committee.

11. Communication from Councilmembers Bullock and Kepple regarding the permitting of curbside express parking as a tool for economic relief for Lakewood businesses. (pg. 22)

Motion by President O'Malley, seconded by Vice President Litten to refer the communication to the Housing, Planning, & Development Committee and the Planning Commission.

Discussion: Councilmember Bullock remarked that in this age of COVID that a component of business success is going to be online shopping with curbside pickup. The resolution provides a framework without the details regarding how it will be accomplished. He acknowledged that the Mayor is also working on a similar initiative and this has been brought forward to reserve a spot on the committee agenda, to ensure that the topic is moving forward in a timely manner and to express Council's support.

A roll call vote was conducted as follows:

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

Nays - none

Motion passed. Communication referred to Planning Commission & Housing, Planning, & Development Committee.

12. **RESOLUTION 2020-39** – 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 and directing the Director of Public Safety to designate express parking spaces under certain circumstances. (pg. 23)

Motion by President O'Malley, seconded by Vice President Litten to refer Resolution 2020-39 to the Housing, Planning, & Development Committee and the Planning Commission.

Discussion: Mayor George remarked that her administration started reviewing the process for allowing 15 to 30-minute parking zones upon request. Previously, the Public Works Director would approve or deny these requests on a case by case basis. Mayor George believes that a more standard process should be developed to ensure equal treatment to all, particularly now that there will likely be an increase in requests.

A roll call vote was conducted as follows:

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

Nays - none

Motion passed. Resolution 2020-39 referred to Planning Commission & Housing, Planning, & Development Committee.

13. Communication from Councilmembers Rader, Shachner, & Neff regarding dedication of Bernice Pyke Park. (pg. 25)

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

Discussion: President O'Malley commented on how informative the communication was and how worthy Ms. Bernice Pyke was of the honor.

On the motion: A roll call vote was conducted as follows:

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

Nays - none

Motion passed. The communication was received and filed.

14. RESOLUTION 2020-44 - 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, dedicating six (6) parcels (Exhibit A) currently owned by the City of Lakewood, Bernice Pyke Park on August 18th 2020, the 100th anniversary of the passage of the 19th Amendment. (pg. 27)

President O'Malley made a motion, seconded by Vice President Litten to refer Resoution 2020-44 to Public Works Committee and Planning Commission.

A roll call vote was conducted as follows:

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

Nays - none

Motion passed. Resolution 2020-44 was referred to Public Works Committee and Planning Commission.

15. Communication from Mayor George regarding the authority to sell real property on Plover Avenue. (pg. 30)

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

Discussion: President O'Malley noted his support for the ordinance and that the lot's best use is as a side lot.

On the motion: A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

16. **ORDINANCE 11-2020** - 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, authorizing and directing the Director of Planning and Development or the Mayor to enter into an agreement for the sale of Permanent Parcel No. 315-22-108 on Plover Street. (pg. 31)

President O'Malley made a motion, seconded by Vice President Litten to refer Ordinance 11-2020 to the Housing, Planning, & Development Committee.

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. Ordinance 11-2020 was referred to the Housing, Planning, & Development Committee.

17. Communication from Mayor George regarding the appointment of Planning and Development Director. (pg. 33)

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

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

18. **RESOLUTION 2020-40** - 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, approving the appointment of Shawn Leininger to the position of Director of Planning and Development upon his or her taking the oath of office. (pg. 34)

President O'Malley made a motion, seconded by Vice President Litten to refer Resolution 2020-40 to Committee of the Whole.

Discussion: Councilmember Bullock stated that he looks forward to getting to know him better and seeing what opportunities Lakewood has for growth.

On the motion: A roll call vote was conducted as follows:

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

Nays – none

Motion passed. Resolution 2020-40 was referred to Committee of the Whole.

19. Communication from Mayor George regarding Ordinance 08-2020, Flexibility Pay. (pg. 36)

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

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

20. ORDINANCE 12-2020 - AN ORDINANCE to take effect immediately provided it received the vote of at least two-thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, extending the authority of the Mayor granted by Ordinance 8-2020, adopted March 16, 2020 to continue to pay benefits and provide paid leave during the COVID-19 crisis. (pg. 37)

President O'Malley made a motion, seconded by Vice President Litten to refer Ordinance 12-2020 to Committee of the Whole.

Discussion: Vice President Litten stated that he is supportive of passing it on second reading, noting that Council has passed the legislation previously. President O'Malley agreed.

On the motion: A roll call vote was conducted as follows:

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

Nays – none

Motion passed. Ordinance 12-2020 was referred to Committee of the Whole.

21. Communication from Mayor George regarding the creation of an Anti-Racism Taskforce. (pg. 40)

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

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

22. RESOLUTION 2020-41 - 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, establishing the Anti-Racism Task be to advise and work with the administration to ensure the value of anti-racism is foundational and unambiguously expressed in all city objectives, such as, safety, housing, education and culture, and community wellness. (pg. 41)

President O'Malley made a motion, seconded by Vice President Litten to refer Resolution 2020-41 to Committee of the Whole.

Public Comment: McKenzie Levi – Mr. Levi expressed his opposition to Resolution 2020-41 being passed as an emergency ordinance. He will comment further during the Committee of the Whole meeting.

On the motion; Yeas - Bullock, Kepple, Litten, Neff, O'Malley, Rader, Shachner

Nays – none

Motion passed. Resolution 2020-41 was referred to Committee of the Whole.

23. Communication from Mayor George regarding a NOPEC Energized Community grant. (pg. 43)

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

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

24. RESOLUTION 2020-42 - 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 City of Lakewood to enter

into an agreement to accept Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant(s). (pg. 44)

President O'Malley made a motion, seconded by Vice President Litten to refer Resolution 2020-42 to Public Works & Sustainability Committee.

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. Resolution 2020-42 was referred to Public Works & Sustainability Committee.

25. Communication from Mayor George regarding a mayoral appointment to the Lakewood Community Relations Advisory Commission. (pg. 45)

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

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

26. Communication from Director Rancatore regarding the appropriation of the Local Coronavirus Relief Fund. (pg. 47)

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

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

27. **ORDINANCE 13-2020** - 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, 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. 48)

President O'Malley made a motion, seconded by Vice President Litten to suspend the rules requiring that legislation be publicly read 3 separate times and declare an emergency to allow for its passage this evening.

Discussion: Councilmember Bullock asked whether the city was able to be reimbursed for small business rental relief program funds that were issues. Director Rancatore clarified the process of how the coronavirus relief fund was created via moving funds over from the general fund. Councilmember Bullock expressed a desire to keep the economic development fund well funded. President O'Malley discussed the nature of the motion.

On the motion: A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The rules were suspended.

President O'Malley made a motion, seconded by Vice President Litten to adopt Ordinance 13-2020.

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. Ordinance 13-2020 was adopted.

28. Communication from Director Rancatore regarding the amended 2020 Planning & Development Contracting Authority. (pg. 53)

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

Discussion: Councilmember Bullock noted \$741,015 were not described yet from the CBDG/ESG portion of funding. Mr. Wyman indicated that the administration has provided a framework budget, but is in the process of working with Lakewood Alive to ensure that funding is CDBG/CARES Act eligible. He noted that the city will be continuing the small business rent relief program and that Council was made aware of the framework budget previously. President O'Malley stated his preference to pass Ordinance 34-19A previous to Council recess, as people are relying on this federal funding.

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The communication was received and filed.

29. **ORDINANCE 34-19A** - 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 34-19 adopted December 16, 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 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. 54)

President O'Malley made a motion, seconded by Vice President Litten to suspend the rules that require Ordinance 34-19A to be read on 3 separate readings.

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. The rules were suspended.

President O'Malley made a motion, seconded by Vice President Litten to adopt Ordinance 34-19A.

A roll call vote was conducted as follows:

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

Nays – none

Motion passed. Ordinance 34-19A was adopted.

30. Communication from Director Dillinger regarding an amended Salary Ordinance. (pg. 58)

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

Discussion: Councilmember Rader indicated that he would like to see a new hierarchical chart in committee review and how pay would affect budget discussions.

On the motion: A roll call vote was conducted as follows:
Yeas - Bullock, Kepple, Litten, Neff, O'Malley, Rader, Shachner
Nays – none

Motion passed. The communication was received and filed.

31. **ORDINANCE 46-19A** - 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 46-19 adopted December 16, 2019 to create the position of Chief of Staff and Administrative Assistant II to the Mayor. (pg. 59)

President O'Malley made a motion, seconded by Vice President Litten to refer Ordinance 46-19A to the Finance Committee.

Discussion: Mayor George noted that the intent behind the ordinance was to formalize the title of Chief of Staff. She stated that it is not adding an administrative assistant and Chief of Staff. She expressed intent to start someone as a part time to be mindful of the city's budget. She added that establishing an administrative II position provides a path to promotion.

On the motion: A roll call vote was conducted as follows:
Yeas - Bullock, Kepple, Litten, Neff, O'Malley, Rader, Shachner
Nays – none

Motion passed. Ordinance 46-19A was referred to the Finance Committee.

32. Communication from Director Dillinger regarding the resolution submitting the report resulting from fact finding between the City of Lakewood and Western Cuyahoga Lodge No. 25, FOP, Lakewood Division. (pg. 64)

Discussion: Assistant Law Director Swallow provided context behind the city's labor negotiations with the FOP. She recapped the benefits that the union sought and components of the fact finder's report. President O'Malley surmised that if Council was to do nothing with the resolution, it would be accepted de facto. Assistant Director Swallow confirmed that statement.

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

Discussion: Councilmember Bullock stated that he had read through the report thoroughly and would feel confident making a motion to accept the findings or amend the following resolution to accept that. He asked why the most junior officers seemed to be omitted from

the 3rd year equity pay increase. Assistant Director Swallow stated that she believed the pay was looked at across the board, taking into account total compensation packages, and not throughout the ranks.

On the motion: A roll call vote was conducted as follows:
Yeas - Bullock, Kepple, Litten, Neff, O'Malley, Rader, Shachner
Nays – none

Motion passed. The communication was received and filed.

33. RESOLUTION 2020-43 - 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, _____ the fact finder's report resulting from proceedings between the City of Lakewood and negotiations with the Western Cuyahoga Lodge No. 25, Fraternal Order of Police, Lakewood Division. (pg. 65)

President O'Malley made a motion, seconded by Councilmember Bullock to amend the resolution by inserting the word "accepting" into the blank.

Discussion: President O'Malley inquired as to whether the union has accepted the report. Assistant Director Swallow was not aware.

On the motion: A roll call vote was conducted as follows:
Yeas - Bullock, Kepple, Litten, Neff, O'Malley, Shachner
Nays – Rader

Motion passed. Resolution 2020-43 was amended.

President O'Malley made a motion, seconded by Vice President Litten to adopt Resolution 2020-43.

A roll call vote was conducted as follows:
Yeas - Bullock, Kepple, Litten, Neff, O'Malley, Shachner
Nays – Rader

Motion passed. Resolution 2020-43 was adopted.

******PUBLIC COMMENT******

Jennifer Jaketic – Ms. Jaketic stated her support for the establishment of a civilian police review board and sought to know whether that effort has materialized.

McKenzie Levi – Mr. Levi stated that he appreciates Council's work, and noted his public safety background. He stated that he opposes the radical left and does not have any issues with

gay people. He asked that Council revisit the process involving the collection of signatures for those seeking elected office.

****ANNOUNCEMENTS****

President O'Malley encouraged people to wear masks to protect against COVID-19 and stated Council's expectation that legislation will soon be introduced to mandate mask wearing countywide.

Vice President Litten asked whether Council would move forward with a Council Budget Priority Process. Councilmember Bullock stated that Council would be moving forward with the same process it has initiated within the past several years.

Mayor George stated that she sent a letter to county representatives urging them to pass a face mask requirement.

Director Gelsomino stated that the Department of Human Services will be having its second community-wide produce distribution the following day.

Councilmember Kepple noted that she and Councilmember Shachner have started legislative work for a mask requirement ordinance in Lakewood. She offered their support to the mayor.

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

A roll call vote was conducted as follows:

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

Nays - none

Motion passed. The meeting was adjourned.

The meeting was adjourned at 9:55 p.m.

Approved: 7/20/2020

Marian M Bach
CLERK

Daniel J. Malley
PRESIDENT