

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
MARCH 19, 2007
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:35 PM by President Seelie.

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Present: Councilmembers Kevin Butler, Ryan Patrick Demro, Michael W. Dever, Edward FitzGerald, Mary Louise Madigan, Robert M. Seelie.

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Also present: Mayor George, Law Director Corrigan, Finance Director Pae, Police Chief Malley, Fire Chief Mroz, Public Works Director Beno, Project Administrator for New Lakewood Fitzgerald, Planning and Development Director Jordan, Human Resources Director Novak.

Motion by Mr. Seelie, seconded by Mr. Dever, to excuse the absence of Ms. Antonio.

Motion adopted. All members present voting yea.

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Also Present: Mayor George, Law Director Corrigan, Finance Director Pae, Police Chief Malley, Fire Chief Mroz, Human Services Director Buckon, Public Works Director Beno, Project Administrator for New Lakewood Fitzgerald, Planning & Development Director Jordan, Human Resources Director Novak..

Motion by Mr. Seelie, seconded by Mr. Dever, to approve the minutes of the Regular meetings of Council held February 20, 2007 and March 5, 2007.

Motion adopted. All members present voting yea.

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

A) *ADD-ON- FINANCE COMMITTEE REPORT RE: ORDINANCE NO. 72-06A.

Mr. Seelie submitted the following report:

The Finance Committee met on March 8 and unanimously recommended adoption of this ordinance. Ordinance 72-06 A - Membership Ordinance - adds the membership of the Ohio School Resource Officers Association. This was requested by the Police Department on behalf

of our DARE officers who would receive training and education materials for use with students. The membership is \$140.00 per year.

Motion by Mr. Seelie, seconded by Mr. Dever, to receive and file the oral report.

Motion adopted. All members present voting yea.

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B) ADD-ON - *ORDINANCE NO. 72-06A AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 72-06, adopted December 18, 2006, for the purpose of authorizing the Director of Finance to pay the cost of an additional membership (Ohio School Resource Officers Association) of municipal employees and/or Departments and Divisions in certain associations in the year 2007, and declaring such memberships to be in the public interest. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/5/07, 2ND READING 2/20/07).

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 72-06A.

Motion adopted. All members present voting yea.

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C) ADD-ON ORDINANCE NO. 23 -07 - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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, 2007. (**PLEASE SUBSTITUTE** FOR ORDINANCE NO. 23-07 PLACED ON 1ST READING AND REFERRED TO THE FINANCE COMMITTEE 2/20/07, 2ND READING 3/5/07)

Motion by Mr. Seelie, seconded by Mr. Butler, to substitute Ordinance No. 23-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 23-07 substituted.

Motion by Mr. Butler, seconded by Mr. Seelie, to defer action on Ordinance No. 23-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays None

Motion adopted. Ordinance No. 23-07 deferred as substituted.

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1. Public Works Committee Report regarding Ordinance Nos. 5, 6, 7, 8, 9, 10, 11, 12 and 13 – 07, 27A-07 and 28-07. (To be provided)

Mr. Dever submitted the following report:

The Public Works Committee has met over the last few weeks, on March 8th and also on March 15 to discuss contracting authority for 5-07, 6-07, 7-07, 8-07, 9-07, 10-07, 11-07, 12-07, 13-07, 27A-07, and 28-07.

Some of the items discussed in Committee are the capital improvements for the City. In the Wastewater Treatment Plant there is approximately \$1.9 million worth of capital improvements that are going to take place to the facility itself. Many of them are involved in processing equipment, primary gate valves, secondary digestive tank; some of the things we're all familiar with, I'm sure. This is our Wastewater Treatment Plant down in the valley there that need some improvements and these are the capital improvements we're planning on doing this year. A sludge load building is going to have a roof replaced, aeration tank, in and out isolation gate – those are some of the improvements that are going to take place there. That is covered in ordinance 5-07. In Ordinance 6-07 is Wastewater Treatment Plant also. That is to prepare the specifications so that we can put these items out to bid. Proposed Ordinance 7-07 is buildings and facilities – some of those items that are going to be included with buildings and facilities; scheduled roof replacement at this facility, also the parking lot is having resurfacing done. Those are going to total in the range of \$950,000. Companion ordinance to that is contracting authority so that we can prepare the specifications so that we can put those items out to bid. The next item – 9-07 which is computers and systems in the Wastewater Treatment Plant there's a \$250,000 worth of lodging controllers. This is going to be paid through a 2007 capital leasing program. In the Police Department, we're going to be placing security cameras for the parks. In discussion, we're going to be putting \$60,000 aside for this. The Chief is recommending that we're probably going to be doing one park this year, putting security cameras up. It hasn't been decided on which park that's going to be in right now but my assumption is that's going to be taking place at Madison Park. Also included in that in computer systems is a laser check printing in the Finance Department. That's a \$10,000 appropriation. A medical lap top for Squad 1 in the Fire Department. That's a \$5,000 appropriation. In the Human Resource Department there's \$30,000 being allocated for microfilm equipment replacement. And I understand under State law we have to continue using microfilm to keep our records. The next Ordinance is 10-07 and this is going to be amended this evening. The initial appropriation was for \$75,000 and while we were in Committee understanding the constraints we were going to be under in the upcoming year the Committee recommendation was that we reduce traffic signage by \$10,000. Right now we're going through a phase in putting new signs up throughout the City. This includes stop signs when they're damaged, we have to have appropriations in hand so that we can replace those. The Committee felt that we could reduce that by \$10,000 and so that recommendation was made and the Administration is supportive of that effort. Also this is going to include traffic signal upgrades; there's \$40,000 set aside for that, for intersection upgrades; for some of those lights that flash for telling people when to cross the crosswalks.

On proposed Ordinance 11-07 is reforestation. As many of you might be aware from reading, the City, I believe Cuyahoga County and I believe the northeast part of the State has been infected with a disease – the Emerald Bore Ash, that has infected some of our trees and one way for us to eradicate this Emerald ore Ash is to be somewhat pro-active so we're going to be cutting down certain trees throughout the City under the direction of our Public Works Director

and people in the forestation department have identified certain trees that have to come down this year. And also there's appropriations in here for replanting of trees throughout the City. This is going to take place over a five year period. There's \$50,000 being appropriated for replanting of our trees throughout the City so we're ahead of the curve on this.

Lakewood isn't the only City being affected by this – throughout the County everybody's trying to grapple with this problem.

The next contracting ordinance before us is sidewalk improvement. We're going to be putting out a contract for approximately \$200,000 for improvement We'll hire a contractor to go around the City and where we have bad sidewalks, certain individuals or certain property owners who have been cited - they'll be given a certain amount of time to have them replaced. If they don't do it, the City in turn does it and then the money from; the City has to recoup those dollars; we'll get it from the citizen's tax bill. We'll end up charging the citizens for that. They're first given the opportunity to contract to some other people but this is actually a good program.

The next item is motorized vehicles and equipment. Some of the items that are going to be replaced this year in the Fire Department; a medical squad is being replaced, thermal imaging device, in Aging – a Light Transit Vehicle. In water distribution there's two four-wheel drive dump trucks. These are also used for helping with the snow plowing throughout the City. In the Streets Department, a five ton dump truck. Four wheel drive truck. Also, in Wastewater Collections there's replacement of two trucks in that department and also they're purchasing them a concrete mixer. We also have in the Police Department we are replacing five vehicles this year – five cruisers and the two motorcycles are also being replaced. They're on a lease program for \$1,200 a year. In the Refuse Department, there are two Packard trucks being replaced and there's also four of the Cushmans being replaced this year also.

On Proposed Ordinance 27A-07 – for Parks & Pools. Down at Lakewood Park this year, there are continued improvements down along the promenade which has started a few years ago. There's \$50,000 contracting authority for that. The parking lot – since it's going to be reconfigured – a good portion going to be resurfaced, if anyone's been down to the park this year would notice that parking lot is tore up pretty bad.

Proposed Ordinance 28-07 – is to prepare those contracts to put them out for sale.
Motion by Mr. Dever, seconded by Mr. Seelie, to receive and file the oral report.

Motion adopted. All members present voting yea.

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2. **ORDINANCE NO. 5-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 engage architectural and/or engineering firms to provide professional services in the design and

preparation of specification and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Wastewater Treatment Plant 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 9)

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 5-07.

Motion adopted. All members present voting yea.

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3. **ORDINANCE NO. 6-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 **Wastewater Treatment Plant 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 9)

Motion by Mr. Dever, seconded by Mr. Seelie to adopt Ordinance No. 6-07.

Motion adopted. All members present voting yea.

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4. **ORDINANCE NO. 7-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise it shall 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 engage architectural and/or engineering firms to provide professional services in the design and preparation of specification and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 10)

Motion by Mr. Dever, seconded by Mr. Demro, to adopt Ordinance No. 7-07.

Motion adopted. All members present voting yea.

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5. **ORDINANCE NO. 8-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 10)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 8-07.
Motion adopted. All members present voting yea.

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6. **ORDINANCE NO. 9-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 **Computers & Systems**, with contracts not to exceed the specified amounts shown without separate resolution of Council. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 11)

Motion by Mr. Dever, seconded by Mr. Demro, to adopt Ordinance No. 9-07.
Motion adopted. All members present voting yea.

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7. **ORDINANCE NO. 10-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 **Street Signs and Traffic Signals**, with contracts not to exceed the specified amounts shown without separate resolution of Council. (**PLEASE SUBSTITUTE FOR ORDINANCE NO. 10-07** PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 11)

Motion by Mr. Dever, seconded by Mr. Seelie to substitute Ordinance No. 10-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 10-07 substituted.

Motion by Mr. Dever, seconded by Mr. Butler to adopt Ordinance No. 10-07 as substituted.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 10-07 adopted as substituted.

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8. **ORDINANCE NO. 11-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 contact with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Reforestation**, with contracts not to exceed the specified amounts shown without separate resolution of Council. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 12)

Motion by Mr. Dever, seconded by Mr. Seelie, to adopt Ordinance No. 11-07.

Motion adopted. All members present voting yea.

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9. **ORDINANCE NO. 12-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Sidewalk 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 12)

Motion by Mr. Mr. Dever, seconded by Mr. Seelie, to adopt Ordinance No. 12-07.

Motion adopted. All members present voting yea.

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10. **ORDINANCE NO. 13-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 Work, 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 and Motorized Equipment**, with contracts not to exceed the specified amounts shown without separate resolution of Council. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/16/07, 2ND READING 2/5/07) (Pg. 13)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 13-07.
Motion adopted. All members present voting yea.

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11. **ORDINANCE NO. 27A-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall 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 engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Parks & Pools Improvements** in accordance with the Administrative Code for the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 3/5/07) (Pg. 13)

Motion by Mr. Dever, seconded by Mr. Seelie to suspend the rules requiring this ordinance be read on three separate days and placing Ordinance No. 27A-07 on final reading.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 27A-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 27A-07 adopted.

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12. **ORDINANCE NO. 28-07-** AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) embers elected to Council otherwise, it shall 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 3/5/07) (Pg. 14)

Motion by Mr. Dever, seconded by Mr. Seelie, to suspend the rules requiring this ordinance be read on three separate days and placing Ordinance No. 28-07 on final reading.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie
Nays: None
Motion adopted. Rules suspended.

Motion by Mr. Dever, seconded by Mr. Seelie to adopt Ordinance No. 28-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie
Nays: None
Motion adopted. Ordinance No. 28-07 adopted.

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13. Public Safety Committee Report regarding Ordinances No. 16-07. (To be Provided). (Pg. 15)

Mr. FitzGerald submitted the following report:

The Public Safety Committee met this evening just before the meeting and reviewed this legislation. In a nutshell this is a mutual aid agreement or an interchange agreement between the WEB communities which is a Western Enforcement Bureau which is the Cities of Bay Village, Lakewood, Rocky River, Fairview Park, North Olmstead, and Westlake. It's an agreement between those cities and the City of Cleveland regarding the provision of bomb squad or swat services. Obviously, if there's an emergency situation it's helpful when immediate response is necessary to have those communities pitch in with one another. The Public Safety Committee unanimously recommended its adoption by this body this evening.

Motion by Mr. FitzGerald, seconded by Mr. Dever, to receive and file the oral report.

Motion adopted. All members present voting yea.

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14. **ORDINANCE NO. 16-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, to authorize the Mayor to enter into an agreement between the Cities of Bay Village, Lakewood, Rocky River, Fairview Park, North Olmsted, Westlake (Westshore Council of Government Communities) and the City of Cleveland for the interchange of Bomb Squad services and/or SWAT services.) (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 2/5/07, 2ND READING 2/20/07).(Pg. 15)

Motion by Mr. FitzGerald, seconded by Mr. Dever, to adopt Ordinance No. 16-07.

Motion adopted. All members present voting yea.

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15. Health & Human Services Committee Report regarding Ordinance No. 20-07 and 21-07.
(To be Provided)

Ms. Madigan submitted the following report:

The Human Services Committee met last week and we discussed this and we moved to recommend. This is updating a service agreement from 1999 which has not been renewed since that time. There are four positions involved in this. HUD picks up 78% of the cost of the employees involved in this. These are case managers who serve our senior citizens throughout the City.

Motion by Ms. Madigan, seconded by Mr. Demro, to receive and file the oral report.

Motion adopted. All members present voting yea.

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16. **ORDINANCE NO. 20-07**- AN ORDINANCE authorizing the Mayor or his designee to renew an agreement with Lakewood Senior Citizens, Inc. that will permit the City to continue to assign three full-time City employees to act as service coordinators for the Westerly 1, II, and III senior buildings and to accept reimbursement from Lakewood Senior Citizens, Inc. for expenses related to these positions. (**PLEASE SUBSTITUTE FOR ORDINANCE NO. 20-07 PLACED ON 1ST READING & REFERRED TO THE HEALTH & HUMAN SERVICES COMMITTEE 2/20/07, 2nd READING 3/5/07**).
(Pg.18)

Motion by Mr. Seelie, seconded by Ms. Madigan, to substitute Ordinance No.20-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 20-07 substituted.

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 20-07 as substituted.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 20-07 adopted as substituted.

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17. **ORDINANCE NO. 21-07** – AN ORDINANCE authorizing the Mayor or his designee to renew an agreement with Saints Cyril and Methodius Haven, Inc. that will permit the City to continue to assign a full-time City employee to act as service coordinator for Fedor Manor and to accept reimbursement from Saints Cyril and Methodius Haven, Inc., for expenses related to these positions. (**PLEASE SUBSTITUTE FOR ORDINANCE**

NO. 21-07 PLACED ON 1ST READING AND REFERRED TO THE HEALTH & HUMAN SERVICES COMMITTEE 2/20/07, 2nd READING 3/5/07). (Pg. 19)

Motion by Ms. Madigan, seconded by Mr. Seelie, to substitute Ordinance No. 21-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 21-07 substituted.

Motion by Mr. Seelie, seconded by Ms. Madigan, to adopt Ordinance No. 21-07 as substituted.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 21-07 adopted as substituted.

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18. **ORDINANCE NO. 24-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) elected members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Section 509.14 of the Codified Ordinances to include the issuance of noise abatement orders and notices of violation among the events that must occur in order to classify a noise violation as a nuisance activity for the purposes of the Criminal Activity Nuisances ordinance. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 3/5/07) (Pg.20)

Motion by Mr. Seelie, seconded by Ms. Madigan, to Place Ordinance No. 24-07 on 2nd Reading.

Motion adopted. All member voting yea.

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19. **ORDINANCE NO. 25-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) elected members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Section 515.13 of the Codified Ordinances to clarify the definition of an order requiring the immediate abatement of any source of sound alleged to be in violation of Chapter 515 of the Codified Ordinances. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 3/5/07)(Pg.23)

Motion by Mr. Seelie, seconded by Ms. Madigan, to place Ordinance No. 25-07 on 2nd Reading.

Motion adopted. All members present voting yea.

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20. **ORDINANCE NO. 26-07** – AN ORDINANCE to amend Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as hereinafter set forth and

described as 1422 Hopkins Avenue (PP# 315-10-140 and 141) and 1417 Winchester Avenue (PP# 315-10-114) as a major modification to the existing Planned Development located at 12101-95 Detroit Avenue and known as Phase 1B of Rockport Square. (PLACED ON 1ST READING & REFERRED TO The COMMITTEE OF The WHOLE 3/5/07) (Pg. 25)

Motion by Mr. Seelie, seconded by Ms. Madigan, to place Ordinance No. 26-07 on 2nd Reading.

Motion adopted. All members present voting yea.

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21. ORDINANCE NO. 27-07 – AN ORDINANCE to authorize the Director of Planning and Development to enter into an agreement with WECO Fund, Inc. (WECO) to administer the Lakewood Start Up and Existing Entrepreneurial Development Program (SEED) in an amount not to exceed \$100,000. (PLACED ON 1ST READING & REFERRED TO THE COMMITTEE OF THE WHOLE 3/5/07) (Pg. 26)

Motion by Mr. Seelie, seconded by Mr. Demro, to place Ordinance NO. 27-07 on 2nd reading.

Motion adopted. All members present voting yea.

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{ORDS. NOS. 29-07, 30-07, 31-07 32-07 & 33-07 are PUBLISHED BY FIRST PAGE ONLY IN THIS DOCKE HAVING BEEN PUBLISHED IN THEIR INTIRETY ON THEIR FIRST READING 3/5/07}

22. ORDINANCE NO. 29-07 – AN ORIDNANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of notes of the City in a maximum principal amount of \$1,929,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of improving certain streets in the City, and declaring an emergency. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 3/5/07). (Pg. 27)

*BLANKET MOTION MADE AFTER ITEM 26:

Motion by Mr. Seelie, seconded by Ms. Madigan, to place Ordinances reflected in Items 22-26 on 2nd Reading and refer the back to the Finance Committee.

Motion adopted. All members present voting yea.

23. ORDINANCE NO. 30-07 – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of notes of the City in a maximum principal amount of \$181,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of reconstructing, renovating, and improving certain City buildings and facilities, and

declaring an emergency. (PLACED ODN 1ST READING & REFERRED TO THE FINANCE COMMITTEE 3/5/07) (Pg. 28)

*Blanket Motion made after item 26

24. **ORDINANCE NO. 31-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of notes of the City in a maximum principal amount of \$201,000, in anticipation of the issuance of bonds, and the levy and collection of special assessments, for the purpose of paying the costs of the City’s 2007 sidewalk program, and declaring emergency. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 3/5/07)(Pg. 29)

*Blanket Motion made after item 26

25. **ORDINANCE NO. 32-07-** AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (50 members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of notes of the City in a maximum principal amount of \$252,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of improving municipal recreational facilities, and declaring an emergency. (PLACED ON 1ST READING & REFERRED TO THE FINANCE CMTE 3/5/07) (Pg. 30)

*Blanket Motion made after item 26

26. **ORDINANCE NO. 33-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of notes of the City in a maximum principal amount of \$60,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of the City’s reforestation program, and declaring an emergency. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 3/5/07) (Pg. 31)

*Blanket Motion made after item 26:

Motion by Mr. Seelie, seconded by Ms. Madigan, to place Ordinances reflected in item 22-26 on 2nd reading and refer them back to the Finance Committee.

Motion adopted. All members present voting yea.

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

27. Communication from Councilmember FitzGerald regarding Creating a “Fiscal Reserve Fund”. (Pg.32)

Motion by Mr. FitzGerald, seconded by Mr. Demro, to receive, file and refer the communication to the Committee of the Whole.

Motion adopted. All members present voting yea.

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28. **ORDINANCE NO. 34-07** – AN ORDINANCE to enact a new section of the Codified Ordinances of the City of Lakewood entitled Fiscal Reserve Fund, for the purposes of maintaining a financial reserve for the operations of the City of Lakewood. (Pg.33)

Motion by Mr. FitzGerald, seconded by Mr. Seelie, to place Ordinance No. 34-07 on 1st Reading and refer it to the Committee of the Whole.

Motion adopted. All members present voting yea.

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29. Communication from Councilmember FitzGerald regarding Creating Economic Development Revolving Loan Fund. (Pg.34)

Motion by Mr. FitzGerald, seconded by Mr. Demro, to receive, file and refer the communication to the Committee of the Whole.

Motion adopted. All members present voting yea.

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30. **ORDINANCE NO. 35-07** – AN ORDINANCE to enact a new section of the Codified Ordinances of the City of Lakewood entitled Economic Development Revolving Loan Fund, for the purpose of accruing funds to be used to stimulate and maintain economic growth in the City of Lakewood. (Pg.35)

Motion by Mr. FitzGerald, seconded by Mr. Demro, to place Ordinance No. 35-07 on 1st Reading and refer it to the Committee of the Whole.

Motion adopted. All members present voting yea.

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31. Communication from Finance Director Pae regarding \$9,425,000 City of Lakewood, Ohio 2007 Various Purpose General Obligation Bond, and \$11,235,000, to advance refund certain outstanding 2001 and 2003 General Obligation Bonds. (Pg.36)

Motion by Mr. Seelie, seconded by Ms. Madigan, to receive, file and refer the communication to the Finance Committee.

Motion adopted. All members present voting yea.

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32. **ORDINANCE NO. 36-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of bonds of the City in a maximum principal amount of \$9,425,000, to retire certain outstanding notes of the City, and declaring an emergency. (Pg.37)

Motion by Mr. Seelie, seconded by Mr. Demro, to place Ordinance No. 36-07 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members present voting yea.

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33. **ORDINANCE NO. 37-07** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise, it shall take effect and be in force after the earliest period allowed by law, to provide for the issuance and sale of bonds of the City in a maximum principal amount of \$11,235,000, to advance refund certain outstanding bonds of the City, and declaring an emergency. (Pg. 54)

Motion by Mr. Seelie, seconded by Ms. Madigan, to place Ordinance No. 37-07 on 1st reading and refer it to the Finance Committee.

Motion adopted. All members present voting yea.

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34. Communication from Finance Director Pae regarding Internet Auctions. (Pg.68)

Motion by Mr. Seelie, seconded by Ms. Madigan, to receive, file and refer the communication to the Public Works Committee.

Motion adopted. All members present voting yea.

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35. **ORDINANCE NO. 38-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing the Director of Finance to sell, through public internet auctions, various obsolete, surplus and non-functioning City vehicles, materials and/or equipment as authorized by Ohio Revised Code §721.55(D). (Pg.69)

Motion by Mr. Butler, seconded by Mr. Seelie, to place Ordinance No. 38-07 on 1st Reading and refer it to the Public Works Committee.

Motion adopted. All members present voting yea.

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36. Communication from Police Chief Malley regarding Trade of Weapons. (Pg. 71)

Motion by Mr. Seelie, seconded by Mr. Demro, to receive and file the communication.

Motion adopted. All members present voting yea.

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37. **ORDINANCE NO. 39-07** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, authorizing and directing the Director of Finance to sell, through trade-in, 34 weapons and accessories, having an estimated value of \$6,000 in conjunction with the purchase of new-state-of-the-art weapons for the Lakewood Division of Police. (Pg.72)

Motion by Mr. Seelie, seconded by Mr. Dever, to suspend the rules requiring this ordinance be read on three separate days and placing Ordinance No. 39-07 on final reading.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 39-07.

Yeas: Butler, Demro, Dever, FitzGerald, Madigan, Seelie

Nays: None

Motion adopted. Ordinance No. 39-07 adopted.

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38. Communication from Mayor George regarding Severe Weather Safety Awareness Week march 25-march 31, 2007. (Pg. 73)

Motion by Mr. Seelie, seconded by Mr. Demro, to receive and file the communication.

Motion adopted. All members present voting yea.

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39. **RESOLUTION NO. 8166-07** – A RESOLUTION proclaiming the week of March 25-march 31, 2007 as Severe Weather Safety Awareness Week and urging participation in safety activities. (Pg. 74)

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Resolution No. 8166-07.

Motion adopted. All members present voting yea.

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40. Liquor Permit transfer of a D5 permit class to Leedy & Ginnard Inc. d/b/a FAIS DO DO, 16017 Detroit Avenue from Leedy & Ginnard d/b/a Martinis Restaurant, 15315 Madison Avenue & Patio, Lakewood, Ohio. (Pg. 75)

Motion by Mr. FitzGerald, seconded by Mr. Dever, to defer action on this liquor permit.
Motion adopted. All members present voting yea.

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Motion by Mr. Seelie, seconded by Ms. Madigan, to adjourn the meeting.

Motion adopted. All members present voting yea.

Meeting adjourned 8:55 PM.

Approved: _____

President

Clerk