

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JULY 2, 2007
7:30 P.M.**

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

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

Also Present: Mayor George, Law Director Corrigan, Finance Director Pae, Police Chief Malley, Fire Chief Mroz, Human Services Director Buckon, Public Works Director Beno, Building Department Representative Dan Russell, Planning & Development Director Jordan.

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Motion adopted. All members present voting yea.

Motion by Mr. Seelie, seconded by Mr. Dever, to approve the minutes of Regular Meeting of Council held June 18, 2007.

Motion adopted. All members voting yea.

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

1. (Finance) Committee Report regarding Ordinance No. 55-07 – Creating Land Bank. (Pg. 4)

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

Motion adopted. All members voting yea.

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2. **ORDINANCE NO. 55-07** – 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 City of Lakewood to establish a Land Reutilization Program as provided in Chapter 5722 of the Ohio Revised Code.

(PLACED ON 1ST READING AND REFERRED TO THE FINANCE COMMITTEE 6/4/07, 2ND READING 6/18/07) (Pg. 6)

Motion by Mr. . Seelie, seconded by Mr. Dever, to adopt Ordinance No. 55-07.

Motion adopted. All members voting yea.

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3. **ORDINANCE NO. 56-07** – 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 authorize the transfer and advance of certain funds. (PLACED ON 1ST READING AND REFERRED TO THE FINANCE COMMITTEE 6/18/07). (Pg. 8)

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. 56-07 on final reading.

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

Nays: None

Motion adopted. Rules Suspended.

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 56-07.

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

Nays: None

Motion adopted. Ordinance No. 56-07 adopted.

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4. **ORDINANCE NO. 57-07** – 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 add Section _____ of the Lakewood Codified Ordinances to provide for the reasonable regulation and placement of portable storage containers. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 6/18/07) (Pg. 10)

Motion by Mr. Seelie, seconded by Ms. Madigan, to place Ordinance No. 57-07 on 2nd Reading.

Motion adopted. All members voting yea.

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5. **Planning Commission Report regarding Hogsback Lane Access Study.** (Pg. 14)

Motion by Mr. Seelie, seconded by Ms. Antonio to accept the report (concur).

Motion adopted. All members voting yea.

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6. Liquor Permit Application for a new D1 classification to AED Enterprises d/b/a Deweys Pizza, 18516 Detroit. (Deferred 6/18/07) (Pg.16).

Motion by Mr. FitzGerald, seconded by MR. Dever, to defer action on this item.

Motion adopted. All members voting yea.

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

7. Communication from Councilmember Demro regarding Urging Cuyahoga County Commissioners to Reconsider Funding Mechanism to Fund Medical Mart Project. (Pg. 17)

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

Motion adopted. All members voting yea.

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8. **RESOLUTION NO. – 8188-07** – A RESOLUTION urging the Cuyahoga County Commissioners to advance the convention center and Medical Mart project, to reconsider the funding mechanisms, and to place the proposal on the ballot to gain public support. (Pg.18)

Motion by Mr. Demro to adopt fails for lack of a second.

9. Communication from Councilmember Antonio regarding Resolution Congratulating Parnell Egan. (Pg.19)

Motion by Mr. Seelie, seconded by Ms. Antonio, to defer action on this item.

Motion adopted. All members voting yea.

10. **RESOLUTION NO. 8189-07** – A RESOLUTION to congratulate Parnell Egan as being named 2007 Business Person of the Year by the Lakewood Chamber of Commerce and to further congratulate Mr. Egan on the occasion of his 21 year anniversary as owner of the West End Tavern a Lakewood Business that has become a model Lakewood institution. (Pg. 20)

Motion by Mr. Seelie, seconded by Ms. Antonio, to defer action on this item.

Motion adopted. All members voting yea.

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11. Communication from Planning & Development Director Jordan re: Westerly II – North Building. (Pg.21)

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

Motion adopted. All members voting yea.

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12. **ORDINANCE NO. 58-07** – AN ORDINANCE authorizing the Mayor, on behalf of the City, to enter into agreements with the Cuyahoga Housing Consortium (“Consortium”) and/or the Cuyahoga County Department of Development and Lakewood Senior Citizens, Inc. for participation in the U.S. Department of Housing and Urban Development (HUD) HOME Program (“Program”) in an amount not to exceed Two Hundred Thousand Dollars (\$200,000) for use in renovation for the conversion of existing efficiency units to one bedroom units and any other use that the Consortium finds is consistent with the HOME Program. (Pg. 22)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 58-07 on 1st Reading and refer it to the Public Works Committee.

Motion adopted. All members voting yea.

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13. Communication from Finance Director Pae regarding June 2007 Capital Lease Authorization. (Pg. 23)

Ms. Pae elaborated on the reason for the request for suspension of the rules – stating a need to proceed with the process of leasing as equipment - entering agreement with Chase – as equipment and vehicles were essential. Motion to receive and file the communication.

Motion adopted. All members voting yea.

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14. **ORDINANCE NO. 59-07** – 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 authorize the Director of Finance to enter into Equipment Leases in forms approved by the Director of Law on behalf of the City of Lakewood (Lessee). (Pg.24)

Motion by Mr. Seelie, seconded by Ms. Antonio, to suspend the rules requiring this ordinance be read on three separate days and placing Ordinance No. 59-07

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

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Ordinance No. 59-07.
Yeas: Antonio, Butler, Demro, Dever, FitzGerald, Madigan, Seelie
Nays: None
Motion adopted. Ordinance No. 59-07 adopted.

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15. Communication from Public Works Director Beno regarding Duty to Repair and Maintain Sidewalks. (Pg.29)

Motion by Mr. Seelie, seconded by Mr. Dever, to receive, file and refer the communication to the Rules & Ordinances Committee.
Motion adopted. All members voting yea.

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16. **ORDINANCE NO. 60-07** – AN ORDINANCE to amend Section 903.07, Nonconforming Sidewalks, of the Codified Ordinances of the City of Lakewood, for the purpose of requiring property owners to maintain and repair sidewalks and driveway aprons and regulating the materials to be used for sidewalks and driveway aprons. (Pg. 30)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 60-07 on 1st Reading and refer it to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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17. **ORDINANCE NO. 61-07** – AN ORDINANCE to amend Section 903.10, Duty to Repair and Maintain Sidewalks, of the Codified Ordinances of the City of Lakewood, for the purpose of requiring property owners to maintain and repair sidewalks and driveway aprons and regulating the materials to be used for sidewalks and driveway aprons. (Pg. 31)

Motion by Mr. Seelie, seconded by Mr. Dever, to place Ordinance No. 61-07 on 1st Reading and refer it to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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18. Communication from Human Services Director Buckon regarding Cities Readiness Initiative Funding. (Pg.34)

Motion by Ms. Madigan, seconded by Mr. Seelie, to receive, file and refer the communication to the Health & Human Services Committee.

Motion adopted.

All members voting yea.

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19. **RESOLUTION NO. 8190-07** – A RESOLUTION 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 at the earliest period allowed by law, authorizing the Director of the Department of Human Services, on behalf of the City, to enter into an Agreement with the Cuyahoga County Board of Health to accept and expend funds for purposes of developing and maintaining a strong public health infrastructure, specifically to build out the Cities' Readiness Initiative. (Pg. 35)

Motion by Mr. Seelie, seconded by Ms. Madigan, to adopt Resolution 8190-07.

Motion adopted. All members voting yea.

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20. Communication from Human Services Director Buckon regarding Pandemic Influenza Planning Grant. (Pg.36)

Motion by Mr. Seelie, seconded by Ms. Madigan, to receive, file and refer the communication to the Health & Human Services Committee.

Motion adopted. All members voting yea.

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21. **RESOLUTION NO. 8146-07(8146-06B)** – A RESOLUTION amending Resolution No. 8146-06A, adopted November 6, 2006, authorizing the Director of the Department of Human Services, on behalf of the City, to enter into an Agreement with the Cuyahoga County Board of Health to accept additional funds for purposes of developing and maintaining a strong public health infrastructure to address bioterrorism and other public health threats in an amount not to exceed \$45,000. (Pg. 37)

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Resolution No. 8146-06B.

Motion adopted. All members voting yea.

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22. Communication from Police Chief Malley regarding Resolution for D.A.R.E. Program Funding. (Pg.39)

Motion by Mr. Demro, seconded by Seelie, to receive, file and refer the communication to the Youth & Recreation Committee.

Motion adopted. All members voting yea.

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(Numbering change)

23. **RESOLUTION NO. ~~8147-07~~ (8191-07)** – A RESOLUTION supporting the grant application by the Division of Police to the Ohio Attorney General’s Office for funding for the City’s Drug Abuse Resistance Education program, and commending the Division of Police for its continued efforts to educate young people of the City of Lakewood as to the hazards of alcohol and drugs. (Pg.40)

Motion by Mr. Seelie, seconded by Mr. Dever, to adopt Resolution No. 8191-07.

Motion adopted. All members voting yea.

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24. Liquor Permit for a D1 transfer to Donatos Pizzeria d/b/a Donatos , 18100 Detroit Avenue from Tyson Food Group same address. (Pg.41)

Motion by Mr. FitzGerald, seconded by Mr. Seelie, to defer action on this item.

Motion adopted. All members voting yea.

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Motion by Mr. Seelie, seconded by Mr. Demro, to adjourn the meting.

Motion adopted. All members voting yea.

Meeting adjourned 8:40 PM.

Approved:_____

President

Clerk