

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
NOVEMBER 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 Nickie J. Antonio, Kevin Butler, Ryan Patrick Demro, Michael W. Dever, Edward FitzGerald, Robert M. Seelie.

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

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Motion by Mr. Seelie, seconded by Mr. Dever, to excuse the absence of Ms. Madigan. Motion adopted. All members present voting yea.

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Motion by Mr. Seelie, seconded by Mr. Demro, to approve the minutes of Regular Meeting of Council held November 5, 2007.

Motion adopted. All members voting yea.

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(Without objection from Council item 2 was read first in the agenda order)

1. COMMITTEE OF THE WHOLE Report regarding AFSCME Local 1043, Administrative Unit. (To Be Provided)

Mr. Seelie submitted the following report:

City Council met in Executive Session this evening regarding AFSCME contract Local 1043 and after coming out of Executive Session, voted unanimously in open session to reject that contract.

Karyl Aghajanian, chapter chair of AFSCME spoke in favor of the contract. Megan McKenna, Union Steward for Police & Fire Administration Team spoke in favor of the contract.

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

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2. Communication from Law Director Corrigan regarding AFSCME Local 1043, Administrative Unit. (Pg. 7)

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

Motion adopted. All members voting yea.

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3. **ORDINANCE NO. 94-07** – 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, authorizing the Mayor of the City of Lakewood, Ohio, to enter into an Agreement with the American Federation of State, County and Municipal Employees, Administrative Employees Chapter, Local Union 1043, Ohio Council 8, for a two year period commencing January 1, 2008. (Pg. 8)

Motion by Mr. Seelie, seconded by Mr. Demro, to reject Ordinance No. 94-07.

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

Nays: None

Motion adopted Ordinance No. 94-07 rejected.

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4. Finance Committee Report regarding Global Tel Link Corporation. (To Be provided)

Motion by Mr. Seelie, seconded by Mr. Demro, to defer action on this report.

Motion adopted. All members voting yea.

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5. **ORDINANCE NO. 92-07** – 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 enter into a contract with Global Tel Link Corporation, for service of the inmate telephone located in the Jail, in accordance with the Administrative Code of the City of Lakewood. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 11/5/07) Pg. 9)

Motion by Mr. Seelie, seconded by Mr. Butler, to place Ordinance No. 92-07 on 2nd Reading.

Motion adopted. All members voting yea.

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6. Finance Committee Report regarding Creating Audit Committee. (To Be Provided)

Motion by Mr. Seelie, seconded by Mr. Butler, to receive, file and defer action on the report.

Motion adopted. All members voting yea.

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7. **ORDINANCE NO. 93-07** – AN ORDINANCE to create a new Chapter 159, City of Lakewood Audit Committee in order to provide independent review and oversight of the City’s financial reporting processes, internal controls, and independent auditor’s comments. (PLACED ON 1ST READING AND REFERRED TO THE (PLACED ON 1ST READING & REFERED TO THE FINANCE COMMITTEE 11/5/07) (Pg. 10)

Motion by Mr. Seelie, seconded by Mr. Butler, to place Ordinance No. 93-07 on 2nd Reading.

Motion adopted. All members voting yea.

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

8. Communication from Councilmembers Demro and Madigan regarding Changing Date of Lakewood Primary Election. (Pg.12)

Motion by Mr. Demro, seconded by Ms. Antonio, to receive, file and refer the communication to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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9. **ORDINANCE NO. 95-07** – AN ORDINANCE FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO THE MUNICIPAL CHARTER RELATIVE TO ARTICLE XIX, ELECTIONS, TO CHANGE THE DATE OF MUNICIPAL PRIMARY ELECTIONS. (Pg. 13)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 95-07 on 1st Reading and refer it to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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10. **RESOLUTION NO. 8213-07** – A RESOLUTION appointing _____ as a member of the Lakewood Youth Commission for a two-year term, commencing January 1, 2008 and ending December 31, 2009. (Pg. 14)

Motion by Mr. Demro, seconded by Mr. Seelie, to insert the name Tamana Abdullah.

Motion adopted. All members voting yea.

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11. **RESOLUTION NO. 8214-07** – A RESOLUTION appointing Susan Grimberg as a member of the Lakewood Youth Commission for a two-year term, commencing January 1, 2008 and ending December 31, 2009. (Pg. 15)

Motion by Mr. Demro, seconded by Ms. Antonio, to adopt Resolution No. 82124-07.
Motion adopted. All members voting yea.

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12. Communication from Council President Seelie and Housing Chair Antonio regarding Support of Foreclosure Prevention Legislation. (Pg. 16)

Motion by Ms. Antonio, seconded by Mr. Butler, to receive and file the communication.
Motion adopted. All members voting yea.

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13. **RESOLUTION NO. 8215-07** – A RESOLUTION to urge the United States House of Representatives to pass H.R. 3498, the Neighborhood Reclamation and Revitalization Program and assist local communities in dealing with vacant properties that have been caused by increasing numbers of home foreclosures. (Pg. 18)

Motion by Ms. Antonio, seconded by Mr. Seelie, to adopt Resolution No. 8215-07.
Motion adopted. Five members voting yea.
Mr. Demro abstains.
Resolution NO. 8215-07 adopted.

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14. **RESOLUTION NO. 8216-07** – A RESOLUTION to urge the United States Senate to pas S 2136, the Helping Families Save Their Homes Act of 2007. (Pg. 19)

Motion by Ms. Antonio, seconded by Mr. Seelie, to adopt Resolution No. 8216-07.

Motion adopted.
Five members voting yea.
Mr. Demro abstains.
Resolution NO. 8216-07 adopted.

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15. Communication from Councilmember FitzGerald regarding Budgetary Crisis. (Pg. 20)

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 voting yea.

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16. Communication from Finance Director Pae regarding Amendment to Purchasing & Contracting Ordinance. (Pg. 21)

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

Motion adopted. All members voting yea.

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17. **ORDINANCE NO. 74-06D** – 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, amending Ordinance 74-06C, adopted October 15, 2007 for the purpose of adding and deleting contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies services and equipment as authorized by the 2007 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg. 22)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 74-06D on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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18. Communication from Finance Director Pae regarding 2008 Tax Advance Resolution. (Pg. 28)

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

Motion adopted. All members voting yea.

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19. **RESOLUTION NO. 8217-07** – 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 after the earliest period allowed by law requesting the Cuyahoga County Auditor to draw and the Cuyahoga County Treasurer to pay to the City of Lakewood Director of Finance an advance of all real; personal property; estate taxes and special assessments collected in the year 2008 in such amounts as may be requested and available. (Pg. 29)

Motion by Mr. Seelie, seconded by Ms. Antonio, to adopt Resolution No. 8217-07.

Motion adopted. All members voting yea.

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20. Communication from Finance Director Pae regarding Memberships for 2008. (Pg. 31)

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

Motion adopted. All members voting yea.

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21. **ORDINANCE NO. 96-07** – 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 Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for **Memberships** as authorized by the 2007 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$75,000 without separate Resolution of Council. (Pg. 32)

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

Motion adopted. All members voting yea.

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22. Communication from Finance Director Pae regarding Purchasing and Contracting Ordinance FY2008. (Pg. 36)

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

Motion adopted. All members voting yea.

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23. **ORDINANCE NO. 97-07** – 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 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 Division 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. 37)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 97-07 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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24. Communication from Finance Director Pae regarding Purchasing and Contracting Ordinance FY 2008. (Pg. 39)

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

Motion adopted. All members voting yea.

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25. **ORDINANCE NO. 98-07** – 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 Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2008 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg. 40)

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

Motion adopted. All members voting yea.

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26. Communication from Finance Director Pae regarding Temporary Appropriations for Fiscal Year 2008. (Pg. 43)

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

Motion adopted. All members voting yea.

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27. **ORDINANCE NO. 99-07** – 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 temporary appropriations for current expenses and

other expenditures of the City of Lakewood, State of Ohio, for three months, January 1, 2008 to March 31, 2008 as provided by Ohio Revised Code Section 5705.38. (Pg. 44)

Motion by Mr. Seelie, seconded by Mr. Dever, to place Ordinance No. 99-07 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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28. Communication from Finance Director Pae regarding Updated Appropriations Ordinance. (Pg. 56)

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

Motion adopted. All members voting yea.

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29. **ORDINANCE NO. 100-07** – 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 additional appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2007. (Pg. 57)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 100-07 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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30. Communication from Finance Director Pae regarding 2007 4th Quarter Transfers and Advances. (Pg. 61)

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

Motion adopted. All members voting yea.

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31. **ORDINANCE NO. 101-07** – 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. (Pg. 62)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 101-07 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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32. Communication from Finance Director Pae regarding Amendment to Street Reconstruction & Rehabilitation Ordinance. (Pg. 64)

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

Motion adopted. All members voting yea.

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33. **ORDINANCE NO. 95-06B** – 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 amending Ordinance 95-06A, adopted July 16, 2007 for the purpose of adding contracting authority 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 **Infrastructure Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg 65)

Motion by Mr. Seelie, seconded by Ms. Antonio, to place Ordinance No. 95-06B on 1st Reading and referred to the Finance Committee.

Motion adopted. All members voting yea.

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

Motion adopted. All members voting yea.

Meeting adjourned 8:31 PM.

Approved: _____

President

Clerk

