

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
FEBRUARY 19, 2008
7:30 P.M.**

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

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Present: Councilmembers Nickie J. Antonio, Thomas Bullock, Kevin Butler, Michael W. Dever, Brian E. Powers, Michael Summers.

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

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Also Present: Mayor FitzGerald, Law Director Hurley, Finance Director Pae, Fire Chief Mroz, Police Chief Malley, Human Services Director Buckon, Acting Public Works Director Albrecht, Planning & Development Director Kelly, Building's Fitzgerald.

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Motion by Mr. Butler, seconded by Ms. Antonio, to approve the minutes of Regular Meeting of Council held February 4, 2008, without the necessity of a reading.

Motion adopted. All members present voting yea.

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

1. Committee of the Whole Report regarding Ordinances 2-21-(08) and Appointment Resolutions. (To Be Provided)

Mr. Dever submitted the following report:

Dear Members of Council, the Committee of the Whole met Tuesday, February 12, 2008 to discuss appointments to the Board of Building Standards/Architectural Board of Review, Zoning Appeals, Planning Commission and the governing board of Lakewood Hospital. In addition, Ordinances 2 through 21- 08,.

The first order of business for the Committee was to discuss the various applicants that applied for the above listed boards and commissions. From a very talented pool of applicants the Committee voted unanimously to appoint Michael Fleenor to the Board of Building Standards/Architectural Review Board and Ellen Bryztwa to the Hospital Board. Equally challenging, due to the number of qualified candidates the majority of the Committee voted to appoint Mary Breiner to the Zoning Appeals and Ms. Mary Cierbiej to the Planning Commission. The Council will in addition, keep on file all the candidates that have applied for these positions in the future in case a boards seat opens up, we'll have applicants on file.

Second order of business was to discuss 18 contracting ordinances. The Council discussed the ten percent threshold of professional services and adequate oversight. It was recommended that the

agendas for the Board of Control include more information. Upon explanation concerning those issues the Committee unanimously recommended adoption of 3-08 – which is

- 3-08** Buildings & Facilities Improvements Engineering 1,700,000
- 4-08** Buildings Facilities Improvements (Prof. Services) this is the design end for \$170,000
- 5-08** 2008 C.D.B.G. Street Projects \$1,000,000
- 6-08** Computers & Systems \$750,000
- 7-08** Parking \$150,000
- 8-08** Parks & Pools Improvements \$1,500,000
- 9-08** Parks & Pools Improvement (prof. Services/specs) \$150,000
- 10-08** Reforestation \$75,000
- 11-08** Sidewalk Improvements \$200,000
- 12-08** Signs & Traffic Signals \$60,000
- 13-08** Street Reconstruction & Rehabilitation \$2,000,000
- 14-08** Street Signs & Traffic Signals \$600,000
- 15-08** Vehicles & Motorized Equipment \$1,800,000
- 16-08** Water System Replacement Program \$750,000
- 17-08** Wastewater System Replacement Program \$1,300,000
- 18-08** Wastewater Treatment Plant Improvements \$500,000
- 19-08** Wastewater Treatment Plant Improvements \$50,000

20-08 was recommended to be deferred at the request from our Finance Director. HB 300 Performance Contract Projects \$3,300,000

The next item discussed was ordinance **2-08** – which would amend Section 149.112, of the city of Lakewood’s Codified Ordinances. This item was for repealing the Perfect Attendance Bonuses to non-collective bargaining employees. Estimated annual savings from repealing this ordinance is approximately \$40,000. The Administration has requested to repeal this ordinance and after lengthy discussion the Committee unanimously concurred to recommend adoption.

The final item that was discussed was Ordinance 21-08 which concerns raising certain rates at Winterhurst Ice Rink. The Committee members spoke of the Winterhurst Task Force which was formed two years ago. Also we discussed advertising efforts and generally gathering more information concerning the long-term plan for the rink. The Committee recommended that Ordinance

21-08 be referred to the Public Works Committee for further discussion and I anticipate after our budget hearings we’ll probably go into a discussion about Winterhurst. Respectfully submitted.

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

Motion adopted. All members present voting yea.

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{Ordinance Nos. 2-08 through 21-08 were placed on 1st Reading & Referred to the Finance Committee 1/22/08, 2ND Reading 2/4/0}.

2. **ORDINANCE NO. 2-08** - 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, repealing Section 149.112, Perfect Attendance Bonus, of the Codified Ordinances of the City of Lakewood. (Pg. 10)

Motion by Mr. Dever, seconded by Mr. Butler, to adopt Ordinance No. 2-08.

Motion adopted. All members present voting yea.

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(Without objection from Council Items 3-19 were read consecutively for one blanket motion)

**Items 3-19 (Ordinances Nos. 3, 4,5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 – 08 were all adopted in the following blanket motion...*

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance Nos. 3, 4,5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 – 08.

Motion adopted. All members present voting yea.

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3. **ORDINANCE NO. 3-08** - 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 bids 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. (Pg. 11)

4. **ORDINANCE NO. 4-08** - 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 **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. (Pg. 12)

*Adopted in blanket motion after item 19

5. **ORDINANCE NO. 5-08** - 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 for the purpose of 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 **C.D.B.G. Fund 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. 13)

*Adopted in blanket motion after item 19

6. **ORDINANCE NO. 6-08** - 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 bids 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. (Pg. 14)

*Adopted in blanket motion after item 19

7. **ORDINANCE NO. 7-08** - 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 bids and enter into a contract with the lowest and best bidder for **Parking 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. 15)

*Adopted in blanket motion after item 19

8. **ORDINANCE NO. 8-08** - 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 bids 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. (Pg. 16)

*Adopted in blanket motion after item 19

9. **ORDINANCE NO. 9-08** - 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 of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 17)

*Adopted in blanket motion after item 19

10. **ORDINANCE NO. 10-08** - 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 bids and enter into a contract 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. (Pg. 18)

*Adopted in blanket motion after item 19

11. **ORDINANCE NO. 11-08** - 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 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. (Pg. 19)

*Adopted in blanket motion after item 19

12. **ORDINANCE NO. 12-08** - 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 **Signs & Traffic Signals** 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. 20)

*Adopted in blanket motion after item 19

13. **ORDINANCE NO. 13-08** - 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 **Street 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. 21)

*Adopted in blanket motion after item 19

14. **ORDINANCE NO. 14-08** - 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 bids 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. (Pg. 22)

*Adopted in blanket motion after item 19

15. **ORDINANCE NO. 15-08** - 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 bids and enter into contracts with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Motorized Equipment**, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 23)

*Adopted in blanket motion after item 19

16. **ORDINANCE NO. 16-08** - 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 **Water System Replacement Program** 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. 24)

*Adopted in blanket motion after item 19

17. **ORDINANCE NO. 17-08** - 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 **Wastewater System Replacement Program** 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. 25)

*Adopted in blanket motion after item 19

18. **ORDINANCE NO. 18-08** - 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 bids 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. (Pg. 26)

*Adopted in blanket motion after item 19

19. **ORDINANCE NO. 19-08** - 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 **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. (Pg. 27)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance Nos. 3, 4,5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 – 08.

Motion adopted. All members present voting yea.

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20. **ORDINANCE NO. 20-08** - 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 **HB 300 Performance Contract Projects** 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. 28)

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

Motion adopted. All members present voting yea.

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21. **ORDINANCE NO. 21-08** - AN ORDINANCE establishing rates of admission to Winterhurst Ice Rink, located at 14740 Lakewood Heights Boulevard, Lakewood, Ohio, effective June 1, 2008 and superseding Ordinance 69-06, adopted November 20, 2006 and all other ordinances inconsistent herewith. (Pg. 29)

Motion by Mr. Dever, seconded by Ms. Antonio, to refer Ordinance No. 21-08 to the Public Works Committee.

Motion adopted. All members present voting yea.

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22. **RESOLUTION NO. 8231-08** – A RESOLUTION to appoint Michael Fleenor as a member of the Lakewood Board of Building Standards/Architectural Board of Review/Sign Review Board for a full five (5) year term ending December 31, 2012. (**PLEASE SUBSTITUTE FOR RESOLUTION NO. 8231-08 REFERRED TO THE COMMITTEE OF THE WHOLE 2/4/08**) (Pg. 32)

Motion by Mr. Butler, seconded by Ms. Antonio, to adopt Resolution No. 8231-08.

Motion adopted. All members present voting yea.

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23. **RESOLUTION NO. 8232-08** – 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 to appoint Mary Breiner to the Lakewood Board of Zoning Appeals for an unexpired five-year term, ending December 31, 2009. (**PLEASE SUBSTITUTE FOR RESOLUTION NO. 8232-08 REFERRED TO THE COMMITTEE OF THE WHOLE 2/4/08**) (Pg.33)

Motion by Mr. Dever, seconded by Ms. Antonio. To adopt Resolution No. 8232-08.
Motion adopted. All members present voting yea.

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24. **RESOLUTION NO. 8233-08** – A RESOLUTION to appoint Mary Cierebiej as a member of the Lakewood Planning Commission for an unexpired term ending December 31, 2008. **(PLEASE SUBSTITUTE FOR RESOLUTION NO. 8233-08 REFERRED TO THE COMMITTEE OF THE WHOLE 2/4/080 (Pg. 35)**

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Resolution No. 8233-08.
Motion adopted. All members present voting yea.

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25. **RESOLUTION NO. 8237-08** – A RESOLUTION 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 appoint Ellen Bryztwa as a Community Trustee of the Lakewood Hospital Association Board for an unexpired five-year term, ending December 31, 2010. (Pg.36)

Motion by Mr. Dever, seconded by Ms. Antonio, to defer action on this Resolution.
Motion adopted. All members present voting yea.

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26. **RESOLUTION NO. 8234-08** – A RESOLUTION to appoint _____ as a member of the Governing Board of Lakewood Hospital for the full two-year term ending December 31, 2009. (REFERRED TO THE COMMITTEE OF THE WHOLE 2/4/08) (Pg. 37)

Motion by Mr. Butler, seconded by Ms. Antonio, to amend Resolution No. 8234. by inserting the name Nickie Antonio.

Yeas: Antonio, Bullock, Butler, Dever, Powers, Summers
Nays: None
Motion adopted. Resolution amended.

Motion by Mr. Butler, seconded by Mr. Butler, to adopt as amended.

Yeas: Antonio, Bullock, Butler, Dever, Powers, Summers
Nays: None
Motion adopted. Resolution 8234 –08 adopted as amended.

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27. **RESOLUTION NO. 8235-08** – A RESOLUTION to appoint _____ as a member of the Governing Board of Lakewood Hospital for the full two-year term ending December 31, 2009. (REFERRED TO THE COMMITTEE OF THE WHOLE 2/4/08) (Pg. 38)

Motion by Mr. Butler, seconded by Ms. Antonio, to amend Resolution No. 8235-08 by inserting the name Brian Powers and adopting.

Yeas: Antonio, Bullock, Butler, Dever, Powers, Summers
Nays: None
Motion adopted. Resolution amended.

Motion by Mr. Butler, seconded by Mr. Butler, to adopt as amended.

Yeas: Antonio, Bullock, Butler, Dever, Powers, Summers

Nays: None

Motion adopted. Resolution 8234 –08 adopted as amended.

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28. Rules & Ordinances Committee Report regarding Updates to the Codified Ordinances. (Pg. 39)

Motion by Mr. Butler, seconded by Ms. Antonio, to receive and file the report.

Motion adopted. All members present voting yea.

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29. **ORDINANCE NO. 78-07** – 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 approve the editing and inclusion of certain ordinances and resolutions as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matters. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 9/4/07, 2ND READING 9/17/07). (Pg. 40)

Motion by Mr. Butler, seconded by Ms. Antonio, to adopt Ordinance No. 78-07.

Motion adopted. All members present voting yea.

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30. Liquor Permit Application for D1, D2, D3, D3A, and D6 transfers to 1572 Tavern Inc., d/b/a Bottoms Up ; 1572 W. 117th Street from 1572 W 117 Inc, same address. (DEFERRED 2/4/08) (Pg. 42)

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

Motion adopted. All members present voting yea.

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

31. Communication from Council President Dever regarding Commendation Resolutions. (To Be Provided)

Motion was to defer.

32. **RESOLUTION NO. 8240-08** – A RESOLUTION to commend Thomas J. George for his public service as Mayor of the City of Lakewood. (To Be Provided)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Resolution No. 8240-08.

Motion adopted. All members present voting yea.

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33. **RESOLUTION NO. 8241-08** - A RESOLUTION to commend Brian Corrigan for his public service as Law Director of the City of Lakewood. (To Be Provided)

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

Motion adopted. All members present voting yea.

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34. **RESOLUTION NO. 8242-08** – A RESOLUTION to commend Tony Beno for his public service as Public Works Director of the City of Lakewood. (To Be Provided)

Motion by Ms. Antonio, seconded by Mr. Dever, to defer action on this item.
Motion adopted. All members present voting yea.

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35. **RESOLUTION NO. 8243-08** – A RESOLUTION to commend Patricia Majeski for her public service to the City of Lakewood. (To Be Provided)

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

Motion adopted. All members present voting yea.

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ADD-ON (Inadvertently omitted from original publication)

35A Communication from Councilmember Butler regarding changing council docket deadline. (Pg. 42A)

Motion by Mr. Butler, seconded by Mr. Dever, to receive, file and refer the communication to the Rules & Ordinances Committee.

Motion adopted. All members present voting yea.

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ADD-ON (Inadvertently omitted from original publication)

35B **ORDINANCE NO. 25-08** An ORDINANCE to amend Section 121.15, Duties of the Clerk of Council, of the Codified Ordinances of the City of Lakewood for the purpose of changing the deadline for placing items on Council’s agenda to the Wednesday prior to the meeting at 5:00 p.m. (Pg. 42B)

Motion by Mr. Dever, seconded by Mr. Butler, to place Ordinance No. 25-08 on 1st Reading and refer it to the Rules & Ordinances Committee.

Motion adopted. All members present voting yea.

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36. Communication from Councilmember Butler regarding Revisiting Items previously terminated from Rules & Ordinances Committee List. (Pg. 43)

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

Motion adopted. All members present voting yea.

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37. Communication from Councilmember Butler regarding Revisiting “chronic nuisance” ordinances previously terminated from Committee. (Pg. 46)

Motion by Mr. Butler, seconded by Mr. Dever, to receive, file and refer the communication to the Public Safety Committee.

Motion adopted. All members present voting yea.

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38. **ORDINANCE NO. 23-08** – 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 Nuisance Ordinance. (Pg. 48)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 23-08 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. All members present voting yea.

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39. **ORDINANCE NO. 24-08** – 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. (Pg.55)

Motion by Mr. Butler, seconded by Mr. Dever, to place Ordinance No. 24-08 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. All members present voting yea.

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40. Communication from Finance Director Pae reading Amendment to Purchasing & Contracting Ordinance. (Pg.57)

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

Motion adopted. All members present voting yea.

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41. **ORDINANCE NO. 98-07B** - 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 98-07A, adopted January 7, 2008 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 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. 58)

Motion by Mr. Dever, seconded by Ms. Antonio, to place Ordinance No. 98-07B on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members present voting yea.

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42. Communication from Human Services Director Buckon regarding Juvenile Diversion Program. (Pg. 65)

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

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43. **RESOLUTION NO. 8238-08** - A RESOLUTION authorizing and directing the Mayor, or his designee, for and on behalf of the City of Lakewood to enter into an Agreement with the Cuyahoga County Juvenile Court to accept funds for the City's Juvenile Diversion Program. (Pg. 66)

Motion by Ms. Antonio, seconded by Mr. Dever, to adopt Resolution No. 8238-08.
Motion adopted. All members present voting yea.

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44. Communication from Police Chief Malley regarding Office of Criminal Justice Services JAG Grant. (Pg. 67)

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

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45. **RESOLUTION NO. 8239-08** - A RESOLUTION authorizing the Mayor as Director of Public Safety, on behalf of the City, to enter into an Agreement with the Ohio Department of Public Safety, Ohio Office of Criminal Justice Services Justice Assistance Grants, to accept and expend funds for the Officer Safety Initiative to purchase 11 Tasers and related equipment for the Lakewood Police Department in the amount of \$12,752.00 and requiring a match by the City of Lakewood of \$1,417.00. (Pg. 68)

Motion by Mr. Butler, seconded by Mr. Bullock, to adopt Resolution No. 8239-08.
Motion adopted. All members present voting yea.

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Motion by Mr. Dever, seconded by Ms. Antonio, to adjourn the meeting.
Motion adopted. All members present voting yea.
Meeting adjourned 8:47 PM.

Approved: _____

President

Clerk