

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JUNE 16, 2008
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:39 PM by President Dever.

Present: Councilmembers Nickie J. Antonio, Thomas Bullock, Kevin Butler, Michael W. Dever, Mary Louise Madigan, Michael P. Summers, Brian Powers.

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Also Present: Mayor FitzGerald, Law Director Hurley, Finance Director Pae, Fire Chief Mroz, Police Chief Malley, Acting Public Works Director Strong, Planning & Development Director Kelly, Project Administrator for New Lakewood Fitzgerald, Human Resources Director Yousefi.

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Motion by Mr. Dever, seconded by, to defer action on the minutes of Regular Meeting of Council held May 19, 2008 (Deferred 6/2/08).

Motion by Ms. Madigan, seconded by Mr. Butler to approve the minutes without the necessity of a reading.

Motion adopted. All members voting yea

Reading and disposal of the minute of the Regular Meeting of Council held June 2, 2008.

Motion by Mr. Butler, seconded by Ms. Madigan to adopt.

Motion adopted. Five members voting yea.

Mr. Dever and Mr. Powers abstaining.

Motion adopted. All members voting yea.

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

1. **ORDINANCE NO. 62-08** – 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 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 Ice Land USA – Lakewood LLC to lease and provide managerial services, and enter into a contract for Winterhurst Ice Rink. (Placed on 1st Reading in a Special Meeting 6/9/08, 2nd Reading in a Special Meeting held 6/10/08) (Pg.5)

Motion by Mr. Dever, seconded by Mr. Butler, to adopt Ordinance No. 62-08.

Motion adopted. All members voting yea.

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2. **ORDINANCE NO. 95-07** – AN ORDINANCE, providing for the submission to the electors of the City of Lakewood, an amendment to Article XIX, Section 2, Primary Elections of the Second Amended Charter of the City of Lakewood, to move the date for primary elections to be held in the City of Lakewood to the second Tuesday in September prior to each general municipal

election. (**PLEASE SUBSTITUTE** FOR ORDINANCE NO. 95-07 PLACED ON 1ST READING & referred to the RULES & ORDINANCES COMMITTEE 11/19/07, 2nd READING 12/3/07, 3rd READING, RECOMMENDED FOR ADOPTION & DEFERRED 5/19/08, DEFERRED 6/2/08) (Pg. 7)

Motion by Mr. Dever, seconded by Mr. Butler, to substituted Ordinance No. 95-07.
Motion adopted.

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

Nays: None

Motion adopted. Ordinance No. 95-07 substituted.

Motion by Mr. Dever, seconded by Mr. Butler, to adopt Ordinance No. 95-07 as amended.

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

Nays: None

Motion adopted. Ordinance No. 95-07 adopted as substituted.

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3. **ORDINANCE NO. 60-08** - AN ORDINANCE amending Section 129.10, Depositories, of the Codified Ordinances of the City of Lakewood for the purpose of lengthening the permitted term of depository agreements for the City's active deposits. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/2/08) (Pg. 9)

Motion by Mr. Dever, seconded by Mr. Butler, to place Ordinance No. 60-08 on 2nd Reading.

Motion adopted. All members voting yea.

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

4. Communication from Council President Dever regarding St. James Church 100th Anniversary. (Pg.13)

Motion by Mr. Dever, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

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5. **RESOLUTION NO. 8263-08** – A RESOLUTION honoring St. James Catholic Church on its 100th anniversary. (Pg. 14)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Resolution No. 8263-08.

Motion adopted. All members voting yea.

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6. Communication from Councilmember Summers regarding Resolution in Support of Military Veterans. (Pg.15)

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

Motion adopted. All members voting yea.

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7. **RESOLUTION NO. 8264-08** – A RESOLUTION to affirm the continued support of the members of the United States Armed Forces of the past and present. (Pg.16)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Resolution No. 8264-08.
Motion adopted. All members voting yea.

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8. Communication from Councilmember Antonio regarding Dignity of Human Rights Pride Week. (Pg. 17).

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

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9. **RESOLUTION NO. 8265-08** – A RESOLUTION to proclaim the week of June16, 2008 as Dignity of Human Rights Pride Week and congratulating the Cleveland Pride Committee on their 20 year anniversary thereby recognizing the LGBT community for its many and varied contributions that have enriched our civic life and aided in creating a more accepting and diverse society and community. (Pg. 18)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Resolution No. 8265-08.
Motion adopted. All members voting yea.

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10. Communication from Councilmember Antonio regarding Community Relations Advisory Commission. (Pg. 19)

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

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11. Communication from Mayor FitzGerald regarding Mayoral Appointment to the Community Relations Advisory Commission. (Pg. 20)

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

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12. Community Relations Advisory Commission Annual Report and by-laws for Council Ratification. (Pg. 21)

Motion by Ms. Antonio, seconded by Mr. Dever, to receive, file and concur with the report (bylaws).

Motion adopted. All members voting yea.

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13. Communication from Mayor FitzGerald regarding Lakewood Codified Ordinance 1775, High Grass and Weeds. (Pg. 25)

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

Motion adopted. All members voting yea.

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14. Communication from Finance Director Pae regarding Updated Appropriations Ordinance. (Pg. 26)

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

Motion adopted. All members voting yea.

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15. **ORDINANCE NO. 63-08** - 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 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, 2008. (Pg. 27)

Motion by Mr. Dever, seconded by Ms. Madigan, to place on 1st Reading and refer to the Finance Committee.

Motion adopted. All members voting yea.

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16. Communication from Finance Director Pae regarding 2009 Tax Budget Resolution. (Pg. 29)

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

Motion adopted. All members voting yea.

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17. **RESOLUTION NO. 8266-08** - 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 approving the Tax Budget of the City of Lakewood, State of Ohio for the year 2009, and authorizing the filing of same with the Auditor of Cuyahoga County. (Pg. 30)

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

Motion adopted. All members voting yea.

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18. Communication from Planning & Development Director Kelly regarding Purchasing Real Property Under Sixty Thousand Dollars. (Pg. 32)

Motion by Mr. Dever, 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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19. **ORDINANCE NO. 64-08** - AN ORDINANCE to amend Section 111.04, Bidding, of the Codified Ordinances of the City of Lakewood for the purpose of excepting the purchase of real property for less than \$60,000 from the bidding process. (Pg. 33)

Motion by Mr. Dever, seconded by Ms. Madigan, to place Ordinance No. 64-08 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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20. Planning Commission Report regarding Recommendation to Adopt the *Detroit Avenue Streetscape Plan* into the *Lakewood Community Vision*. (THE COMPLETE 141 PAGE PLAN IS AVAILABLE FOR PUBLIC REVIEW IN THE CITY COUNCIL OFFICE DURING REGULAR BUSINESS HOURS; EXECUTIVE SUMMARY ONLY IS PUBLISHED HERE) (Pg. 37)

Motion by Mr. Dever, seconded by Ms. Antonio, to receive, file and refer the report to the Committee of the Whole.

Motion adopted. All members voting yea.

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21. Add-On (Received after docket deadline) – Communication from Human Services Director Buckon regarding Criminal Justice Service Agency Agreement for Youth Summer Programming. (Pg.48)

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

Motion adopted. All members voting yea.

22. Add-On (Received after docket deadline) – **RESOLUTION NO. 8267-08** - 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, authorizing and directing the Mayor or his designee, on behalf of the City, to enter into an Agreement with the Criminal Justice Service Agency to accept and expend funds for the Youth Enrichment Consortium Special Event 2008 Summer Program. (Pg.49)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Resolution No. 8267-08.

Motion adopted. All members voting yea.

Motion by Mr. Dever, seconded by ms. Madigan, to adjourn the meeting.

Motion adopted. All members voting yea.

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Meeting adjourned 9:40 PM.

Meeting adjourned at 8:12 PM.

Approved: _____

President

Clerk