

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JUNE 15, 2009
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:36 PM by President Dever.

....

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

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

....

Also Present: Mayor FitzGerald, Law Director Hurley, Finance Director Pae, Police Chief Malley, Fire Chief Mroz, Public Works Director Beno, Human Services Director Buckon, Planning & Development Director Kelly, Human Resources Yousefi, Assistant Director Safety – Division of Building and Housing Ashby.

....

Reading and disposal of the Minutes of the Regular Meeting of Council held May 18, 2009.

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

Motion adopted. All members present voting yea.

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

1. Report from Finance Chair Summers regarding 2010 budget process. (Provided at the meeting)

Members of City Council, Mayor Fitzgerald, Directors, Fellow citizens

When this Council and this mayor began our deliberation over the 2008 budget in January of 2008, we believed we were dealing with a structural imbalance that was Lakewood city government centric. When we reconvened to begin the 2009 budget process in October of 2008, The national and regional economies were at the beginning of a deep slide. At that time, it was not a Lakewood centric problem. We understood that we would have to keep a weather eye toward the gathering storm and make adjustments as appropriate.

Now we begin to think about 2010, Many economic trends and positions are much clearer. Recessions are conventionally defined as the economic correction of the prior period's excesses.

Several of these excesses are so extreme that it will take much longer, to correct. We now know that we are in a historic “ correction”, the likes of which we have not seen for 80 years. These long term corrections, and their implications for Lakewood City government, are the essence of my message to you tonight.

In 1980, the ratio of household debt to disposable income in the United States was 60%. In 2008, this ratio was 120%. Furthermore, The total of this debt in 2008 was 13 trillion dollars. This is equal to the entire Gross Domestic Product- the sum of all goods and services produced in our national economy- also 13 trillion dollars. We know the American consumer drove the world economy since 1985. We now know that our consumption is not sustainable, and must be scaled back- in a very large way. We also know that the State of Ohio, our partner in so many ways, must scale back 10 years of government growth to achieve a budget level comparable to the State’s 1999 budget. Furthermore, because our state uses the sales tax as a primary source of income, diminished consumption, now and in the future, will have a deleterious effect on the State budget for years to come. The same can be said of our county government, which also relies on sales tax.

How does all of this affect Lakewood- Let’s begin to count the ways:

Our real property tax duplicate- the sum of all of our real estate- has been assessed at 6% lower than last year. This lower assessment will remain with us through 2012. It means approximately \$800,000 less in property tax collections in each of the next three years.

Our local government fund received from the State of Ohio is \$3.8 million dollars, and shrinking. Historically, this value mirrors state revenue trends- and we know what those trends are and will be in the near future.

Our long term debt capacity is at its maximum Not only will be unable to issue much, if any new debt in the near term, we are also vulnerable to interest rate shocks that might be realized in a higher inflation period that often trails significant fiscal and monetary stimulus. We know that we are experiencing record stimulus investment. Our only method of gaining debt capacity is to stop issuing new debt, and start paying off existing debt. No small charge for our city.

The automotive industry’s disproportionate effect on our region will play havoc with the trickle down effect on Lakewood’s households. We will not get the full gauge of this impact for months to come. Our best case is no change in income tax collected. We have to anticipate less than our best case.

The point of the previous remarks is the make the case that we most likely be facing cost reduction challenges for each of the next three years. So will virtually every other government entity. While we may gain solace at not being alone or unique, it does not make our task any easier.

Now that we are gaining an understanding of our situation- What must be our actions?

If we accept the premise that program cuts starting in 2008 and continuing through 2012 are increasingly difficult if not impossible- we are obligated to find another way.

This new way must be to rethink, reshape, and reorganize our government in such a way that we achieve the following:

- 1) significant productivity gains from our workforce and citizens. This can only be achieved by redefining the boundaries of what work is performed and by whom. Classical organization reengineering shifts from simple jobs in complex organizations to complex jobs, in more streamlined organizations. Broader responsibilities, better tools, more training.
 - a. Several of our current initiatives are good examples- Automated refuse and website redesign. There are others.
- 2) A continual reassessment of priorities and resource allocation towards these priorities- not a changing of goals, but constant optimization of strategy and tactics.

Who must engage in this process? All of us- Elected leaders, our workforce, our citizens.

This is not easy. Nor is it quick. We can learn from other organizations who have worked through these same circumstances. I have some ideas, I am sure you do as well. I submit that the 2010 budget process must be different, more far reaching than costs and services. It must think about redesign as well.

I will close these remarks with the charge to each of us.

First, let's understand that ordinary tactics will not work in these extraordinary times.

Second, Be prepared to think of what services are used and by whom as the starting point, and work backwards in terms of delivery structure.

Third, let's find a way to engage our workforce and our citizens to help us.

I have all the confidence in the world that we can be successful in delivering first rate services to our citizens in these difficult times. What I do not know is how different it will look when we are finished.

Thanks for listening.

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

Motion adopted. All members voting yea.

....

2. Finance Committee Report regarding Mid-year Appropriations Ordinance 48-09 and 2nd Quarter Transfers – Ordinance 49-09. (Pg. 5)

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

Motion adopted. All members voting yea.

....

3. **ORDINANCE NO. 48-09** – 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, 2009. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 5/18/09, 2ND READING 6/1/09) (Pg. 7)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 48-09.
Motion adopted. All members voting yea.

....

4. **ORDINANCE NO. 49-09** – 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 & REFERRED TO THE FINANCE COMMITTEE 5/18/09, 2ND READING 6/1/09) (Pg. 20)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 49-09.
Motion adopted. All members voting yea.

....

5. Housing Committee Report regarding Ordinances Nos. 50-09 and 51-09. (To Be Provided)

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

....

6. **ORDINANCE NO. 50-09** - 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 Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property located at 1346 Webb Road for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances. (PLACED ON 1ST READING & REFERRED TO THE HOUSING COMMITTEE 5/18/09, 2ND READING 6/1/09) (Pg. 22)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 50-09.
Motion adopted. All members voting yea.

....

7. **ORDINANCE NO. 51-09** - 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 Planning and Development to enter into an agreement with a licensed real estate broker to market for sale the real property located at 1667-1669 Waterbury Road for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances. (PLACED ON 1ST READING & REFERRED TO THE HOUSING COMMITTEE 5/18/09, 2ND READING 6/1/09) (Pg. 24)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 51-09.
Motion adopted. All members voting yea.

....

8. **ORDINANCE NO. 52-09** – AN ORDINANCE to amend Section 521.17, Shopping Cart Litter, of the Lakewood Codified Ordinances for the purposes of allowing the City of Lakewood to donate,

recycle or otherwise dispose of the carts that are unclaimed. (PLACED ON 1ST READING 6/1/09)
(Pg. 26)

Motion by Mr. Dever, seconded by Ms. Antonio, to place Ordinance No. 52-09 on 2nd Reading.
Motion adopted.

Motion adopted. All members voting yea.

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

9. Communication from Council President Dever regarding Council Appointments to the Citizens Advisory Committee. (Pg. 29)

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

....

10. Communication from Councilmember Bullock regarding Proposed Ordinance to Provide for leashed Dog-walking in Lakewood Parks. (Pg.30)

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

#10 Communication from Councilman Bullock regarding Proposed Ordinance to provide for leashed dog walking in Lakewood parks.

Bullock: We talked at the last Council meeting about this issue, proposed leashed dog walking in the Lakewood parks. What I had proposed in the communication was that the administration talk to the residents, see if we could propose a policy for allowing dog walking with certain terms and conditions conducive to public health and safety, cleanliness in the parks and so forth. It was the opinion of members of Council that the way the ordinance on the books is written was not sufficient to allow the administration authority to do that. To actually grant policy for more than a few individual, specific, dogs. So, what I am doing here is proposing an ordinance that would explicitly grant the administration the authority to provide for a policy that would allow dogs generally, to be walked on leash in some or all of Lakewood parks. It's a may, not a shall and so what this proposed ordinance would do if adopted by Council would essentially allow the flexibility of the Director of Public Works to define a dog walking policy and that would not be ... that could be a policy with restrictions or without. It would essentially allow the Director the flexibility to look into the operational details. So, what this ordinance would do is serve as basically a place for an ordinance while what I hope and I've got some discussions on the way, the Director of Public Works and the citizens, what can continue is the exploration of how we might put together a policy that would work for Lakewood parks and Lakewood dog walking residents. As with many things, I think you could do something well, or you could do it poorly. What I'd like to do is have the chance for the Public Works Director and for the personnel who handle the parks the chance to engage in this discussion. I anticipate that will continue and that if there are any conditions or additions to the policy that would make sense to incorporate into an ordinance we would have the opportunity to do that in the future. So, this is a beginning of a conversation, a continuation of the conversation we began last time. Thanks.

Antonio: Mr. Chair.

Dever: Councilwoman Antonio.

Antonio: Ok. I'm a little confused. We're being asked to consider, send to committee for consideration, an ordinance that gives the Public Works Director the decision making capacity to decide whether or not people walk their dogs on a leash in the park. Correct?

Bullock: Correct

Antonio: I don't understand why we're doing that, why we would do that. I'll tell you why. So either we as a body make a decision about whether or not people would walk their dogs in the parks on leashes and in the course of... the way my experience so far has been is anytime we have a decision like this to make, we send the proposed ordinance to a committee, we have hearings, people come in. Certainly the members of the administration participate in those hearings, especially if whoever the chair of the committee has specifically asked for them to be there and we go through a process where we really do hear from the residents as well as the administration in terms of what makes the most sense. Then the deliberations produce an ordinance – a lot of times there's amendments made to the ordinance with consideration for what people have said. It comes back to Council and then we vote on it. I'm not quite sure why we would want to do this step which seems to me, and I agree with you, I think we should do things well and with thoughtful consideration, I couldn't agree with you more, I don't understand why we would do something that to me, first of all we acquiesce our responsibility to the Director of Public Works and second, that we would confuse folks in the meantime. Are we walking dogs on leashes? Are we allowed to do it now? Are we talking about it and then making a decision? I think, clearly, from the people I've already heard talk about this, I was at Madison Park and heard from quite a few people last week, people have some real strong opinions about it. No surprise. So I think we should be real clear what we're saying we're doing before we actually do it. I'm not quite sure that... I don't think I support this as it stands. Having a public discussion about whether or not leashed dogs walk in the parks, I think if enough people want to do that then we should have that. But, I don't support putting this on the Public Works Director and under his decision whether or not to do it in the meantime. I do understand, the last thing I'll say, is I do understand that there is that piece in the original language of the ordinance that said it was up to the Public Works Director's decision to allow dogs that were coming into the park solely for the purpose of chasing geese away. They were working dogs because it was a strategy used to try to keep the geese off of the property so all the children and families that were in there would not be dealing with geese. So I understand that that's in there but I just don't think this step...it seems to me like it would add more confusion.

Bullock: Mr. Chair, if I may.

Dever: Councilman.

Bullock: The Councilwoman raises many valid questions that I would anticipate we would have the opportunity to get into that and some Council committee discussions. We could certainly follow the process you described which is to be more explicit in the ordinance. I would certainly be open to that. The rationale for designing the ordinance as an opening point here or in terms of this process, parallels what we just did with the recycling and refuse process. What we did was we did not try to have legislation from Council that got into the mechanics and the

day-to-day nitty gritty of how exactly to place the trash bins and how we pick it up and how the refuse worker will follow up with violations and so forth. We basically told the administration and the Director of Public Works what the goals were, we required the administration to report to Council as this one would do, and I neglected to mention that too, the Director shall provide public notice by formally reporting to Council any such rules of leashed dog walking. So, it could be done either way I suppose and maybe what would be the final finished work product would be an ordinance that has some more explicit principles and bounds and conditions that are included in the ordinance. But I would suggest that we would want to start with an amount of flexibility in such a policy that...this is just my kind of initial instinct about how the operational day-to-day implementation of such a policy, would need to give a certain amount of flexibility to the manager on the ground of the parks. That's my thought.

Antonio: Mr. Chair, could I respond?

Dever: Councilwoman.

Antonio: Just looking at the model that you've suggested, I would just like to remind you that we started with a vote to, in agreement, that there would be mandatory recycling. We did not leave that up to issue. We made that decision, then we said, "the devil's in the details and we would like you to work those out" but this body decided mandatory recycling.

Bullock: That's a very valid point. That's a good point. I appreciate that.

Madigan: Mr. Chair.

Dever: Councilwoman.

Madigan: This draft...this very, very draft legislation that we have before us tonight is actually asking us, right now, and I understand it has to be worked out in committee, and before I get into my comment about the draft we have before us, I would like to make really clear that I would appreciate that the Public Safety Committee, this is going to Public Safety, correct? That those committee meetings happen after work hours for those of us who want to attend and cannot attend during the day or early in the morning, especially so that members of the public can attend. So, I wanted to just put that on the record, it's very difficult to 8:00 or 8:30 in the morning meetings. So, my comment about the draft that we have before us today is it's actually saying that "no dogs or other animals shall be allowed within the parks with the exception of those animals specifically authorized by the Director of Public Works", now I know that there's a lot to be worked out here but as this stands, Joe Beno would be allowed to tell us which animals he would authorize and I assume that includes dogs, chickens, perhaps cats or anything else, but it essentially...maybe he doesn't like cats and would say no to those cats, I don't know. So, that's what this is asking for right now. The other part about this is...this is really important that we do the nitty gritty. We have to do this because this is also saying that again, Joe Beno, as it stands now, we don't know what this would be like in three years, five years or eight years, that Joe Beno right now could give us rules permitting on leash dog walking subject to conditions of public safety and health and cleanliness, etc. and Joe Beno could say that Chihuahuas are not allowed to be walked in the park or maybe Collies are not allowed to be walked in the park or maybe pit bulls that are following the law that have muzzles on them are not allowed to be walked in the park. So what we're getting into...we're not sure what Joe Beno's going to come up with as this stands now. It's really important that something is shared with us and fine if we want to do this through committee but I think that Councilwoman Antonio

brought up a very good point, people have very, very strong opinions right now about this and probably will always have as we know in Lakewood we do. Dogs, mosquitoes, flags, we do these issues and we do them for a very long time. I want us to be very careful and very considerate about that because what may work in Lakewood park, may not work in Madison park.

Butler: Mr. Chair.

Dever: Councilman Butler.

Butler: It does appear that we've begun a committee process tonight. Joe Beno you have a lot of explaining to do. (laughter) I wanted to raise one point. I don't believe that legislation that authorizes someone who is more expert on an issue or has people who are on his staff who are more expert on an issue than we are, I don't believe that creating an ordinance giving you authority to make certain regulations is really such a bad thing. That's my overall viewpoint. Now, we can debate that in committee. With regard to one specific point Councilwoman Madigan raised and that is that under this proposed ordinance that the Public Works Director would be allowed to create an exception for something like chickens in our park, well that section of the ordinance actually exists in our current ordinance and is not being changed under this new proposed ordinance. That exact language is in our current ordinance. The new language of the new proposed ordinance deals specifically with on leash dog walking in certain parks. I just, I wanted to clear that misconception. We do have a rule in place right now that says the Public Works Director is allowed to specifically name certain animals that can come into certain parks and we did that, I think, many years ago in order to give the Public Works Director the authority to chase geese out of the northern part of Lakewood Park. So, that's all. I'm finished Mr. Chair.

Dever: Thank you. We have a few people that signed up to speak on the issue also

Resident speaks for leashed dog walking in the park

Dever: Thank you.

Resident speaks for leashed dog walking in the park

Dever: Thank you.

Madigan: Thank you

Resident speaks for leashed dog walking in the park

Dever & Madigan: Thank you.

Summers: Mr. Chairman.

Dever: Councilman Summers.

Summers: Thank you. Actually I've been a listener in on this whole issue. I approached with a sense of bias one way. I've listened to citizens' comments, which helped me to believe that it could be done in a different way. I was looking forward to having a greater sense of detail to consider how we might approach this question and I would say I was very disappointed. The ordinance has no details. I was particularly interested in the restrictions about the playgrounds

and I was particularly interested in 6' leash versus an extended leash and how that might play out in our parks. I was also very interested in understanding...my guess, by numbers given from citizens in previous conversations, if we have 3,100 registered dogs in Lakewood, I made the assumption that maybe three residents live with a dog, so that's 10,000 residents that live around a dog. That means 43,000 do not live around a dog. So, the question comes before us, how do the 43,000 feel and in fact, probably 90% of the folks who would be very careful and good stewards of the behavior of the dog would be able to do very well with this, the question of course before us is how do we deal with the 10% and who's going to be responsible for it and how do we in fact put together the resources to police it. I think those are compelling questions particularly given some of the circumstances financially that I laid out before us, to add additional burdened cost at a time, without a sense of what we're going to get and how we're going to do it, I think is imprudent. Actually, I'm inclined to think personally that we could let dogs in the parks but I think we're obligated to sweat these details both in terms of what restrictions we have on them and who in fact is going to be responsible for policing them and what the cost ramifications for that are before I can feel comfortable casting an affirmative vote. Frankly, I bet I could get there if we had these details but they're not in front of us today. So, I would challenge both this committee and perhaps the rest of us to make sure we sweat these details.

Bullock: Mr. Chair
Dever: Councilman.

Bullock: Thank you. First of all, thanks to Council for all of your consideration. I think I've gotten a number of good remarks and feedback from a number of the Council members and I think all of them are valid. In terms of the details Mr. Summers, you don't see that in this discussion draft, this is a placeholder draft so we start the process, the legislative process of getting a reading. I think those critical details have begun to be flushed out. I think a crucial discussion that needs to take place is going to involve the Public Works staff and that has yet to happen though it is scheduled as of today. So, it's not a ???, there are details and definitions emerging and I think that it's clear that, to me anyway, it seems that the Council would like more explicit goals...at least what the major contours of our policy should be, we could certainly do that. In terms of, one final comment, to me, I agree with Mr. Summers that this won't work if it ends up piling on, literally, a lot more case load onto an already busy park staff. So, that's clear. That can't be the way that this would unfold. I think that what you've got is the beginning of a citizens group, similar to the Dog Park group that you've got a very engaged, very active Dog Park group that essentially runs the day-to-day operations with some equipment help from the park staff but even some of that is fund raised. I think that like the recycling ordinance, we have a mandatory recycling ordinance, we don't expect or anticipate that that is going to work in a punitive way, that you'll have a cop sitting there writing a ticket for every violation. I think what will need to happen is a lot of education, a lot of peer pressure, a lot of responsibility by the citizens. What I'm hearing is that there are plenty of responsible citizens that are willing and able to be engaged in that. I suppose time will tell whether that will become a policy that works. To give you some sense, those conversations have been, we're deep in the middle of that regardless of the fact that this is kind of a simple placeholder ordinance. Thanks.

Dever: Councilwoman Madigan

Madigan: I was going to reserve the rest of my list of concerns for the committee and I still will but I'm glad to hear you even mention fundraising because the cost of the dispenser, all of those

things, are really...every little bit counts right now so I'm happy to hear that that even came up. Again, I look forward to the committee so that we can really go through this.

Dever: Councilwoman

Antonio: I want to be real clear, even the testimony that we heard tonight, we've already got into the discussion about whether or not we should have leashed dogs in the park, but what we have before us is whether or not we should give the Public Works Director the responsibility to decide whether or not leashed dogs can be in the park. So, I'm being asked to vote on an ordinance to go to committee to give Joe Beno this responsibility. But, we're not being asked about whether or not this body is making the decision to have leashed dogs in the parks. So, I am not in favor of putting Mr. Beno, I don't know why I feel so protective of you right now Mr. Beno, I think it's because I know you've put in a long day. We've cut Public Works employees, I know they have a lot on their plate right now. See, I want the discussion and I want to hear from people about the dog walking. I've heard from people about all kinds of things they want to see in our parks. I know there are folks that want to see kids play basketball in the parks too. But this, you're asking me, unless somebody can clarify this and I'm missing something, I'm being asked to vote on whether or not to give Joe Beno the decision making power to tell people they can temporarily walk their dogs on leashes in the parks. Just like we had the discussion here, people went right away into testimony about why we should do this, I think it will add to the confusion instead of having real clear, constructive conversation.

Dever: Mayor FitzGerald

Mayor: Just want to make sure there wasn't a misunderstanding about something. We didn't cut anybody from the Public Works department. What happened was that through automation there's a number of positions that aren't going to be necessary and we've made a proposal to the Public Works Union that in exchange for concessions, we're going to be able to reassign those individuals in other places within the Public Works Dept. or the City. Those positions are funded by the general fund. I believe (inaudible) in front of the membership (inaudible) we're going to keep our fingers crossed. As I've told you, as been our practice in the past, before we ever make a cut of union workers, we always try to give the union an option that if they're willing to make a concession that is somewhat equivalent, at least closely equivalent to what we would save by reduction of personnel, that we'll ask them to do that. The only concession we're asking them to make would be that the Public Works Union would go the 90/10 insurance plan that all the non-union employees have gone to, the other ASCME union has gone to and also the ?? union has already gone to. That is the only concession we're asking them to make. I think it's under serious consideration and we're looking forward (inaudible)

Dever: We have one further person that would like to speak on the issue.
When do we anticipate to have this Public Safety meeting if it is referred?

Bullock: I would say expeditiously, meaning we could do it as early as next week or shortly after July 4.

Resident speaks against leashed dog walking in the park.

Motion adopted. Six members voting yea.
Ms. Antonio voting nay.

....

11. **ORDINANCE NO. 53-09-** 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 section 905.07, Animals, of the Codified Ordinances of the City of Lakewood to allow the Director of Public Works to enact rules permitting leashed dog-walking in Lakewood parks. (Pg.31)

Motion by Mr. Dever, seconded by Mr. Bullock, to place Ordinance No. 53-09 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. Six members voting yea.

Ms. Antonio voting nay.

....

12. Communication from Mayor FitzGerald regarding Dana's Legacy Donation. (Pg.34)

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

Motion adopted. All members voting yea.

....

13. **RESOLUTION NO. 8355-09** - A RESOLUTION authorizing the Mayor to accept, on behalf of the City of Lakewood, the donation of graphic design services and brochures for Dana's Legacy valued at over \$1,000. (Pg. 35)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Resolution No. 8355-09.

Motion adopted. All members voting yea.

....

14. Communication from Finance Director Pae regarding 2010 Tax Budget Resolution. (Pg.36)

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

Motion adopted. All members voting yea.

....

15. **RESOLUTION NO. 8356-09** - 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 2010, and authorizing the filing of same with the Auditor of Cuyahoga County. (Pg.37)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Resolution No. 8356-09.

Motion adopted. All members voting yea.

....

16. Communication from Finance Director Pae regarding Tax Amnesty. (Pg.39)

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

Motion adopted. All members voting yea.

....

17. **ORDINANCE NO. 54-09** - 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 conduct an Amnesty Program to Encourage The Payment of Delinquent Income Tax Accounts. (Pg.40)

Motion by Mr. Dever, seconded by Ms. Madigan, to place Ordinance No. 54-09 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

....

18. Communication from Finance Director Pae regarding City of Cleveland, Delinquent Income Tax Collection. (Pg.42)

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.

....

19. **ORDINANCE NO. 55-09** - A 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 an Agreement with the City of Cleveland, Ohio, for Services related to the Collection of Delinquent Income Tax. (Pg.43)

Motion by Mr. Dever, seconded by Ms. Antonio, to place Ordinance No. 55-09 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

....

20. Communication from Human Services Director Buckon regarding 2009 Ohio's Senior Farmers' Market Nutrition Program. (Pg. 45)

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

Motion adopted. All members voting yea.

....

21. **RESOLUTION NO. 8357-09** - 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 the Mayor, or his designee to enter into a Contract with the Western Reserve Area Agency on Aging to serve as an application agent in the Senior Farmers' Market Nutrition Program which provides certain fresh, locally grown foods to eligible participants until October 31, 2009. (Pg. 46)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Resolution No. 8357-09.

Motion adopted. All members voting yea.

....

22. Communication from Human Resources Director Yousefi regarding Salary Ordinance Revision. (Pg.48)

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

....

23. **ORDINANCE NO. 18-09B** - 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 provide for creating positions and rates of pay for full-time and certain part-time annual salaried employees and hourly rate employees not covered by a collective bargaining agreement in the several departments, divisions and offices of the City of Lakewood, including the Chief of Fire, Chief of Police and Civil Service Commissioners. (Pg. 49)

Motion by Mr. Dever, seconded by Ms. Madigan, to suspend the rules requiring this ordinance to be read on three separate ays and placing Ordinance No. 18-09B on final reading.

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Summers
Nays: None
Motion adopted. Rules suspended.

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Ordinance No.18-09B

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers
Nays: None
Motion adopted. Ordinance No. 18-09B is adopted

....

24. Liquor Permit Application for a New D1 permit class to 14224 Madison Avenue d/b/a/ El Tango Taqueria, (Pg. 55)

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

....

Motion by Mr. Dever, seconded by Ms. Madigan, to adjourn.
Motion adopted. All members voting yea.
Meeting adjourned 9:12PM.

Approved: _____

CLERK

PRESIDENT