

**MINUTES  
OF THE  
REGULAR MEETING OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
DECEMBER 21, 2009  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:34 PM by President Dever.

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

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Also Present: Mayor FitzGerald, Finance Director Pae, Law Director Hurley, Police Chief Malley, Fire Chief Mroz, Human Services Director Buckon, Public Works Director Beno, Building Department's Ashby, Human Resources Director Yousefi.

Motion by Mr. Dever, seconded by Ms. Madigan, to approve the Minutes of the Regular Meeting of Council held December 7, 2009.

Motion adopted. All members voting yea.

**\*\*\*\*OLD BUSINESS\*\*\*\***

**Without objection from Council, Items 18 and 20 were read first in the agenda order.**

**\*\*\*\*OLD BUSINESS\*\*\*\***

1. Committee of the Whole Report regarding Ordinance No. 62-09 (To Be Provided)

#1 Committee of the Whole Report Regarding 62-09 – Amend Chapter 1134 – Historic Preservation Districts and Historic Properties - Kevin Butler

The Committee of the Whole met this evening to discuss the ordinance that is before us this evening, which is 62-09. I should be talking a little bit about the process. This ordinance is an ordinance that would expand our already existing historic preservation law in Lakewood to include the historically significant interiors of buildings into which the public has been welcomed. This evening's Committee of the Whole meeting represents the last in a very long line of public meetings on this particular expansion, proposed expansion of our historic preservation law. We have met not only in the Committee of the Whole but as the guests of the Planning Commission. We've discussed this ordinance on the floor in City Council meetings. We've had the valued input of members of the public and members of the Lakewood Heritage Advisory Board. We've also had input from our own Planning Department which has been important to us as well. And the Law Department I may add. We are considering this evening an ordinance that does just a few things. As I indicated, it expands the protection offered by our prior historic preservation ordinance into interiors. It defines what a public interior is. It creates an additional avenue for a property owner to submit evidence in support of or against a proposed designation. That's called a hardship statement. And it clarifies a few defined terms in addition to that. This evening, for the first time Council was actually able to vote after the Planning

Commission supported the expansion of our historic preservation law to include public interiors, Council this evening was able to vote for or against that expansion and unanimously Council voted to adopt the substitute that is before us this evening. Mr. Chair, I believe that's an accurate report of the Committee of the Whole deliberations this evening.

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

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2. **ORDINANCE NO. 62-09** – AN ORDINANCE to amend Chapter 1134, Historic Preservation Districts (HPD) and Historic Properties (HP), of the Zoning Code of the Codified Ordinances of the City of Lakewood to expand the scope of the chapter to public interior portions of buildings with unique historical value. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE PLANNING COMMISSION AND THE COMMITTEE OF THE WHOLE 9/9/09, 2<sup>nd</sup> READING 9/21/09, RERERRED BACK TO COMMITTEE OF THE WHOLE FROM PLANNING COMMISSION 11/16/09, DEFERRED 12/7/09) (Pg.6)

Motion by Mr. Dever, seconded by Mr. Butler, to substitute Ordinance No. 62-09.

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers.  
Nays: None  
Motion adopted. Ordinance substituted.

Motion by Mr.. Dever, seconded by Mr. Butler, to adopt Ordinance No. 62-09 as substituted.

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers.  
Nays: None  
Motion adopted. Ordinance No. 62-09 adopted as substituted.

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3. Committee of the Whole Report regarding Ordinance Nos. 80-09, 81-09, 82-09, 83-09, 84-09 & 85-09 (To Be Provided)

Mr. Summers provided the following report:

The Committee of the Whole met on four occasions to consider financial and budgetary trends, implications of these trends, and strategic options, near and long term. The 2010 Appropriations ordinances and their allied ordinances are the result of these deliberations, discussions, and decisions. The short of it is that the city's revenues, driven primarily by income and property taxes, are expected to decline

by 6% in 2010. This reduction in revenues is the 3<sup>d</sup> year in a row requiring cost reductions in general fund budgets. Because of these downward trends, This Council has remained in an active state of vigilance over budgetary

matters. Appropriations Ordinance 80-09 has been revised to reflect the following

1) Salary costs and a staff headcount levels have been frozen at 2009 levels across all departments resulting in \$401,249 in cost reductions.

2) A portion of 2010 forecasted Separation payments will be funded out of reserve accounts that were established in 2009 budget in anticipation of mandatory retirements of a significant number

of our Safety force members in 2010 and 2011. This shifts \$250,000 in costs from General to reserve balance funds

3) Hospitalization and workers compensation cost reductions will result in \$151,200 and \$27,567 cost reductions.

4) Administrative cost reduction in Human Service and Police will result in \$250,000 in reductions

5) Mayor's discretionary cost reductions resulting from attrition will produce \$137,910 in future cost reductions

6) Reduction of economic development funds of \$75,000 will allow for a remaining balance of \$75,000 to make strategic investments that will help us grow our way out of these adverse trends. The Committee of the Whole recommends passage of the substituted 2010

Appropriations ordinance that reflects the aforementioned changes

Accompanying our appropriations ordinances are three routine but important budget oversight ordinances these include:

Ordinance 81-09 Contract Authority 2010 Planning & Development

Ordinance 82-09 Contract Authority 2010 Professional Services, service contracts, supply contracts

Ordinance 83-09 Memberships 2010

The Committee of the Whole recommends passage of these ordinances as presented in their final form this evening.

Water and Sewer rates and costs have been under review for several years. The Clean Water act of 1996 has created mandated investments in all communities to reduce and strive to eliminate untreated sewage from entering our local waterways. Lakewood, along with virtually all other communities in our region, is obligated to make timely investments. It is worth noting that this morning's Plain Dealer reported on rate increase strategies by the N.E. Ohio regional sewer district which serves 62 communities Lakewood is unique in that we have our own sewage treatment plant.

A comprehensive cost, trend, and rate study was made by Raftelis Financial Consultants .This report concluded that our current rate structure results in a violation of our debt agreements that require minimum coverage ratios of revenues to debt service expenditures.. Failure to correct these violations could result in either increased

interest rates, or forced rate increase by bond holders .Furthermore, discussion with the EPA makes clear their expectations that a \$10 million dollar sewage abatement investment is expected by 2017. We also know that several hundred million dollars of required investments are looming to correct the 19<sup>th</sup> century combined storm and waste water sewers that lie under our streets.

As a result of this study our discussions, The committee of the whole recommends passage of 85-09 Waste Water Rates with the following rate increases:

Per ccf 2009	2010	typical cust (8ccf/month)	\$ change	% change
Reg customers	\$2.97	\$3.26	\$2..32/month	9.8%
Homestead	\$2 23	\$2.45	\$1.76/month	9.9%

It is important to note that the extensive investment requirements will require City Council to continue to analyze the impact of these capital investment requirements. We expect to make further rate increases in subsequent years.

Ordinance 84-09 deals with drinking water rates. three major events and trends are compelling us to take action

on these water rates as well.

1) The debt serve ratios mentioned above

2) Declining consumption of water resulting in less revenue combined with rising fixed costs of maintaining an aging water supply system- namely 90 year old cast iron water mains

3) Expected increase in prices of water which we purchase from the City of Cleveland.  
The above three trends compel the COW to recommend a drinking water rate increases of:

Per ccf:	2009	2010	typical cust (8ccf/month)	\$ change	% change
Reg customers	\$4.99	\$5.48	\$3.92/month		9.8%
Homestead	\$2.75	\$3.02	\$2.60/month		9.8%

Increases in subsequent years will also be required as the details of Cleveland's rate increase become clear(effective 2011).

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

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4. **ORDINANCE NO. 80-09** 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, 2010. (**PLEASE SUBSTITUTE FOR ORDINANCE NO. 80-09 PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE COMMITTEE OF THE WHOLE 11/16/09, 2<sup>ND</sup> READING 12/7/09**) (Pg. 22)

Motion by Mr. Dever, seconded by Ms. Madigan, to substitute Ordinance No. 80-09.

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

Nays: None

Motion adopted. Ordinance substituted.

Motion by Mr.. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 80-09 as substituted.

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

Nays: None

Motion adopted. Ordinance No.80-09 adopted as substituted.

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5. **ORDINANCE NO. 81-09** 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 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. (**PLEASE SUBSTITUTE FOR ORDINANCE 81-09 PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE COMMITTEE OF THE WHOLE 11/16/09, RE-SUBMITTED BY ADMINISTRATION AS A SUBSTITUTE AT THE 12/2/09 DOCKET, 2<sup>ND</sup> READING 12/7/09**) (Pg. 35)

Motion by Mr. Dever, seconded by Ms. Madigan, to substitute Ordinance No. 81-09.

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

Nays: None

Motion adopted. Ordinance substituted.

Motion by Mr.. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 81-09 as substituted.

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

Nays: None

Motion adopted. Ordinance No. 81-09 adopted as substituted.

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6. **ORDINANCE NO. 82-09** 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 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 2010 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. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE COMMITTEE OF THE WHOLE 11/16/09, 2<sup>ND</sup> READING 12/7/09) (Pg. 38)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 82-09.

Motion adopted. All members voting yea.

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7. **ORDINANCE NO. 83-09** 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 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 2010 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$60,000 without separate Resolution of Council. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE COMMITTEE OF THE WHOLE 11/16/09, 2<sup>ND</sup> READING 12/7/09) (Pg. 42)

Motion by Mr. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 83-09.

Motion adopted All members voting yea.

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8. **ORDINANCE NO. 84-09** 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 amend Ordinance 53-06 adopted July 3, 2006 to amend Chapter 915, Water Rates, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting water rates charged against each lot, parcel of land or premises which may have an active water connection with the Municipal water system. (PLACED ON 1<sup>ST</sup> READING &

Motion by Mr. Dever, seconded by Ms. Madigan, to substitute Ordinance No. 84-09.

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

Nays: None

Motion adopted. Ordinance substituted.

Motion by Mr.. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 84-09 as substituted.

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

Nays: None

Motion adopted. Ordinance No. 84-09 adopted as substituted.

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9. **ORDINANCE NO. 85-09** 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 Ordinance 54-06, adopted July 3, 2006 to amend section 902.04, Rates and Charges, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting sewer rates charged against each lot, parcel of land or premises which may have an active sewer connection with the Municipal wastewater disposal system or which may otherwise discharge wastewater either directly or indirectly into such system or any part thereof. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE COMMITTEE OF THE WHOLE 11/16/09, 2<sup>ND</sup> READING 12/7/09) (Pg. 49)

Motion by Mr. Dever, seconded by Ms. Madigan, to substitute Ordinance No. 85-09.

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

Nays: None

Motion adopted. Ordinance substituted.

Motion by Mr.. Dever, seconded by Ms. Madigan, to adopt Ordinance No. 85-09 as substituted.

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

Nays: None

Motion adopted. Ordinance No. 85-09 adopted as substituted.

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10. Finance Committee Report regarding Ordinance 89-09. (To Be Provided)

Finance Committee Report Regarding 89-09 – Agreement with University Tees to participate in BIP – 5-year loan - Mike Summers

The Finance Committee met this evening to consider an application to borrow \$50,000 at a zero percent interest from the Economic Development Fund, which is financed by Community Development Block Grant money. The company is 717 Ink owned by University Tees. This is four employees, four of the operators live in Lakewood and they will use this money to invest in

basically a silk screening machine. They are located in the Templar Center, the former Cap and Screw Building. Their initial expectation is to employ four folks in that facility and should they get this grant, they promised they will move their headquarters, which includes 8 folks from Westlake to Lakewood bringing a total of 12 employees to our city. The economic impact annually is about \$7,000 of increased revenue per year. It's about a seven-year payback by current employment standards but their expectation of growth which is reasonable since they've been in a high growth mode is a good economic impact. The Finance Committee recommends approval of this loan application of \$50,000 for University Tees.

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

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11. **ORDINANCE NO. 89-09** AN ORDINANCE authorizing the Mayor or his designee to enter into an agreement with University Tees, Inc. or its designee for participation in the Lakewood Business Investment Program (BIP) of the Economic Development Fund (EDF) for a five (5) year loan in an amount of Fifty Thousand Dollars (\$50,000). (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE FINANCE COMMITTEE 11/16/09, SECOND READING 12/7/09) (Pg. 53)

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 89-09.  
Motion adopted. All members voting yea.

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12. Public Safety Committee Report regarding Ordinance No. 87-09 (To be provided)

Public Safety Committee Report regarding Ordinance 87-09 – New Section 135.15 - Administrative Towing Fees– Tom Bullock

The Public Safety Committee met on two separate occasions to consider this proposed ordinance and heard from the Chief of Police and made a recommendation to adopt, with several changes. The changes that we proposed are in front of you, just distributed now, and I'll explain those and the rationale for them so what we'll recommend is a substitute amendment in just a moment for the version that's currently on the docket. The Public Safety Committee agreed with the rationale recommended by the administration to recover the cost. What we're proposing here is that the City should recover administrative costs to processing the paperwork for tows. Currently, the way it works is when somebody is towed, they pay the fee directly to the company that essentially covers the company's cost for removing physically the car from the street but it does not currently cover the cost of the officer and several personnel at Police headquarters for processing that paperwork. The Chief explained to us the average cost is greater than \$30.00 and we've not ever recovered any of that time or expense. That contrasts by the way with several other communities. In fact, many other communities in Cuyahoga County do have an administrative fee where they recover those costs. At the recommendation of the administration we agreed to and substituted the rate of \$25.00 per tow. That's actually again lower than our actual cost, close to but lower still. So that's in my view a restrained rate that is comparable to other communities. In addition, we considered the overall cost to residents. In other words, will residents face sticker shock if they have their vehicle towed. The answer to that question is the majority of the fee will not be the \$25.00, it will still be the towing fee. That by the way will be considered in the months ahead since the city is re-issuing a request for proposal to a towing company. Any member can get a copy of that. One of the criteria that we consider is the rates

that the towing companies charge. The other criteria being competency and insurance and their ability to get the job done. That overall cost is something that is considered as part of the RFP. To the question of the other changes that we recommended, we made a change in the ordinance to refer to the Director of Public Safety rather than the Director of Finance to be able to administratively update the fee from time to time to reflect the actual cost associated with the police processing. The last change we made was requiring Council receive notice of any fee change if the administration does increase this \$25.00 rate from time to time. Council shall receive notice not less than 30 days prior. In that we would have the option if we wanted to act accordingly or act upon that administrative change. This is a balanced approach that allows the administration flexibility to make periodic rate increases but yet give Council some oversight. That is the changes we made so the Public Safety Committee recommended adoption with those amendments.

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

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13. **ORDINANCE NO. 87-09** AN ORDINANCE to create new Section 135.15 Administrative Towing Fees of the Codified Ordinances of the City of Lakewood to establish an administrative fee for the towing of vehicles ordered by the Division of Police. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 11/16/09, 2<sup>ND</sup> READING 12/7/09) (Pg.55)

Motion by Mr. Butler, seconded by Mr. Bullock, to amend Ordinance No. 87-09.  
Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers.  
Nays: None  
Motion adopted. Ordinance amended.

Motion by Mr. Bullock, seconded by Mr. Dever, to substitute amended Ordinance No. 87-09.

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers.  
Nays: None  
Motion adopted. Ordinance substituted.

Motion by Mr.. Bullock, seconded by Mr. Butler, to adopt Ordinance No. 87-09 as substituted.

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers.  
Nays: None  
Motion adopted. Ordinance No. 87-09 adopted as amended and substituted.

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14. Public Safety Committee Report regarding Liquor Permit Application for Richland Café  
(To be provided)

**Public Safety Committee Report** regarding Liquor Transfer – Richland Café - Tom Bullock  
The Public Safety Committee met recently and heard from the administration on this case or this application rather and it was related to us that there is an investigation about this and the administration is filing an objection based on statutory reasons. It was the Public Safety Committee’s recommendation to file with objection based on the administration’s view.



Perhaps, Chief would you like to give some account of the objection, the basis for your objection.

Chief Malley: During the course of the investigation it was discovered that twice during the past couple of years one of the proposed new owners had been sited twice at the business for after hours consumption. As well during the course of the investigation the officer observed some machines that are prohibited by law, some gambling machines in the business. The current owner was advised to remove the machines. Subsequent follow up by the narcotics vice unit found the machines still under operation and they were seized during a search warrant and the current owner was charged with a gambling offence.

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

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15. Liquor Permit Application for D2, D2X, D3, D3A & D6 transfers to 14027 Madison Ave. LLC d/b/a Richland Café from Jay RRS Inc. d/b/a Richland Cafe same address (REFERRED TO PUBLIC SAFETY COMMITTEE 12/7/09) (Pg.57 )

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

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16. **RESOLUTION NO. 8382-09** AN EMERGENCY RESOLUTION objecting to the transfer of ownership of D2, D2X, D3A and D6 liquor permits from Jay RRS Inc. to 14027 Madison Avenue LLC dba Richland Café for an establishment located at 14027 Madison Ave, 1<sup>st</sup> Floor, City of Lakewood, Ohio 44107 (Pg. 58)

Motion by Mr. Bullock, seconded by Mr. Dever, to adopt Resolution No. 8382-09.  
Motion adopted. All members voting yea.

**\*\*\*\*NEW BUSINESS\*\*\*\***

17. Communication from Councilmember Madigan regarding a charter review concerning mayoral succession. ((Pg.60)

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

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18. Communication from Councilmembers Bullock and Butler regarding Resolutions to congratulate Rozi's Wine House on its 70<sup>th</sup> and Around the Corner Saloon and Café on its 35<sup>th</sup> anniversary. (Pg.61)

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

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19. **RESOLUTION NO. 8383-09** – A RESOLUTION congratulating Rozi’s Wine House on its 70<sup>th</sup> anniversary. (Pg. 62)

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

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20. **RESOLUTION NO. 8384-09** - A RESOLUTION extending cogratulations to Around the Corner Saloon and Café’ on its 35<sup>th</sup> anniversary. (Pg. 63)

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8384-09.  
Motion adopted. All members voting yea.

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21. Communication from Mayor FitzGerald regarding support for the Beck Center. (Pg. 64)

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

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22. **ORDINANCE NO. 91-09** 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 Planning and Development to enter into an agreement with the Beck Center forgiving the balance of the loan owed to the City by the Beck Center, in the amount of \$45,027.12 plus interest and applicable fees. (Pg. 65)

Motion by Mr. Dever, seconded by Ms. Antonio, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance No. 91-09 on final reading.

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

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 91-09.

Yeas: Antonio, Bullock, Butler, Dever, Madigan, Powers, Summers  
Nays: None  
Motion adopted. Ordinance No. 91-09 adopted.

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23. Communication from Finance Director Pae regarding December 2009 Appropriations and the 4<sup>th</sup> Quarter Transfers and Advances ordinances (Pg. 68)

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

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24. **ORDINANCE NO. 92-09** 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. (Pg. 69)

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 91-09.

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

Nays: None

Motion adopted. Ordinance No. 92-09 adopted.

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25. **ORDINANCE NO. 93-09** 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. (Pg. 82)

Motion by Mr. Dever, seconded by Ms. Madigan, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance No. 93-09 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 93-09.

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

Nays: None

Motion adopted. Ordinance No. 93-09 adopted.

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26. Communication from Law Director Hurley regarding entering into the collective bargaining agreement with Local 1043 and Ohio Council 8, American Federation of State, County, and Municipal Employees. (Pg. 84)

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

Motion adopted. All members voting yea.

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27. **ORDINANCE NO. 94-09** 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 Mayor of the City of Lakewood, Ohio, to enter into an Agreement with the Local 1043 and Ohio Council 8, American Federation of State, County and Municipal Employees (Public Works) for a three year period commencing January 1, 2010. (Pg. 85 )

Motion by Mr. Dever, seconded by Ms. Madigan, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance No. 94-09 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Dever, seconded by Ms. Antonio, to adopt Ordinance No. 94-09.

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

Nays: None

Motion adopted. Ordinance No. 94-09 adopted.

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28. Communication from Police Chief Malley regarding fees for registering bicycles (Pg. 87)

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

Motion adopted All members voting yea.

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29. **ORDINANCE NO. 95-09** AN ORDINANCE to amend Section 373.17 License Application, 373.18 Issuance of License, and 373.19 Disposition of Fees, of the Codified Ordinances of the City of Lakewood to remove payment of a fee for the issuance of a bicycle license within the City of Lakewood in order to make bicycle licenses more accessible to residents. (Pg. 88)

Motion by Mr. Dever, seconded by Ms. Madigan, to place Ordinance No. 95-09 on 1<sup>st</sup> Reading and refer it to the Public Safety Committee.

Motion adopted. All members voting yea.

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30. Communication from Human Services Director Buckon regarding a Resolution of Partnership with West Side Community House fro Co-location of Parent/Youth Advocates and Tapestry System of Care, Care Coordinators. (Pg. 92)

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

Motion adopted. All members voting yea.

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31. **RESOLUTION NO. 8385-09** 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 possible period allowed by law to allow the Mayor, or his designee, on behalf of the City, to enter into a Partnership Agreement with The West Side Community House to co-locate Parent/Youth Advocates and Tapestry System of Care (TSOC), Care Coordinators for the period of January 1, 2010 to

December 31, 2010 and to receive reimbursement for costs associated with providing space for those positions in an amount currently estimated at \$31,500.00. (Pg.93 )

Motion by Ms. Antonio, seconded by Ms. Madigan, to adopt Resolution No. 8385-09.  
Motion adopted. All members voting yea.

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32. Liquor Permit Application for a D5 transfer to Route 6 Hospitality Services d/b/a Route 6 Cafe 15625 Detroit Avenue from Bar 2 Inc same address. (Pg.95)

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

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Motion by Mr. Dever, seconded by Ms. Antonio, to adjourn.  
Motion adopted. All members voting yea.  
Meeting adjourned 9:09 PM.

Approved: \_\_\_\_\_

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
PRESIDENT