

**MINUTES  
OF THE  
REGULAR MEETING OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
JANUARY 4, 2010  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:33 PM by Presiding Office Madigan.

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Present: Councilmembers Nickie J. Antonio, Thomas Bullock, Kevin Butler, Mary Louise Madigan, Brian Powers, Monique Smith, 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, Planning & Development Director Kelly, Building Department's Ashby.

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

Motion adopted. Six members voting yea.  
Abstention. Ms. Smith

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

1. Elections for President and Vice President of Council.

Motion by Ms. Madigan, seconded by Ms. Antonio, to elect Kevin Butler Council President.  
Six members voting yea.  
Mr. Butler Abstains. Motion adopted.

Motion by Mr. Butler, seconded by Ms. Antonio, to elect Mary Louise Madigan Council Vice President.  
Motion adopted. All members voting yea.

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2. Certificate of Result of Official Count General Election, November 3, 2009. (Pg.4)

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

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3. Committee of the Whole Report regarding Council Appointments (To Be Provided)

Committee of the Whole Report Regarding Appointments – Mary Louise Madigan  
We had Committee of the Whole this evening at 6:30 to determine an appointment for the Building Standards /Architectural Review Board. Two nominations were made and the

recommendation came out to ask Mike Molinski to serve the five-year term for the Architectural Review Board.

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

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4. **RESOLUTION NO. 8386-10** - 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 \_\_\_\_\_ to the Lakewood Board of Building Standards/Architectural Board of Review/Sign Review Board for the full five-year term ending December 31, 2014. (Pg. 5)

Motion by Ms. Antonio, seconded by Mr. Butler, to amend Resolution 8386-10 by inserting the name Mike Molinski.

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

Motion by Ms. Antonio, Seconded by Mr. Butler, to adopt Resolution 8386-10 as amended.  
Yeas: Antonio, Bullock, Butler, Madigan, Powers, Smith, Summers  
Nays: None  
Motion adopted. Resolution 8386-10 adopted as amended.

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5. **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. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO PUBLIC SAFETY COMMITTEE 12/21/09) (Pg. 6)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 95-09 on 2<sup>nd</sup> Reading.  
Motion adopted. All members voting yea.

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6. 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. (DEFERRED 12/21/09) (Pg.10)

Motion by Mr. Bullock, seconded by Mr. Butler, to file no objection to this liquor permit.  
Motion adopted. All members voting yea.

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

6a. ADD-ON – Communication from Councilmember Antonio regarding Resolution No. 8388-09. (to be provided)

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

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**6b. ADD-ON – RESOLUTOIN NO. 8387-10 - A RESOLUTION recognizing: ButtOut Ohio Tobacco Prevention and Cessation Day January 13, 2010.**

Motion by Ms. Antonio, seconded by Ms. Madigan, to adopt the Resolution.  
Motion adopted. All members voting yea.

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7. Communication from Mayor FitzGerald and Councilmember Madigan regarding Lakewood Hosting Census Job Fair January 13, 2010. (Pg.11)

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

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8. Communication from Finance Director Pae regarding H1N1 Vaccination Clinic Reimbursement. (Pg.13)

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

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9. **RESOLUTION NO. 8387-10 - AN EMERGENCY RESOLUTION** authorizing the Mayor as Director of Public Safety, on behalf of the City, to enter into an Agreement with the Cuyahoga County Board of Health to accept and expend funds in an amount estimated at \$49,000 for Public Health Emergency Response activities including the development of a Strategic National Stockpile (SNS) Plan/Mass Dispensing/Vaccination Plan and the implementation of the SNS Point of Dispensing plan and the provision of mass H1N1 vaccination clinics. (Pg. 14)

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8387-10.  
Motion adopted. All members voting yea.

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10. Communication from Law Director Hurley regarding Local 1043 and Ohio Council 8, AFSCME Employees (Administrative Employees) Collective Bargaining Agreement. (Pg.16)

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

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11. **ORDINANCE NO. 1-10 - 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 (Administrative Employees) for a three year period commencing upon the date of ratification, January 4, 2010. (Pg. 17)

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring this ordinance to be read on three separate days and placing Ordinance 1-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Antonio, to adopt Ordinance 1-10.

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

Nays: None

Motion adopted. Ordinance No. 1-10 adopted.

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12. Communications from Public Works Director Beno regarding 17526 Madison Limited Easement. (Pg.19)

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

Motion adopted. All members voting yea.

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13. **ORDINANCE NO. 2-10** - AN ORDINANCE authorizing the Director of Law on behalf of the City of Lakewood to enter into agreements necessary to grant an Easement to Spring Garden Properties, LLC, owner of the property located at 17526 Madison Avenue, Lakewood, Ohio to maintain an ADA accessible ramp on within the public right-of-way owned by the City of Lakewood and located directly adjacent to 17526 Madison Avenue, Lakewood, Ohio. (Pg.20)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 2-10 on 1<sup>st</sup> Reading and refer it to the Public Works Committee.

Motion adopted. All members voting yea.

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14. Liquor Permit for a D1 transfer to Lakewood Phoenix Inc., d/b/a The Root Café; 15118 Detroit Avenue, from Lakewood Phoenix Inc. 15108 Detroit. . (Pg.26)

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

Motion adopted. All members voting yea.

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15. Liquor Permit Application for C1 and C2 transfers to LEHIGH GAS OHIO d/b/a BP AM PM; 14718 Madison Ave from BP Products North America same address. (Pg.27)

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

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Motion by Ms. Madigan, seconded by Ms. Antonio, to adjourn.  
Motion adopted. All members voting yea.  
Meeting adjourned 7:58 PM.

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

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CLERK

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PRESIDENT