

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
FEBRUARY 16, 2010
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:30 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 (*Arrives 9:55 PM*) Law Director Hurley, Finance Director Pae, Police Chief Malley, Fire Chief Mroz, Public Works Director Beno, Human Services Director Buckon, Planning & Development Director Kelly, Assistant Director of Public Safety for Building and Housing Ashby.

Motion by Mr. Butler, seconded by Ms. Madigan, to approve the Minutes of the Regular Meeting of Council held February 1, 2010.

Motion adopted. All members voting yea.

Without objection from Council items 23 and 24 were addressed first in the agenda order.

1. Committee of the Whole Report regarding Council Appointments to Boards and Commissions. (To Be Provided)

#1 Committee of the Whole Report Regarding Appointments – Kevin Butler

This evening the Committee of the Whole met, which is the committee that represents all of Council, to discuss a remaining appointment to one final board and commission we haven't yet had a chance to appoint to and that is the Civil Service Commission. The Committee of the Whole recommended unanimously this evening to appoint our former Council president Michael Dever to the position of Civil Service for the period January 1, 2010 to December 31, 2012.

Ms. Madigan: To be clear, there was only one application for this position and it happened to be former Council President Michael Dever.

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

Motion adopted. All members voting yea.

2. **RESOLUTION NO. 8401-10** – 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

Michael W. Dever as a member of the Civil Service Commission for a three-year term, commencing January 1 2010, and ending December 31, 2012. (Pg. 8)

Motion by Mr. Butler, seconded by Mr. Bullock, to substitute and adopt Resolution No. 8401-10.

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

Nays: None

Motion adopted. Resolution No. 8401-10 adopted as substituted.

3. Committee of the Whole Report regarding Ordinance No. 21-10. (To Be Provided)

Committee of the Whole Report Regarding Ordinance 21-10– Kevin Butler

The Committee of the Whole met also this evening to discuss the ordinance that follows this communication, which is an ordinance that amends our salary ordinance, our general salary ordinance, to provide for the creation of two positions which are actually the creation of two job descriptions in the areas of Finance and Community Development. The first position is a Finance Manager which would oversee operations in the City Hall Annex Building. That is tax, water and vital statistics. The second position in Community Development is a development officer who would oversee the city's long-term development goals with respect to outside grants, etc. After extended deliberation, the Committee of the Whole this evening recommended unanimously to suspend the rules and adopt this ordinance on second reading this evening.

Ms. Madigan: Mr. Chair, I just want to clarify, and I think we went through this in committee, but this does not add to our budget at all. Is that correct? Finance Director Pae, this is really making new positions but not adding personnel. I think that's an important distinction after the last 18 months that we've had and I understand that this is really going to help make us a little bit more efficient internally, not adding new dollars.

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

Motion adopted. All members voting yea.

4. **ORDINANCE NO. 21-10** – 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, division and offices of the City of Lakewood, including the Chief of Fire, Chief of Police and Civil Service Commissioners. (PLACED ON 1ST READING & REFERRED TO THE COMMITTEE OF THE WHOLE 2/1/10) (Pg. 9)

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 No. 21-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Ordinance No. 21-10.

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

Nays: None

Motion adopted. Ordinance No. 21-10 adopted.

5. Public Works Committee Report re: Ordinances 3-10, 17-10 & 18-10 (To Be Provided)

Public Works Committee Report

The Public Works Committee met twice this year, on Jan. 25 and Feb. 12, to consider the proposed ordinance for a pilot project to allow leashed dog walking on a trial basis in Lakewood and Kauffman Parks. After hearing the public and the Administration and adopting a number of technical amendments, we reported out the ordinance with a favorable recommendation.

In addition, at the recommendation of the Law Department, we considered and reported out favorably two additional ordinances making technical corrections to Chapter 905 of Lakewood’s Codified Ordinances to update the terminology used (from “Superintendent of Parks” – a position which no longer exists—to “the Director of Public Works or his or her designee”) and to consolidate the chapter’s penalty provisions in a manner consistent with other chapters of our Code.

Description of the Proposed Pilot Program to Allow Leashed Dog Walking on a Trial Basis in Lakewood and Kauffman Parks:

The revised ordinance reported out favorably to Council by the Public Works Committee is a middle-ground proposal that results from a year of public deliberation by Council and its committees. It is also built upon a year of effort by a broad and engaged group of citizens who have raised funds for signs and clean up stations and have already developed public education materials to encourage responsible behavior. These citizens have committed to a “friends of the park” role for those parks where leashed dog-walking has been proposed, and they have already met on several occasions with the Director of Public Works to discuss the details of what successful implementation of a leashed dog-walking pilot program would require.

In this amended ordinance, I’m optimistic that the Public Works Committee has found a middle ground, balanced approach that can work appropriately for Lakewood. We should not seek—and in this proposed ordinance, the Committee has not sought-- to allow dogs in all parks, with no restrictions; but at the same time we should not retain our total ban on all dogs in all parks under all circumstances, forever. We have instead proposed a middle path to try leashed dog-walking in some parks on a temporary 12-month basis, “or until such time as Council determines otherwise”. This pilot program has been designed with features to encourage responsible behavior and to allow us to successfully deal with anticipated problems. The major features include:

- allowing on-leash-only dog walking in Lakewood and Kauffman Parks, but not any other parks;
- requiring citizen fundraising for, and operation and maintenance of, signs and clean up stations in parks where dog-walking is to be permitted;
- a prohibition of dogs in playgrounds, ball fields, Kiwanis Pavilion, and the ramp to the Lakefront Promenade;

- a prohibition of dogs in these parks during July 4 and other time periods during which widely-attended events are held;
- allowing Council to request a written report to evaluate the success of the pilot program and to terminate the pilot program prior to twelve months if it determines such to be necessary.

Lakewood is an ideal community for walking. Many residents choose to live here because they are attracted to our tree-lined streets, or sidewalks, and our great network of community parks. It fits the Lakewood brand to promote walking, so it makes sense for us to be friendly to walking, including by our residents walking with leashed dogs. After all, these residents pay the taxes that finance our parks, too, and I think it is appropriate to take a responsible, measured attempt, as this pilot program would do, to make those parks accessible to them as well.

If it turns out, in the course of this pilot program, that leashed dog-walking is so problematic or unworkable that it cannot be allowed in a responsible manner in our community, then Council may take one of two courses: let the pilot program expire after twelve months, or, if it so determines, to terminate the pilot program before twelve months has expired.

I am optimistic, however, that the Public Works Committee has crafted a reasoned, balanced pilot program that can be successful, so that Lakewood, as many other communities have successfully done, can find the right balance to allow responsible dog-walking it parks within our community.

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

6. **ORDINANCE NO. 3-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council, otherwise, it shall be in effect and be in force after the earliest period allowed by law, to provide for leashed dog-walking in Lakewood parks. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 1/19/10, 2ND READING 2/1/10) (Pg. 15)

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

7. **ORDINANCE NO. 17-10** – AN ORDINANCE to amend Section 905.19, Lakewood Park Lakefront, Section 905.98, Authority of the Superintendent of Parks, and Section 771.05, Bond of the Codified Ordinances of the City of Lakewood to replace the title Superintendent of Parks with Director of Public Works. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 2/1/10) (Pg. 18)

Motion by Mr. Butler, seconded by Mr. Bullock, to place Ordinance No. 17-10 on 2nd Reading.
 Motion adopted. All members voting yea.

8. **ORDINANCE NO. 18-10** – AN ORDINANCE to amend Section 905.99, Penalty, of the Codified Ordinances of the City of Lakewood to create a penalty for violation of any park rule promulgated and posted pursuant to Section 905.98, Authority of the Director of

Public Works. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 2/1/10) (Pg. 21)

Motion by Mr. Butler, seconded by Mr. Bullock, to place Ordinance No. 18-10 on 2nd Reading.
Motion adopted. All members voting yea.

{ ORDINANCES NOS. 4-10, 5-10, 6-10, 7-10, 8-10, 9-10, 11-10, 12-10, 13-10, 14-10, AND 15-10. PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/1/10}

9. **ORDINANCE NO. 4-10** - 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. 23)

Blanket Motion was made by Mr. Butler, seconded by Ms. Antonio, after items 9-20 were read consecutively to place Ordinances No. 4-10, 5-10, 6-10, 7-10, 8-10, 9-10, 10-10, 11-10, 12-10, 13-10, 14-10, and 15-10 on 2nd Reading and refer back to the Public Works Committee.

Motion adopted. All members voting yea.

10. **ORDINANCE NO. 5-10** - 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 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.25)

* Blanket motion made after item 20

11. **ORDINANCE NO. 6-10** - 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 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. 27)

* Blanket motion made after item 20

12. **ORDINANCE NO. 7-10** - 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 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. 29)

* Blanket motion made after item 20

13. **ORDINANCE NO. 8-10** - 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 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 bid 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. 31)

* Blanket motion made after item 20

14. **ORDINANCE NO. 9-10** - 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 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. 33)

* Blanket motion made after item 20

15. **ORDINANCE NO. 10-10** - 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 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 bid 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. 35)

* Blanket motion made after item 20

16. **ORDINANCE NO. 11-10** - 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 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. 37)

* Blanket motion made after item 20

17. **ORDINANCE NO. 12-10** - 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 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 bid 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. 39)

* Blanket motion made after item 20

18. **ORDINANCE NO. 13-10** - 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 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 **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. 41)

* Blanket motion made after item 20

19. **ORDINANCE NO. 14-10** - 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 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. 43)

* Blanket motion made after item 20

20. **ORDINANCE NO. 15-10** - 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 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 bid 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. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 2/1/10) (Pg. 45)

- Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinances Nos. 4-15(-10) on 2nd Reading and refer them back to the Finance Committee.

Motion adopted. All members voting yea.

21. **ORDINANCE NO. 20-10** – AN ORDINANCE to amend Section 144.04, Additional Credits, of the Codified Ordinances of the City of Lakewood to allow addition credit to be extended to candidates for original appointment to a civil service position where the candidate has been employed part time as a police officer with the division of police for twelve months preceding the examination. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 2/1/10)(Pg. 47)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 20-10 on 2nd Reading and refer it back to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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

22. (Read first in docket order at 1A) Communication from Councilmember Butler regarding Operational Overview – Division of Building and Housing. (Pg.51)

Mr. Ashby from Building made a power point presentation; highlighting Vision for the Division of Housing and Building highlighting realigning Building Department – Administrative Head, Two Assistant Building Commissioners; Residential 7 Commercial – Nine inspectors – 4 residential, 1 CDBG, 4 Commercial – One Litter Control Officer, Three Support Staff, County Board of Health. Aggressive code Enforcement – Criminal Nuisance Ordinance (106 notices sent) Grass & Weed Ordinance (2,285 grass/wee/litter/vehicles) – Over 22,00 property inspections including new construction, rehabbing and property maintenance. Streamlined Process to Court – reduced number of inspections and shorter time to request summons. Technology – New Code Enforcement Software – Web based too for issuance of permits, licensing and code enforcement – reduced paperwork – puts inspectors on the street for more hours, allow for mobile access and time-stamped updates from the field, improved exchange of information across all departments. Partnerships – Abatement of Nuisance Properties – repair or demolition process streamlined – properties sold or repaired by owners – properties acquired for demolition or rehabilitation by City – Voucher Programs – Coordinated efforts with CMHA to follow guidelines and cods. Partnerships – community – LakewoodAlive – Housing Outreach Director – Strategy meetings advocating preservation and education – Chamber of Commerce – Combined efforts with Planning & Development to prepare a “Welcome Packet” for opening a Business in Lakewood – Block Clubs & L2L Community Mtgs, Promote, attend and participate - New Business - \$5.2MM in residential improvements – 602 permits mostly 1-2 family - \$10.1MM in Commercial Work – 153 permits, including city Schools, Rockport, Panera, INA & Bailey building, CVS, Five-Guys, & Dunkin’ Donuts, 2010 – Social Security Administration, Hospital Improvements, Robeks. Budget & Finances – 2009 Budget \$1.08 MM spent \$1.03 MM – All Fees Received \$1.15 MM Spent \$1.03 MM – All Fees Received \$1.15 MM – CDBG Fund Budget \$157K – Spent \$134K – 2010 Budget \$1.04MM – CDBG Fund Budget \$175K – Goals – New Dept. Software Rollout – Review & Revised Ordinances – New 2010 OBC State Code, Strengthen & Update Property Maintenance Code, Historic appropriateness – Improved Communications – Businesses, Residents, City Hall Web-site Enhancements – More Content – Resource for Home-Owners and Businesses;

23. Communication from Councilmember Antonio regarding Celebrating Our Lakewood High School Students. (Pg.52)

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

24. **RESOLUTION NO. 8402-10** – A RESOLUTION commending eleven members of the Lakewood High School “Human Rights and Conflict” class for having been selected to represent Lakewood at a workshop at the White House for their leadership in promoting an appreciation of different ideas, cultures and backgrounds of the various and diverse people in our Lakewood community. (Pg. 54)

Motion by Ms. Antonio, seconded by Ms. Madigan, to adopt Resolution No. 8402-10.

Motion adopted. All members voting yea.

25. Communication from Councilmember Antonio regarding Circulator Bus Update. (Pg.55)

Motion by Ms. Antonio, seconded by Mr. Butler, to receive, file and refer the communication to the Health & Human Services Committee.

Members of the public rose to speak in support of resolving the issue of the circulator bus.

Motion adopted. All members voting yea.

26. Communication from Councilmember Antonio regarding Keep Lakewood Beautiful Hotline. (Pg.58)

Motion by Ms. Antonio, to receive, file and refer the communication to the Health & Human Services Committee.

Motion adopted. All members voting yea.

27. Communication from Mayor FitzGerald regarding Appointments. (Pg.58)

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

Motion adopted. All members voting yea.

28. Communication from Mayor FitzGerald regarding Appointment to the Animal Safety and Welfare Board. (Pg. 59)

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

Motion adopted. All members voting yea.

29. Communication from Planning & Development Director Kelly regarding \$50,000 Awarded to Lakewood for Planning Madison Avenue Update to Ordinance 81-09A Contracting Authority. (Pg. 60)

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.

30. **ORDINANCE NO. 81-09A** - 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 81-09, adopted December 21, 2009 for the purpose of adding the Madison Ave.

TLCI Planning Grant , 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. (Pg. 61)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 81-09A on 1st Reading and refer it to the Public Works Committee.

Motion adopted. All members voting yea.

31. **RESOLUTION NO. 8403-10** - AN EMERGENCY RESOLUTION authorizing the Mayor to enter into an agreement with the Northeast Ohio Area Coordinating Agency (NOACA) to accept and expend funds in the amount of \$50,000 for the Transportation for Livable Communities Program for Madison Avenue. (Pg.64)

Motion by Mr. Butler, seconded by Mr. Bullock, to receive, file and refer Resolution No. 8403-10 to the Public Works Committee.

Motion adopted. All members voting yea.

32. Communication from Planning & Development Director Kelly regarding Sale of 2042 Dowd. (Pg.66)

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

Motion adopted All members voting yea.

33. **ORDINANCE NO. 22-10** - 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 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 2042 Dowd Avenue for a period of 120 days, pursuant to Section 155.07 of the Codified Ordinances. (Pg. 67)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 22-10 on 1st Reading and refer it to the Housing Committee.

Motion adopted. All members voting yea.

34. Communication from Planning & Development Director Kelly regarding Downtown Signage and Wayfinding Program. (Pg. 69)

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

Motion adopted. All members voting yea.

35. Liquor Permit Application for a D3 transfer to CYBAR ONEZERO, d/b/a Capsule Bar,
14019 Madison Avenue. (Pg. 70)

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

Motion by Mr. Butler and seconded to adjourn.
Motion adopted. All members voting yea.
Meeting adjourned 10:16 PM.

Approved: _____

CLERK

PRESIDENT