

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JULY 6, 2010
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:40 by Council President Butler

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

Motion adopted. All members present voting yea.

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Also Present: Mayor FitzGerald, Law Director Hurley, Finance Director Pae, Police Chief Malley, Fire Chief Mroz, Human Services Director Buckon, Public Works Director Beno, Planning & Development Director Kelly, Housing's Jeff Ashby.

Motion by Mr. Butler, seconded by Ms. Madigan , to approve the Minutes of the Regular Meeting of Council held June 21, 2010.

Motion adopted. All members present voting yea

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

1. Finance Committee Report regarding Ordinance No. 10-10A, Resolution No 8424-10, Ordinance No. 42-10, 47-10, and Departmental Review of Finance. (Pg.5)

Motion by Mr. Summers, seconded by Ms. Antonio, to receive and file the report.

Motion adopted. All members voting yea.

2. **ORDINANCE NO. 10-10A** - 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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/7/10, 2ND READING 6/21/10) (Pg. 7)

Motion by Mr. Butler, seconded by Ms. Antonio, to adopt Ordinance No. 10-10A.
Motion adopted. All members voting yea.

3. **RESOLUTION NO. 8424-10** - 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 approving the Tax Budget of the City of Lakewood, State of Ohio for the year 2011, and authorizing the filing of same with the Auditor of Cuyahoga County. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/7/10, 2ND READING 6/21/10) (Pg. 9)

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8424-10.
Motion adopted. All members voting yea.

4. **ORDINANCE NO. 42-10** - 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 to authorize the transfer and advance of certain funds. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/7/10, 2ND READING 6/21/10) (Pg. 11)

Motion by Mr. Butler, seconded by Ms. Antonio, to adopt Ordinance No. 42-10.
Motion adopted. All members voting yea.

5. **ORDINANCE NO. 47-10** – 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 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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 6/21/10) (Pg. 13)

Motion by Mr. Butler, seconded by Ms. Antonio, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance No. 47-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Ordinance No. 47-10.

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

Nays: None

Motion adopted. Ordinance No. 47-10 adopted.

6. Liquor Permit application for D2, D2X, D3, D3A and D6 transfers to Put In Bay Bar, 18206 Detroit Avenue, from Lakewood Lanes. (DEFERRED 6/7/10, DEFERRED 6/21/10) (Pg. 26)

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

7. **ORDINANCE NO. 45-10** – 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 increase on-site storm water management in Lakewood. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 6/21/10)(Pg.27)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 45-10 on 2nd Reading and refer back to the Public Works Committee.
Motion adopted. All members voting yea.

8. **RESOLUTION NO. 8430-10** – A RESOLUTION directing the Planning Commission to devise a citywide comprehensive bicycle and pedestrian plan. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 6/21/10) (Pg. 29)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Resolution No. 8430-10 on 2nd Reading and refer back to the Public Works Committee.

Motion adopted. All members voting yea.

9. **ORDINANCE NO. 48-10** – AN ORDINANCE to enact new Chapter 1503, Open Burning within Part Fifteen, Fire Prevention Code, of the Codified Ordinances of the City of Lakewood for the purpose of regulating burning within the City of Lakewood. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 6/21/10) (Pg.31)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 48-10 on 2nd Reading and refer back to the Public Safety Committee.

Motion adopted. All members voting yea.

10. **ORDINANCE NO. 49-10** – AN ORDINANCE to amend section 1501.04, Enforcement, of the Lakewood Codified Ordinances, to authorize the issuance of misdemeanor citations for violation of any provision of Chapter 1501 of the Lakewood Fire Code by appropriate fire officials. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 6/21/10) (Pg. 36)

Motion by Mr. Butler, to place Ordinance No. 49-10 on 2nd Reading and refer it back to the Public Safety Committee.

Motion adopted. All members voting yea.

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

11. Communication from Public Works Director Beno regarding Lakewood Signals Phase 2 – Detroit Avenue – FINAL LEGISLATION (Pg.38)

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.

12. **ORDINANCE NO. 50-10** - 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 City of Lakewood to participate in a the construction of traffic signals, radio interconnect and video detection on Detroit Avenue in the City of Lakewood with the Ohio Department of Transportation. (Pg. 39)

Motion by MR. Butler, seconded by Ms. Madigan, to place Ordinance No. 50-10 on 1st Reading and refer it to the Public Works Committee.

Motion adopted. All members voting yea.

13. Communication from Human Services Director Buckon regarding Resolution for William “Bill” Hritz, Ohio Senior Health Insurance Information Program Volunteer. (Pg.42)

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

Motion adopted. All members voting yea.

14. **RESOLUTION NO. 8432-10** - A RESOLUTION acknowledging Mr. William “Bill” Hritz for providing over twenty years of volunteer services to Medicare recipients in Lakewood under the Ohio Senior Health Insurance Information Program (OSHIP). (Pg.43)

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8432-10.

Motion adopted. All members voting yea.

15. Communication from Planning & Development Director Kelly regarding Changes to the Zoning Code – Setback Requirements and Restaurant Use in Multi-Family High Density Districts. (Pg.44)

Motion by Mr. Butler, seconded by Ms. Antonio, to receive, file and refer the communication to the Planning Commission.

Motion adopted. All members voting yea.

16. **ORDINANCE NO. 51-10** - An Ordinance to amend the Building Line Map established by Lakewood Codified Ordinance §1105.03 to reflect a building line of 0-5 feet along Detroit Avenue and Madison Avenue within the City of Lakewood. (Pg.45)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 51-10 on 1st Reading and refer it to the Planning Commission.

Motion adopted. All members voting yea.

17. **ORDINANCE NO. 52-10** - An Ordinance to amend Chapter 1127, Multiple-Family Residential Districts and Chapter 1161, Conditional Uses, of the Codified Ordinances of the City of Lakewood for the purpose of conditionally permitting restaurant uses within Multiple-Family Residential Districts within the City of Lakewood. (Pg.49)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 52-10 on 1st Reading and refer it to the Planning Commission.

Motion adopted. All members voting yea.

18. Communication from Planning & Development Director Kelly regarding Revisions to the Sign Code (Chapter 1329). (Pg.54)

Motion by Mr. Butler, seconded by Ms. Antonio, to receive, file and refer the communication to the Economic Development Committee.

Motion adopted. All members voting yea.

19. **ORDINANCE NO. 53-10** - An Ordinance to amend Chapter 1329, Signs of the Codified Ordinances of the City of Lakewood for the purpose of regulating signs, including provisions to control the type, design, size, location, illumination and maintenance thereof, within the City of Lakewood. (Pg.59)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 53-10 on 1st Reading and refer it to the Economic Development Committee.

Motion adopted. All members voting yea.

20. **ADD-ON - RESOLUTION NO. 8433-10** - A RESOLUTION to commend Jacob Streitel upon achieving the rank of Eagle with the Boy Scouts of America.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8433-10.
Motion adopted. All members voting yea.

Motion by Mr. Butler, seconded by Ms. Antonio, to adjourn the meeting.
Motion adopted. All members voting yea.

Meeting adjourned 8:24 PM.

Approved: _____

CLERK

PRESIDENT