

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
SEPTEMBER 20, 2010
7:30 P.M.**

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

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

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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. Antonio, to excuse the absences of Mr. Powers. Motion adopted. All members present voting yea,

Motion by Mr. Butler, seconded by Ms. Madigan , to approve the Minutes of the Regular Meeting of Council held September 8, 2010.

Motion adopted. All members present voting yea

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

1. Committee of the Whole Report regarding Fact Finder Report –Fraternal Order of Police. (Dispatchers) (To Be Provided)

#1 COW Report regarding Fact Finding Report – Fraternal Order of Police (Dispatchers)- Butler

Tonight the Committee of the Whole, which is the committee that comprises all seven members of Council, met. Councilman Powers was absent but the remainder of Council was present. Our purpose was to discuss the Fact Finder Report from the bargaining process for the Fraternal Order of Police Dispatchers bargaining unit. This relates to the communication that follows my oral report as well, the Law Directors communication.

We have before us two ordinances. One that approves the Fact Finders Report and one that rejects the Fact Finders Report. After discussing both options in the Committee of the Whole in Executive Session , the Committee of the Whole adjourned from Executive Session and recommended that Council adopt ordinance 69-10, an ordinance rejecting the Fact Finders Report. With respect to ordinance 68-10, tabling that ordinance.

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

2. Communication from Law Director Hurley regarding Fact Finder Report – Fraternal Order of Police, Ohio Labor Council (Dispatchers) (Pg. 7)

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

3. **ORDINANCE NO. 68-10** – AN ORDINANCE to 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 approving the fact finders report relative to the collective bargaining process with the Western Cuyahoga Lodge No. 25, Fraternal Order of Police, Lakewood Division on behalf of the Dispatchers. (To Be Provided) (Pg. 8)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 68-10 on the table.

Motion adopted. All members present voting yea.

4. **ORDINANCE 69-10** - AN ORDINANCE to 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 rejecting the fact finders report relative to the collective bargaining process with the Western Cuyahoga Lodge No. 25, Fraternal Order of Police, Lakewood Division on behalf of the Dispatchers. (To Be Provided) (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. 69-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Ordinance No. 69-10.

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

Nays: None

Motion adopted. Ordinance No. 69-10 adopted.

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5. Finance Committee Report regarding Ordinance 65-10, 82-09B, Resolution No. 8442-10, Budget Timeline/Update 2010/2011. (To Be Provided)

#5 Finance Committee Report regarding Ordinances 65-10, 82-09B, Resolution 8442-10, Budget Timeline/Update 2010/2011 - Summers

The Finance Committee met tonight on six subjects. The subjects that we'll discuss tonight are two very specific ones, particularly the ordinance to approve the 3rd quarter transfers and advances of certain funds. The Finance Committee considered the proposed transfers and advances of ordinance 65-10 and recommends passage on second reading tonight which will require us to suspend the rules. Basically, these are routine movements of money out of the general fund and into special revenue and debt service funds. We've passed similar ordinances each quarter to fund basically police & pension, wastewater, debt service & lease payments and debt payments as well. We recommend that the Council pass this routine ordinance tonight.

The second item deals with the expansion of appropriation ordinances on two subjects in particular, one of which is the financial audit requirements and the second one deals with a \$50,000 appropriation to cover the pavement condition rating inspections services. The first item, the financial audit, is actually expanded to include timing issues for the 2010 and the conclusion of the 2009 payments as they overlap. The second item deals with the actual increase of this \$50,000 appropriation to cover the condition rating service which we discussed at our previous meeting. This will allow us to take an orderly approach to our consideration of the relative position of pavement status of our streets. So the Finance Committee recommends tonight that we pass these two ordinances on second reading by suspending the rules. That concludes the Finance report this evening.

Butler: Mr. Summers, is there an addition with respect to item number 8, the resolution involving the Tax Incentive Review Council?

Summers: Well, we're going to do that at 3rd reading at the next meeting. Oh, the substitute. I beg your pardon. I stand corrected. Actually, item 8 which is resolution 8442, we will consider a motion to substitute but not pass tonight, the revised Tax Incentive Review Council. The key revisions are actually to clarify the remaining two tax incentive programs which are those related to Rockport and Vedda Printing so we will actually move to substitute but not pass this evening.

Butler: Was there a recommendation from the Finance Committee to adopt that substituted resolution on third reading?

Summers: On third reading, that is correct.

Butler: So, tonight there is no need to refer that substitute back to Finance, correct?

Summers: That is correct. Thank you.

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

Motion adopted. All members present voting yea.

6. **ORDINANCE NO. 65-10** – 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 9/8/10) (Pg. 91) (Pg. 10)

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring Ordinance No. 65-10 to be read on three separate days and placing Ordinance No. 65-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Ordinance No. 65-10.

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

Nays: None

Motion adopted. Ordinance No. 65-10 adopted.

7. **ORDINANCE NO. 82-09B** - 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 82-09A, adopted April 5, 2010 for the purpose of adding, deleting, and increasing contracting authority for 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 1ST READING & REFERRED TO THE FINANCE COMMITTEE 9/8/10) (Pg.94) (Pg. 12)

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. 82-09B on final reading.

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

Nays: None

Motion adopted. Rules suspended.

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

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

Nays: None

Motion adopted. Ordinance No. 82-09 adopted.

8. **RESOLUTION NO. 8442-10** – 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 report the action of the Tax Incentive Review Council (the “TIRC”) meeting of August 26, 2010 pursuant to Ordinance 47-04, adopted June 4, 2004 and Section 5709.85 of the Ohio Revised Code regarding Rockport Square, Vedda Printing and The Cliffs (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 9/8/10) (Pg. 16)

Motion by Mr. Butler, seconded by Ms. Antonio, to substitute Resolution No. 8442-10.

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

Nays: None

Resolution substituted.

Motion by Mr. Butler, seconded by Ms. Antonio, to place Resolution on 2nd Reading.

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

Nays: None

Resolution placed on 2nd Reading.

9. Public Works Committee Report regarding Ordinance Nos. 45-10 & 57-10. (To Be Provided)

#9 Public Works Committee Report regarding Ordinances 45-10 & 57-10 - Bullock

The Public Works Committee met recently with all members present. We considered two ordinances, one of which we are ready to act upon tonight the other which we are going to meet again. Ordinance 57-10, we'll meet again in the future and that is on routine legislation as I understand relating to flood plain and flood control insurance. But tonight we are ready to consider ordinance 45-10 and the Public Works committee reported out favorably after several meetings and several discussions. This ordinance is the first step in a series of steps I think we ought to consider taking in Lakewood

regarding on-site storm water management. In plain English that means when rain comes in your property, what do we do with it and how do we manage it in Lakewood? This conversation overlaps with another broader conversation we're having in Lakewood over a period of years for our storm water management plan to appropriately handle storm water so that it doesn't overflow into Lake Erie which can lead to pollution and the dumping of raw sewage in Lake Erie which is not in compliance with EPA. The City has a plan that it's working on, doing data collection and will eventually propose an engineering plan across the city to manage that. What this does is it starts to open up options for individual property owners, both residential and commercial, to manage their own storm water from their own roof, garden, garage and so forth. Currently, our ordinances read that gutters and downspouts must be connected to a storm sewer. However, people may seek the permission of the City Engineer to disconnect that. As a practical matter it's come to light that we don't think we need to take that step of referring people to the City Engineer. In fact, that hasn't been happening on a broad basis and what we want to do is encourage residents to increasingly disconnect, use the splash block or even a rain barrel. So, the proposed ordinance tonight simply removes that requirement. After our conversations with the Public Works and Building Departments, they discussed their operational procedures about how they would follow up on properties that would be doing this and they were satisfied that we have a good ordinance. We did discuss the need and I've promised colleagues I'd follow up soon for ordinances in Lakewood to address appropriate design standards for rain barrels, rain gardens and other items that handle storm water both from a structural point of view and a community beauty point of view. We don't ... if we have hundreds of blue, bright rain barrels all of the sudden on peoples front lawns that may become an issue. So, we're going to consider how to appropriately handle that. But equally important is the issue of water itself, that water isn't flowing onto neighbors properties. So, as you can tell this is one small step towards a broader conversation which there is actually quite a lot there. So again, the Public Works committee recommends that tonight we adopt this substitute ordinance. There were two small changes in WHEREAS clauses, one to fix a typo and one to remove one of the WHEREAS clauses. But, in substance this is the same as what was introduced back in the summertime.

Motion by Mr. Bullock, seconded by MR. Butler, to receive and file the report.

Motion adopted. All members present voting yea.

10. **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. **(PLEASE SUBSTITUTE** FOR ORDINANCE NO. 45-10 PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 6/21/10, 2ND READING 7/6/10)(Pg. 17)

Motion by Mr. Bullock, seconded by Mr. Butler, to substitute Ordinance No. 45-10.
Yeas: Antonio, Bullock, Butler, Madigan, Smith, Summers
Nays: None
Motion adopted. Ordinance No. 45-10 substituted.

Motion by Mr. Bullock, seconded by Mr. Butler, to adopt Ordinance No. 45-10.

Yeas: Antonio, Bullock, Butler, Madigan, Smith, Summers
Nays: None
Motion adopted. Ordinance No. 45-10 adopted as substituted.

11. Public Safety Committee Report regarding Resolution No. 8441-10. (To Be Provided)

#11 Public Safety Committee Report regarding Resolution 8441-10 – Powers (read by Kevin Butler)

As Councilman Powers is absent this evening, he is the chair of the Public Safety Committee and therefore I will make his committee report for him. The Public Safety Committee met last Friday. I was in attendance with Councilman Powers, Councilwoman Smith unfortunately had a work engagement that prevented her from being there. We met to consider the resolution that follows which permits the Director of Finance to sell, actually through a trade-in, police equipment used in narcotics investigations. The Public Safety Committee unanimously recommended adoption of the following resolution and since it is on second reading this evening, the Public Safety Committee has recommended that we suspend the rules and adopt this evening.

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

12. **RESOLUTION NO. 8441-10** – 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, authorizing and directing the Director of Finance to sell, through trade-in, two pieces of equipment that is regularly used by the Division of Police Narcotics Unit for confidential investigations in conjunction with the purchase of new state-of-the-art equipment for the Lakewood Division of Police. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 9/8/10) (Pg. 19)

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring this resolution to be read on three separate days and placing Resolution No. 8441-10 on final reading.

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

Motion by Mr. Bullock, seconded by Mr. Butler, to adopt Resolution No. 8441-10.

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

Nays: None

Motion adopted. Ordinance No. 8441-10 adopted as substituted.

13. Economic Development Committee Report regarding Ordinance Nos. 51 & 52 –
10. (To Be Provided)

**#13 Economic Development Committee Report regarding Ordinances 51-10 & 52-10
- Antonio**

The Economic Development Committee met this evening. In attendance were members Smith, and myself. We were joined by Director Kelly, Director Ashby and Councilmember Madigan. We discussed the following items: first of all a communication from Director Kelly regarding revisions to the sign code. We are going to be looking at that one last time in committee so there will be recommendation to place that on second reading and we will be bringing that back to Council for adoption at the next Council meeting, we hope. We also received a Planning Commission report on items 51 and 52-10 and the committee advises that we pass both ordinances this evening. The first one is amending the building line map and we discussed the fact that moving this up to the 0 to 5 feet right along where the sidewalk ends will guarantee that , well give us another tool to make sure that in new developments down the road that we have our consistency, especially along our main roads so the buildings butt up to the sidewalk. Giving account for sidewalk dining and things like that but maintaining our consistency with the look of most of our downtown and the pedestrian aspect of it with parking behind those buildings as much as possible. The other item was the multi-family residence districts and this is really looking at allowing a restaurant to come back into the space that was occupied by Swingo's over on the Lakeshore down at the Gold Coast but also in these multiple family residential districts of which there are just a couple in the City but it would be wonderful to have a restaurant return to that site and this will allow for that.

We also received an update on the Rockport development, on the activities going on there. Councilwoman Madigan has been working along with the administration and Director Kelly on discussions with Forest City Enterprises in terms of improving the aesthetic look of the area. We were informed that the fence will need to stay for safety reasons but that there will be a new banner and just attention to the detail along there with hopes that construction will one day resume as the economic status of thing in general hopefully improve.

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

Motion adopted. All members present voting yea.

14. **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. (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 7/6/10, 2nd READING 7/19/10, REFERED TO THE ECONOMIC DEVELOPMENT COMMITTEE 9/8/10,) (Pg. 21)

Motion by Ms. Antonio, seconded by Mr. Butler, to adopt Ordinance No. 51-10.

Motion adopted. All members present voting yea.

15. **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. (**PLEASE SUBSTITUTE** FOR ORDINANCE NO. 52-10 PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 7/6/10, 2nd READING 7/19/10, REFERRED TO THE ECONOMIC DEVELOPMENT COMMITTEE 9/8/10) (Pg. 25)

Motion by Mr. Butler, seconded by Ms. Antonio, to substitute Ordinance No. 52-10.

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

Nays: none

Motion adopted. Ordinance No. 52-10 substituted.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Ordinance No. 52-10

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

Nays: none

Motion adopted. Ordinance No. 52-10 adopted substituted.

16. **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. (PLACED ON 1ST READING & REFERED TO THE ECONOMIC DEVELOPMENT COMMITTEE 7/6/10, **DEFERRED 7/19/10**) (Pg. 40)

Motion by Ms. Antonio, seconded by Mr. Butler, to place Ordinance No. 53-10 on 2nd Reading.

Motion adopted. All members present voting yea.

17. **ORDINANCE NO. 60-10** – AN ORDINANCE to amend Section 905.21, Rental of City Property, and Section 905.15, Picnic Areas; Permit for Use of Picnic Pavilions, of the Lakewood Codified Ordinances I order to exempt the Lakewood Board of Education from paying security charges for the rental of city property and usage fees for the use of picnic pavilions. (PLACED ON 1ST READING &

REFERRED TO THE RULES & ORDINANCES COMMITTEE 9/8/10) (Pg. 54)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 60-10, on 2nd Reading. And refer it back to the Rules & Ordinances Committee.

Motion adopted. All members present voting yea.

18. **ORDINANCE NO. 62-10** – 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, amending Section 335.01, Drivers of Commercial Driver’s License Required of the Codified Ordinances of the City of Lakewood for the purpose of returning the penalty for a violation of this section to a misdemeanor of the first degree. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 9/8/10) (Pg. 57)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 62-10 on 2nd Reading and refer back to the Public Safety Committee.

Motion adopted. All members present voting yea.

19. **ORDINANCE NO. 63-10** - 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, amending Section 333.021, Operation in Willful or Wanton Disregard of Safety, of the Codified Ordinances of the City of Lakewood for the purpose of returning the penalty for a violation of this section to a misdemeanor of the second degree. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 9/8/10) (Pg. 60)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 63-10 on 2nd Reading and refer it back to the Public Safety Committee.

Motion adopted. All members present voting yea.

20. **ORDINANCE NO. 64-10** - 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, amending Section 335.07, Driving Under Suspension or License Restriction and Section 335.072, Driving Under Financial Responsibility Law Suspension or Cancellation of the Codified Ordinances of the City of Lakewood for the purpose of keeping all driving under suspension penalties first degree misdemeanors. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 9/8/10) (Pg. 62)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 64-10 on 2nd Reading and refer it back to the Public Safety Committee.

Motion adopted. All members present voting yea.

21. Communication from Planning & Development Director Kelly regarding Comprehensive Bicycle and Pedestrian Plan (Per Resolution 8430-10) (Pg. 66)

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

Motion adopted. All members present voting yea.

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

22. Communication from Councilmember Summers regarding Creating or Modifying Existing Nuisance Ordinances That Apply to Commercial Establishments. (Pg. 69)

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

Motion adopted. All members present voting yea.

23. Communication from Mayor FitzGerald and Fire Chief Mroz regarding Lateral Entry for Firefighters. (Pg. 70)

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

Motion adopted. All members present voting yea.

24. **ORDINANCE NO. 70-10** - AN ORDINANCE to create new Section 144.15, Original Appointment to the Division of Fire, of the Codified Ordinances of the City of Lakewood to authorize and set out the method of Original Appointments to the Division of Police, to include a combination of appointment from a certified list and lateral entry hire. (Pg. 71)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 70-10 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. All members present voting yea.

25. Communication from Mayor FitzGerald regarding 2010 Fire Prevention Week; Lakewood Fallen Firefighters Memorial Day. (Pg. 74)

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

Motion adopted. All members present voting yea.

26. **RESOLUTION NO. 8443-10** - A RESOLUTION to declare October 4, 2010 thru October 9, 2010 Fire Prevention Week. (Pg. 75)

Motion by Mr. Butler, seconded by Ms. Antonio, to suspend the rules requiring this Resolution to be read on three separate days and placing Resolution No. 8443-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8443-10.

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

Nays: None

Motion adopted. Resolution No. 8443-10 adopted.

27. **RESOLUTION NO. 8444-10** – A RESOLUTION proclaiming October 3, 2010 as Fallen Firefighter Memorial Day in the City of Lakewood. (Pg. 76)

Motion by Mr. Butler, seconded by Ms. Antonio, to suspend the rules requiring this Resolution to be read on three separate days and placing Resolution No. 8444-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8444-10.

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

Nays: None

Motion adopted. Resolution No. 8444-10 adopted.

28. Communication from Fire Chief Mroz regarding Resolution to accept and expend funds from the FY 2007 and FY 2008 Urban Area Security Initiatives and the FY 2008 State Homeland Security Grant Exercise Program. (Pg. 78)

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

Motion adopted. All members present voting yea.

29. **RESOLUTION NO. 8445-10** – A RESOLUTION authorizing the Mayor, or his designee, on behalf of the City, to enter into an Agreement with the Board of Cuyahoga County Commissioners to accept and expend funds for the Urban Area Security Initiative in an amount estimated at Five Thousand Dollars (\$5,000). (Pg. 79)

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring this Resolution to be read on three separate days and placing Resolution No. 8445-10 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8445-10.

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

Nays: None

Motion adopted. Resolution No. 8445-10 adopted.

30. Communication from Police Chief Malley regarding Ohio Office of Criminal Justice Services Grant of \$15,000. (Pg. 80)

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

Motion adopted. All members present voting yea.

31. **RESOLUTION NO. 8446-10** – 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, authorizing the Mayor (Director of Public Safety) to enter into an agreement with the State of Ohio to accept grant funds in the amount of \$15,000 through the Ohio Office of Criminal Justice Services for assistance in funding a confidential investigation involving prescription drugs. (Pg. 81)

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring this Resolution to be read on three separate days and placing Resolution No. 8446-10 on final reading.

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

Nays: None
Motion adopted. Rules suspended.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8446-10.

Yeas: Antonio, Bullock, Butler, Madigan, Smith, Summers
Nays: None
Motion adopted. Resolution No. 8446-10 adopted.

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32. Liquor Permit application for a C1, C2 and D6 transfer to Bedini Enterprises, d/b/a Lakewood Beverage & Deli, 15512 Madison Ave., from same, same address. (Pg. 83)

Motion by Mr. Summers, seconded by Mr. Butler, to defer action on this permit application.

Motion adopted. All members present voting yea.

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

Meeting adjourned 8:41 PM.

Approved: _____

CLERK

PRESIDENT