

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
FEBRUARY 6, 2012  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:33 PM by President Powers.

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Present: Councilmembers David Anderson, Thomas R. Bullock III, Shawn Juris, Mary Louise Madigan, Ryan Nowlin, Brian Powers, Monique Smith,.

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Police Chief Malley, Fire Chief Gilman, Human Services Director Buckon, Director of Planning and Development and Assistant Director of Public Safety for Housing and Building. Siley;

Council President Powers asked for a Moment of Silence for former Council President Robert M. Seelie who died January 7, 2012.

Motion by Mr. Powers, seconded by Ms. Madigan, to approve the minutes of the Regular Meeting of Council held January 17, 2012 without the necessity of a reading.

Motion adopted. All members voting yea.

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

1. Committee of the Whole Report regarding 2012 Council Appointments, Proposed Business Summit and Community Block Grant Fund Reductions. (To Be Provided)

**#1 Committee of the Whole Report regarding 2012 Council Appointments, Proposed Business Summit & Community Block Grant Reductions – Council President Powers**

The Committee of the Whole met this evening and the whole committee was there. We addressed several items, the first of which was the fact that our Community Development Block Grant has been reduced. We will suffer a 15% cut. There is good news and bad news in that. The bad news is obviously that we will have about \$300,000 less money in Community Development Block Grant and that is not a good thing. One of the reasons why we saw a large cut is because there are certain positive trends happening economically for Lakewood, Ohio that cause us to get a little bit less money from the Federal Government in the form of Community Development Block Grants. Director Siley went through some of the reasoning with us. The Committee will need to be called back together to look at the recommendations and present some revisions and we look to receive those probably in the first meeting in March, roughly a month from now. The second thing we addressed in Committee of the Whole were a series of

resolutions regarding appointments by Council. The Committee of the Whole recommended to Council that we fill those and we will discuss those as we move through the agenda items this evening. We have all five of those figured out, at least from the Committee of the Whole standpoint; we'll see what the rest of the Council has to say. We then heard from Councilmember Juris who is continuing to lead the charge for us with respect to Economic Development issues. He had put a communication on the docket concerning a Lakewood Business Summit. He presented some further ideas and he will continue to work with Director Siley and with the Mayor and the administration and with the Planning Commission to make sure that we have a coordinated approach so that if we come up with ideas that would ultimately end up in the reopening of the Community Vision and the updating of that document under the formal auspices of the Planning Commission, that we will appropriately coordinate and have a good discussion from Council. We did not take any formal action with respect to that communication. We will leave it on our agenda for Committee of the Whole to make sure that we get regular updates. Councilman Juris will continue to take the lead on helping to make that a reality and so we thank him for that. Then we had procedural review and that was the end of our meeting.

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

Motion adopted. All members voting yea.

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2. **RESOLUTION NO. 8546-(47)-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law to appoint Mary Louise Madigan as an ex-officio Trustee of the Lakewood Hospital Association Board for a full two-year term, ending December 31, 2013. (REFERRED TO COMMITTEE OF THE WHOLE 1/17/12) (Pg. 11)

Motion by Mr. Powers, seconded by Mr. Anderson, to insert the name Mary Louise Madigan into the blank.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Mr. Bullock, to adopt with the name Mary Louise Madigan.

Motion adopted. All members voting yea.

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3. **RESOLUTION NO. 8547-(46)-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law to appoint Tom Bullock as an ex-officio Trustee of the Lakewood Hospital Association Board for a full two-year term, ending December 31, 2013. (REFERRED TO COMMITTEE OF THE WHOLE 1/17/12) (Pg. 12)

Motion by Mr. Powers, seconded by Ms. Madigan, to insert the name Tom Bullock into the blank.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Ms. Madigan to adopt with the name Tom Bullock.

Motion adopted. All members voting yea.

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4. **RESOLUTION NO. 8548-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law to appoint Mark Stockman as a member of Community Reinvestment Area Housing Council for the three (3) year term beginning January 1, 2012 and ending December 31, 2014. (REFERRED TO COMMITTEE OF THE WHOLE 1/17/12) (Pg. 13)

Motion by Mr. Powers, seconded by Ms. Madigan, to insert the name Mark Stockman into the blank.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt with the name Mark Stockman in the blank.

Motion adopted. All members voting yea.

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5. **RESOLUTION NO. 8549-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law to appoint Mary Cierebieg as a member of Community Reinvestment Area Housing Council for the three (3) year term beginning January 1, 2012 and ending December 31, 2014. (REFERRED TO COMMITTEE OF THE WHOLE 1/17/12) (Pg.14)

Motion by Mr. Powers, seconded by Ms. Madigan, to insert the name Mary Cierebieg into the blank.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt with the name Mary Cierebieg in the blank.

Motion adopted. All members voting yea.

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6. **RESOLUTION NO. 8550-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council otherwise, it shall take effect and be in force after the earliest period allowed by law to appoint Dan Bartos as a member of the City of Lakewood Board of Nuisance Abatement Appeals for a three-year term, ending December 31, 2014. (REFERRED TO COMMITTEE OF THE WHOLE 1/17/12) (Pg. 15)

Motion by Mr. Powers, seconded by Ms. Madigan, to insert the name Dan Bartos into the blank.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt with the name Dan Bartos in the blank.

Motion adopted. All members voting yea.

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7. Finance Committee Report regarding Amendments to 2012 Financial Ordinances. (To Be Provided)

**#3 Finance Committee Report regarding Amendments to 2012 Financial Ordinances – Finance Chair Madigan**

The Finance Committee met this evening. Present were both members of Finance, Councilman Juris and Councilman Nowlin and Director Pae. We considered five pieces of legislation. The first is the 2012 Permanent Appropriations ordinance that is to add \$500,000 to the General Fund's General Administration budget and to fully fund the separation payment set-aside. We recommended approval to the whole committee with a substitution. Another piece we considered was our purchasing and contracting authority to increase the amount needed for the Long Term Control Plan Consulting Services. Again, we considered this and recommended approval to the whole Council with substitutions. In addition, we recommended to suspend the rules and pass that tonight as well. There was a membership ordinance which we considered that would include two new memberships. We're recommending to put that on second reading and consider it for the next Council meeting. Our last two items are really just correcting typographical issues so that the numbers match the words in the legislation. So, on proposed ordinances 61-11A and 62-11A, we recommended to place those on second reading awaiting the update from the Finance Committee.

(Item #8 Ordinance 1-12)

Ms. Pae: The substitution that is before Council on this ordinance is to increase the Juvenile Diversion Program fund by \$23,403 due to a grant that was received after the first of the year.

(Item #9 Ordinance 58-11A)

Ms. Pae: This substitution has three items that were added since the original was proposed to Council. The first is a \$50,000 increase for administrative consulting services. The second is an increase in Biosolids by \$50,000 to \$100,000 contracting authority amendment and then the final is a \$65,000 increase in reforestation from \$60,000 to \$125,000

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

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8. **ORDINANCE NO. 1-12** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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, 2012. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE FINANCE COMMITTEE 1/17/12) (Pg. 16)

Motion by Ms. Madigan, seconded by Mr. Powers, to suspend substitute Ordinance 1-12.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted. Ordinance substituted.

Motion by Ms. Madigan, seconded by Mr. Powers, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance 1-12 on final reading.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted. Rules suspended.

Motion by Ms. Madigan, seconded by Mr. Powers, to adopt Ordinance 1-12 as substituted.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted. Ordinance No. 1-12 adopted as substituted.

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9. **ORDINANCE NO: 58-11A** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law amending Ordinance 58-11, adopted December 19, 2011 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 2012 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 FINANCE COMMITTEE 1/17/12) (Pg. 29)

Motion by Ms. Madigan, seconded by Mr. Powers, to suspend substitute Ordinance 58-11a.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted. Ordinance substituted.

Motion by Ms. Madigan, seconded by Mr. Powers, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance 58-11A on final reading.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted. Rules suspended.

Motion by Ms. Madigan, seconded by Mr. Powers, to adopt Ordinance 58-11A as substituted.

Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith

Nays: None

Motion adopted. Ordinance No. 58-11A adopted as substituted.

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10. **ORDINANCE NO. 60-11A** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members of Council or otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance No. 60-11 and 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 2012 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed

\$50,000 without separate Resolution of Council. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE FINANCE COMMITTEE 1/17/12) (Pg. 36)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 60-11A and refer back to the Finance Committee.

Motion adopted. All members voting yea.

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11. **ORDINANCE NO. 61-11A** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend Ordinance 61-11 adopted December 19, 2011 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 & REFERRED TO THE FINANCE COMMITTEE 1/17/12) (Pg. 42)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 61-11A and refer back to the Finance Committee.

Motion adopted. All members voting yea.

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12. **ORDINANCE NO. 62-11A** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 62-11, adopted December 19, 2011 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 FINANCE COMMITTEE 1/17/12) (Pg.45)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 62-11A and refer back to the Finance Committee.

Motion adopted. All members voting yea.

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13. Housing Committee Report regarding Ordinances Nos. 65, 66, 67, 68 -12 & Housing Strategy Update (To Be Provided)

**# 13 Housing Committee Report regarding Ordinances 65,66,67,68-12 & Housing Strategy Update - Housing Chair Anderson**

The Housing Committee met this evening at 6:00. Present were Councilwoman Smith, Councilman Bullock, myself, Director Siley and a couple members of the public. We met this evening to discuss a series of ordinances to four chapters of Lakewood's codes, the purpose of which is to update language and references so that they're consistent with the City of Lakewood's State certification and current Ohio law. As is customary, the State Board of Building Standards makes some periodic changes which requires us to make some periodic changes to our codes. The discussion tonight accomplished a couple

things, one of which is the agreement that this does not change any sort of enforcement, it's just housekeeping concerning references, weeding out redundant or out-dated language. The committee voted unanimously that Council approve and adopt all four of these ordinances. The second agenda item, real quickly, concerns the housing strategy update. Director Siley provided a few minutes of his time to give us a snapshot of some of the updates that are currently going on here in Lakewood. We're going to commit ourselves to having at least a monthly session with Housing to make sure we can continue to get consistent updates but know that most of this information is going to be available on onelakewood.com very soon. I think it's great information - just talks about how this administration, with the support of Council, is going forward to inventory and analyze, create capacity, prioritize, doing the work and getting results when it comes to our threes and fours in Lakewood which I think we all know what that refers to. So, that will conclude my comments.

Motion by Mr. Anderson, seconded by Mr. Powers, to receive and file the oral report.  
Motion adopted. All members voting yea.

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14. **ORDINANCE NO. 65-11** – AN ORDINANCE amending Chapter 1301, Regional Dwelling House Code, to update its language and references to be consistent with the City of Lakewood's state certification and current Ohio law. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE HOUSING COMMITTEE 12/19/11, 2<sup>ND</sup> READING 1/3/12)) (Pg. 65)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 65-11.  
Motion adopted. All members voting yea.

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15. **ORDINANCE NO. 66-11** – AN ORDINANCE amending Chapter 1302, Ohio Basic Building Code, to update its language and references to be consistent with the City of Lakewood's state certification and current Ohio law. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE HOUSING COMMITTEE 12/19/11, 2<sup>ND</sup> READING 1/3/12) (Pg.60)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 66-11.  
Motion adopted. All members voting yea.

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16. **ORDINANCE NO. 67-11** – AN ORDINANCE repealing Chapter 1304, National Electrical Code, to be consistent with the City of Lakewood's state certification and current Ohio law. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE HOUSING COMMITTEE 12/19/11, 2<sup>ND</sup> READING 1/3/12) (Pg. 69)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 67-11.  
Motion adopted. All members voting yea.

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17. **ORDINANCE NO. 68-11** – AN ORDINANCE repealing Chapter 1310, Residential Code for One, Two and Three Family Dwellings, to be consistent with the City of

Lakewood's state certification and current Ohio law. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE HOUSING COMMITTEE 12/19/11, 2<sup>ND</sup> READING 1/3/12) (Pg. 71)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 68-11.  
Motion adopted. All members voting yea.

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

18. Communication from Councilmember Powers regarding Proposed Amendment of Section 506.04 (Pg.79)

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

Motion adopted. All members voting yea.

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19. **ORDINANCE NO. 2-12** – AN ORDINANCE amending Section 506.04 of the Codified Ordinances, Exception, Registration and Fee, for the purpose of permitting temporary exceptions to the prohibition of pit bull dogs and canary dogs benefiting licensed veterinarians and animal hospitals and approved animal rescue organizations. (Pg.80)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 2-12 on 1<sup>st</sup> Reading and refer it to the Public Safety Committee.

Motion adopted. All members voting yea.

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20. Communication from Council President Powers regarding Boards and Commissions Ad-hoc Committee (Pg.85)

Motion by Mr. Powers, seconded by Mr. Bullock, to receive and file the communication.

Motion adopted. All members voting yea.

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21. Communication from All Members of Council and Mayor Summers regarding Supporting Cuyahoga County Health & Human Services Renewal Levy March 6, 2012. (Pg.86)

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

Motion adopted. All members voting yea.

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22. **RESOLUTION NO. 8553-12** – A RESOLUTION supporting Issue 15, the Cuyahoga County Health & Human Services Renewal Levy 2012. (Pg.86A)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8553-12.

Motion adopted All members voting yea.

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23. Communication from Councilmember Nowlin regarding Re-Appointment of John Mitterholzer to the Citizens Advisory Committee. (Pg.87)

Motion by Mr. Nowlin, seconded by Mr. Powers, to receive and file the communication.  
Motion adopted. All members voting yea.

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24. Communication from Councilmembers Smith and Madigan regarding Prohibiting Smoking in Parks. (Pg.88)

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

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{Without objection from Council Council President Powers, directed the Clerk to read items 25-30 for at once for a blanket motion}

25. Communication from Mayor Summers regarding Appointment to Planning Commission. (Pg. 89)

\*Blanket Motion was made after item 30

26. Communication from Mayor Summers regarding Appointments to Heritage Advisory Board and the Board of Nuisance Abatement Appeals. (Pg. 90)

\*Blanket Motion was made after item 30

27. Communication from Mayor Summers regarding Appointment to the Board of Nuisance Abatement Appeals. (Pg.91)

\*Blanket Motion was made after item 30

28. Communication from Mayor Summers regarding Appointment to the Board of Zoning Appeals. (Pg. 92)

\*Blanket Motion was made after item 30

29. Communication from Mayor Summers regarding Appointment to the Board of Building Standards and Building Appeals. (Pg.93)

\*Blanket Motion was made after item 30

30. Communication from Mayor Summers regarding Appointment to the Citizens Advisory Committee. (Pg.94)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file items 25-30.  
Motion adopted. All members voting yea.

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31. Communication from Mayor Summers regarding City and Schools Memorandum of Understanding for Shared and Reciprocal Use of Facilities. (Pg.95)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive, file and refer the communication to the Committee of the Whole.

Motion adopted. All members voting yea.

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32. **RESOLUTION NO. 8554-12** - A RESOLUTION to take effect immediately provided it receives the vote of at least five (5) members of Council, or otherwise to take effect at the

earliest period allowed by law, authorizing the Mayor to enter into an agreement with the Superintendent of Lakewood City Schools committing the City of Lakewood to a memorandum of understanding regarding the shared and reciprocal use of facilities. (Pg.96)

Motion by Mr. Powers, seconded by Ms. Madigan, to refer Resolution No. 8554-12 to the Committee of the Whole.

Motion adopted. All members voting yea.

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33. Communication from Finance Director Pae regarding 2012 Capital Contracting Ordinances. (Pg.102)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive, file and refer the communication to the Finance committee.

Motion adopted. All members voting yea.

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{ Council President Powers moves to have the Clerk read items 34-43 for one blanket motion }

34. **ORDINANCE NO. 3-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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 bids and enter into contracts 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.103)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

35. **ORDINANCE NO. 4-12** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five members of Council, otherwise to 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. 105)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

36. **ORDINANCE NO. 5-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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 the **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. 107)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

37. **ORDINANCE NO. 6-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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 **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. 109)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

38. **ORDINANCE NO. 7-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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.111)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

39. **ORDINANCE NO. 8-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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.113)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

40. **ORDINANCE NO. 9-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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.115)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

41. **ORDINANCE NO. 10-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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 **Street 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.117)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

42. **ORDINANCE NO. 11-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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 bids and enter into contracts with the lowest and best bidder in accordance with the Administrative

Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Equipment** 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. 119)

\*Blanket motion made after item 43 on the agenda to place Ordinance on 1<sup>st</sup> Reading and refer it to the Finance Committee.

43. **ORDINANCE NO. 12-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to 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 the **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. 121)

\*Blanket Motion to Place Items 34-43 on 1<sup>st</sup> Reading and refer to the Finance Committee  
Motion adopted. All members voting yea.

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44. Communication from Law Director Butler regarding Update of criminal theft ordinance following passage of 129 H.B. 86. (Pg.123)

Motion by Mr. Powers, seconded by Ms. Madigan, to receive, file and refer the communication to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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45. **ORDINANCE NO. 13-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Sections 517.05, Cheating, 525.02, Falsification, 541.02, Arson, 545.05, Petty Theft, 545.07, Insurance Fraud, 545.09, Passing Bad Checks, 545.10, Misuse of Credit Cards, 545.14, Tampering with Records, 545.15, Securing Writings by Deception, 545.18, Receiving Stolen Property, 545.20, Criminal Simulation, and 545.21, Taking the Identity of Another, of the Codified Ordinances of the City of Lakewood for the purpose of complying with newly enacted state code affecting the classification of misdemeanor theft-related offenses and providing additional protections to victims of receiving stolen property. (Pg.124)

Motion by Mr. Powers, seconded by Ms. Madigan, place Ordinance No. 13-12 on 1<sup>st</sup> Reading and refer it to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

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46. Communication from Law Director Butler regarding Update of water and sewer service collection ordinances. (Pg. 137)

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

Motion adopted. All members voting yea.

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47. **ORDINANCE NO. 14-12** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members of Council, or otherwise to take effect at the earliest period allowed by law, amending Sections 902.08, Nonpayment of Bills, 902.09, Shut-Off for Nonpayment, and 915.01, Establishment of Rates, of the Codified Ordinances of the City of Lakewood for the purpose of strengthening the procedure involving collection of municipal water and sewer utility bills. (Pg. 138)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 14-12 on 1<sup>st</sup> Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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48. Communication from Planning & Development Director Siley regarding Sale Ordinance. (Pg.143)

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

Motion adopted. All members voting yea.

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49. **ORDINANCE NO. 15-12** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council, or otherwise to 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 various parcels of real property, further described in Exhibit A, currently owned by the City of Lakewood, pursuant to Section 155.07 of the Codified Ordinances. (Pg.144)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 15-12 on 1<sup>st</sup> Reading and refer it to the Housing Committee.

Motion adopted. All members voting yea.

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50. Communication from Public Works Director Beno regarding Parks closing times. (Pg.147)

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

Motion adopted. All members voting yea.

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51. **ORDINANCE NO. 16-12** – AN ORDINANCE amending Section 905.02, Hours Open to the Public, to allow the Director of Public Works to control park hours by season and events in an effort to curtail vandalism. (Pg.148)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 16-12 on 1<sup>st</sup> Reading and refer it to the Public Safety Committee.

Motion adopted. All members voting yea.

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52. Communication from Public Works Director Beno regarding Nature Works Application. (Pg.150)

Motion by Mr. Powers, seconded by ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

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53. **RESOLUTION NO. 8555-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the City of Lakewood to execute and file an application with the Ohio Department of Natural Resources for financial assistance through the NatureWorks Program. (Pg. 151)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8555-12.

Motion adopted. All members voting yea.

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54. Communication from Fire Chief Gilman regarding Resolution authorizing an agreement with Cuyahoga County to receive funds from the FY2010 State Homeland Security Grant Program for the Community Emergency Response Team (CERT) (Pg.153)

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

Motion adopted. All members voting yea.

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55. **RESOLUTION NO. 8556-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the City of Lakewood to enter into an agreement with Cuyahoga County to accept Homeland Security grant funds in the amount of \$1,300 for the Community Emergency Response Team (CERT). (Pg. 154)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8556-12.

Motion adopted. All members voting yea.

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56. Communication from Human Services Director Buckon regarding Resolution of Partnership with West Side Community House for Co-location of Tapestry System of Care Parent and Youth Advocates and Care Coordinators. (Pg.156)

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

Motion adopted. All members voting yea.

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57. **RESOLUTION NO. 8557-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council, otherwise to 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 extend for a period of approximately three months the Agreement with The West Side Community House to co-locate Parent and Youth Advocates and a Tapestry System of Care (TSOC) Care Coordinator and receive reimbursement for costs associated with providing space for those positions in an amount currently estimated to be \$4,500.00. (Pg.157)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8557-12.

Motion adopted. All members voting yea.

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58. Communication from Human Services Director Buckon regarding Help to Others (H2O) Summer Camp Fees. (Pg.159)

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

Motion adopted. All members voting yea.

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59. **RESOLUTION NO. 8558-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, establishing rates for each two-week session of the Help to Others (H2O) Summer Camp, a program of the Lakewood Department of Human Services/Division of Youth, effective June 1, 2012. (Pg.160)

Motion by Mr. Powers, seconded by Ms. Madigan, to refer Resolution No. 8558-12 to the Health & Human Services Committee.

Motion adopted. All members voting yea.

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60. Communication from Human Services Director Buckon regarding Juvenile Diversion Program. (Pg.162)

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

Motion adopted. All members voting yea.

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61. **RESOLUTION NO. 8559-12** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor, or his designee to enter into an Agreement with the Cuyahoga County Juvenile Court to accept funds in an amount estimated at \$14,400.00 for the City's Juvenile Diversion Program.(Pg.163)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8559-12.

Motion adopted. All members voting yea.

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Post Agenda

Two rental property owners spoke in opposition to the increase in Housing License Fees.

One property owner mentioned his house on Grace, with a legal third floor for the past 28 years. He said he had been paying \$25.00 for license fee and now has “\$380 percent increase”. He said that when he called the Division of Housing he was told he got a discount.

Mayor Summers responded he had talked previously to the property owner and indicated the issue involved a 3-family home. Mayor Summer responded that the Administration wanted to achieve equity across the City; asking Council to change housing licenses for three-families of which there are 300 in the City to shift from \$25.00 per unit to meet the same rate that a two-family pays which is \$75.00 per unit. He indicated this was a substantial increase and referenced the “discount” the housing inspector was referring to was the previous 28 years because the rates on 3-families were substantially less than two-families.

Mayor Summers referenced conversations he has had with the Deputy State Director of Senator Sherrod Brown; Elizabeth Thames; Congressman Dennis Kucinich, and Congresswoamn Marcy Kaptur. Mayor Summers indicated that the Administration had four main topics relevant for Federal Government awareness.

1. Low to Moderate Income House Maintenance Help (Mayor Summers indicated that this dovetails with the housing strategy council was apprised of earlier) - Message was that many of Lakewood homeowners would be willing but unable to make the kind of improvements necessary to protect the interests of that particular house and neighborhood.

2. Strom water compliance and underground infrastructure. Lakewood’s desire to comply with the Cleveland Water Act, and significant investment required to comply. Mayor Summers indicated that they learned that five billion dollars worth of investment in just the State of Ohio was necessary to comply with that. Lakewood’s portion could be as high as several hundred million dollars.

3. Continued support for Community Development Block Grant funding. Mayor Summers indicated that last year the record showed 141 members of Congress opposed to block grant funding and were in favor of eliminating it entirely. Mayor Summers asked why such support would be at risk and said it was indicated that other cities do not have near amount of the regulation as Lakewood and monies would go into the General Fund without going to the low, moderate neighborhood stabilization for which it was intended. It was shown that Lakewood’s rigorous advisory committee does an excellent job making sure Lakewood meets the needs of the City within the perimeters the monies were designed.

4. Urban Sprawl - how certain Federal Agencies; Department of Transportation, Federal Housing Authority, the Environmental Protection Agency, Freddie Mac and Freddie Mae in particular have dimensions of regulatory strategies and codes which favor green field development and not redevelopment of housing

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

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CLERK

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PRESIDENT