

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
FEBRUARY 21, 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 Representative Corrigan, 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, Human Services Director Yousefi.

Motion by Mr. Powers, seconded by Ms. Madigan, to approve the minutes of the Regular Meeting of Council held February 6, 2012 without the necessity of a reading.

Motion adopted. All members voting yea.

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

Without objection from Council Items 3 & 4 were read after item 1

1. Committee of the Whole Report regarding Lakewood City Council 2012 Planning Session (Pg.11)

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

Motion adopted. All members voting yea.

2. Finance Committee Report regarding Amendments to 2012 Financial Ordinances; 60-11A, 62-11A, 3-12 through and including 12-12). (To Be Provided)

#2 Finance Committee Report regarding Amendments to 2012 financial Ordinances; 60-11A, 62-11A, 3-12 through and including 12-12 - Madigan

The Finance Committee met tonight to follow up on some items that were deferred from our last meeting on February 6th and to also review several items that were referred to committee for the first time from that same February 6th regular Council meeting. At our meeting tonight, the entire committee was there which was Mr. Juris, Mr. Nowlin, and Chaired by me. We were joined by Councilmembers Anderson and Smith as well as Finance Director Pae, Chief Gilman

was there, Director of Public Works for tonight, Mr. Corrigan was there as well. The outstanding issues that required follow up were Ordinance 60-11A which was a membership ordinance. Just two memberships were added and we asked to make sure that we knew what the cost of those memberships were. One was for the Cuyahoga Animal Warden Society at the cost of \$75. The second was for a cooperative purchasing membership at the cost of \$25 and that was requested by Finance which will allow them flexibility in purchasing at lower prices. Both worthy memberships we felt and the committee unanimously to recommend approval to recommend adoption of 60-11A. We moved on to 62-11A that was originally coupled with 61-11A. What these two were to address wording within the water rate ordinance and the sewer rate ordinance. We, on 60-11A, moved to substitute and move to adopt as substituted, recommend adoption as substituted to the full Council. The item 61-11A, this could be coordinated with substitutions being made in a later ordinance, 14-12 and the Committee unanimously agreed to table that ordinance because it is addressed in ordinance 14-12 which will come back before the full Council. On the new ordinances, the Committee reviewed proposed ordinances 3-12 through 14-12 and recommended, with the exception of one, which I will get to, which is 11-12. The Committee recommended that we go for the full three readings of all those ordinances but for tonight recommended that 11-12, that we suspend the rules and pass on second reading as that will allow the Fire Department to purchase, or allow the City rather, to purchase a piece of fire equipment at a much better price and we would not want to risk losing the price that we may be able to get. So, that is the one item which we will ask to suspend the rules which the committee agreed to recommend suspending the rules and approving on second reading tonight. All other items the committee agreed to place on third reading and recommend for passage at the first full Council meeting in March.

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

3. Committee of the Whole Report regarding City/Schools Shared and Reciprocal Use of Facilities. (To Be Provided)

#3 COW Report regarding City/Schools Shared & Reciprocal Use of Facilities - Powers

Dear Members of Council. The Committee of the Whole met this evening to discuss a communication from the Mayor and a resolution authorizing the Mayor to enter into a memorandum of understanding with the superintendent of schools regarding the reciprocal use of facilities owned by the City to be used by the School Board, the facilities owned by the School Board to be used by the City. The idea is to commit to writing, agreements that have been worked out with the School Board over the past year or so returning to some good work that had been done in years previous. We've always had a very good relationship with the School Board. It became necessary, I think, and made sense to get some things in writing. The School Board is considering a similar resolution with respect to a memorandum of understanding perhaps as soon as this evening.

Mayor Summers: I appreciate the Council addressing this issue in a timely basis. We do have actually, some pressing opportunities to use school facilities, particularly Civil Service Exams. I think this paves the way for a cooperative approach to that type of a use and any others so...full speed ahead.

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

4. **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. (REFERRED TO THE COMMITTEE OF THE WHOLE 2/6/12) (Pg.14)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8554-12.
Motion adopted. All members voting yea.

5. **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 1ST READING & REFERRED TO THE FINANCE COMMITTEE 1/17/12, 2nd READING 2/6/12) (Pg. 18)

Motion by Mr. Powers, seconded by Mr. Juris, to adopt Ordinance No. 60-11A.
Motion adopted. All members voting yea.

6. **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 1ST READING & REFERRED TO THE FINANCE COMMITTEE 1/17/12, 2nd READING 2/6/12) (Pg.22)

Motion by Mr. Powers, seconded by Ms. Madigan, to substitute Ordinance No. 62-11A.
Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith.
Nays: None
Motion adopted. Ordinance No. 62-11A adopted.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 62-11A.
Yeas: Anderson, Bullock, Juris, Madigan, Nowlin, Powers, Smith.

Nays: None

Motion adopted. Ordinance No. 62-11A adopted.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 62-11A as substituted.

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

Nays: None

Motion adopted. Ordinance No. 62-11A adopted as substituted.

Rules were suspended to allow the Clerk to Read Ordinances Nos. 3-12, 4-12, 5-12, 6-12, 7-12, 8-12, 9-12, 10-12, 12-12 & 14-12 consecutively for a blanket motion to be made after Ordinance 14-12 was read.

7. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg.26)

*Blanket motion made after Item No. 17 to place on 2nd Reading

8. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg. 28)

*Blanket motion made after Item No. 17 to place on 2nd Reading

9. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg. 30)

*Blanket motion made after Item No. 17 to place on 2nd Reading

10. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg. 32)

*Blanket motion made after Item No. 17 to place on 2nd Reading

11. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg.34)

*Blanket motion made after Item No. 17 to place on 2nd Reading

12. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg.36)

*Blanket motion made after Item No. 17 to place on 2nd Reading

13. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg.38)

*Blanket motion made after Item No. 17 to place on 2nd Reading

14. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg.40)

*Blanket motion made after Item No. 17 to place on 2nd Reading

15. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg. 42)

Motion by Mr. Powers, seconded by Ms. Madigan, to suspend the rules requiring this ordinance to be read on three separate days and placing Ordinance No. 11-12 on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Ordinance No. 11-12.

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

Nays: None

Motion adopted. Ordinance No. 11-12 adopted.

16. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg. 44)

*Blanket motion made after Item No. 17 to place on 2nd Reading

17. **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. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 2/6/12) (Pg. 46)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance Nos. 3-12, 4-12, 5-12, 6-12, 7-12, 8-12, 9-12, 10-12, 12-12 & 14-12

Motion adopted. All members voting yea.

18. Health & Human Services Committee Report regarding Resolution No. 8558-12 – H2O Summer Camp Fees. (To Be Provided)

18 H&HS Committee Report regarding Resolution 8558-12 - H2O Summer Camp Fees - Smith

On February 16th, the Health Human Services Committee met to discuss two agenda items. The one item that I'll report out on is the one that is on the docket tonight. This resolution, number 8558-12 which is requesting approval to have the Human Services Department increase the fees for the H2O Summer Camp from \$60 per camper to \$80 per camper. We discussed this and we learned that the increase in fees still doesn't completely cover the costs of running the camp but we wanted to keep rates low enough to allow as many students as possible to participate while still trying to cover any expenses that we could. We discussed this in committee and asked that some verbiage be made available on any advertising materials about the camp letting children know that if they would like to participate, there are ways to do that without allowing the increase in

fees to become a barrier to participation. So, the Committee that evening voted unanimously to recommend approval of the resolution.

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

19. **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. (REFERRED TO THE HEALTH & HUMAN SERVICES COMMITTEE 2/6/12) (Pg.51)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8558-12.
Motion adopted. All members voting yea.

20. **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 licenses veterinarians and animal hospitals and approved animal rescue organizations. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 2/6/12) (Pg. 53)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 2-12 on 2nd Reading and refer back to the Public Safety Committee.
Motion adopted. All members voting yea.

21. **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. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 2/6/12) (Pg.58)

Motion by Mr. Powers, seconded by ms. Madigan, to place Ordinance No. 13-12 on 2nd Reading and refer back to the Rules & Ordinances Committee.
Motion adopted. All members voting yea.

22. **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. (PLACED ON 1ST READING & REFERRED TO THE HOUSING COMMITTEE 2/26/12) (Pg.65)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 15-12 on 2nd Reading and refer back to the Housing Committee.

Motion adopted. All members voting yea.

23. **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. (PLACED ON 1ST READING & REFERED TO THE PUBLIC SAFETY COMMITTEE 2/6/12) (Pg.68)

Motion by Mr. Powers, seconded by ms. Madigan, to place Ordinance No. 16-12 on 2nd Reading and refer it back to the Public Safety Committee.

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

24. Communication from Council President Powers regarding Appointing Councilmember Juris to the Tax Incentive Review Council (Pg. 70)

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

Motion adopted. All members voting yea.

25. Communication from Council President Powers regarding Declaring March, 2012 as Save Our Homes Month. (Pg.71)

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

Motion adopted. All members voting yea.

26. **RESOLUTON NO. 8560-12** – A RESOLUTION declaring March, 2012 as Save Our Homes Month in the City of Lakewood. (Pg.72)

Mr. Joe Monroe spoke on behalf of Save Our Homes Month.

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8560-12.

Motion adopted. All members voting yea.

27. Communication from Council President Powers regarding Appointment of Kelly Mohar and Rich Neff to the Citizens Advisory Committee. (Pg. 73)

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

28. Communication from Councilmember Juris regarding Appointment of JT Neuffer to the Citizens Advisory Committee. (Pg.74)

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

29. Communication from Councilmember Madigan regarding Appointment of Jake Marx to the Citizens Advisory Committee. (Pg.75)

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

30. Communication from Councilmember Smith regarding Appointment of Edward Monroe to the Citizens Advisory Committee. (Pg.76)

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

31. Communication from Councilmember Smith regarding Appointment of JT Neuffer to the Lakewood Community Relations Advisory Commission. (Pg.77)

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

32. Communication from Councilmember Anderson regarding Appointment of J. Patrick Lang to Citizens Advisory Committee. (Pg.78)

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

Motion made by Mr. Powers and seconded to read items 33-36 consecutively for a blanket motion.

Motion adopted. All members voting yea.

33. Communication from Mayor Summers regarding Appointment of Martina Edman to the Citizens Advisory Committee. (Pg.79)

* blanket motion made for items 33- 36 to receive and file the communication

34. Communication from Mayor Summers regarding appointment of Greg Mahoney to the Citizens Advisory Committee. (Pg.80)

* blanket motion made for items 33- 36 to receive and file the communication

35. Communication from Mayor Summers regarding Appointment of Heather Rudge to the Lakewood Heritage Advisory Board. (Pg. 81)

* blanket motion made for items 33- 36 to receive and file the communication

36. Communication from Mayor Summers regarding Appointment to the Community Reinvestment Area Housing Council and Tax Incentive Review Council. (Pg.82)

* blanket motion made by Mr. Powers, seconded by Ms. Madigan to receive and file items 33-36 .

37. **RESOLUTION NO. 8561-12** – 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, concurring in the appointment of Sam O’Leary and Joe Dix to the Tax Incentive Review Council. (Pg. 83)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8561-12.

Motion adopted. All members voting yea.

38. Communication from Finance Director Pae regarding 2012 Trade-in of Fire Truck in the amount of \$160,000. (Pg.84)

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

Motion adopted. All members voting yea.

39. **RESOLUTION NO. 8562-12** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, authorizing the Director of Finance to contract with Brindlee Mountain Fire Apparatus, LLC for the trade-in of a 2001 Ferrara Aerial apparatus in exchange for a \$160,000.00 credit on the price for replacing that apparatus. (Pg. 85)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8562-12.

Motion adopted. All members voting yea.

40. Communication from Finance Director Pae regarding 2012 1st Quarter Transfers and Advances (Pg.87)

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

Motion adopted. All members voting yea.

41. **ORDINANCE NO. 17-12** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five members of Council or otherwise, to take effect and be in force after the earliest period allowed by law authorizing the transfer and advance of certain funds. (Pg.88)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 17-12 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

42. Communication from Finance Director Pae regarding 2012 WWTP Capital Contracting Ordinance. (Pg.90)

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

Motion adopted. All members voting yea.

43. **ORDINANCE NO. 18-12** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five members of Council or 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.91)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 18-12 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

44. Communication from Finance Director Pae regarding \$6,025,000 Refunding of 2003 Various Purpose General Obligation Bonds; \$1,948,000 Renewal of 2011 Various Purpose General Obligation Bond Anticipation Notes; and \$2,000,000 Issuance of 2012 Various Purpose General Obligation Bond Anticipation Notes (BANs) (Pg.93)

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

Mr. Bullock indicated he would request discussion on capital investments either in the Finance Committee or Committee of the Whole.

Mr. Powers indicated that as well as the Finance Committee the capital projects will be discussed in Public Works Committee.

Motion to refer the communication to the Finance Committee.

Motion adopted. All members voting yea.

Motion by Mr. Powers, seconded by Ms. Madigan, to suspend the rules to allow the Clerk to read items 45-57(For blanket motions after item 57)

Motion adopted. All members voting yea.

45. **ORDINANCE NO. 19-12** - AN ORDINANCE TO TAKE EFFECT IMMEDIATELY PROVIDED IT RECEIVES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF COUNCIL, OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE AFTER THE EARLIEST PERIOD ALLOWED BY LAW, PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE PRINCIPAL AMOUNT OF \$6,025,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO REFUND THE CITY'S OUTSTANDING VARIOUS PURPOSE GENERAL OBLIGATION BONDS, SERIES 2003; APPROVING AND AUTHORIZING THE SIGNING OF AN ESCROW AGREEMENT; AND DECLARING AN EMERGENCY. (Pg.94)

*Blanket motion made after item No. 57 to place on 1st Reading & Refer to the Finance Committee

46. Fiscal Officer Certificate; \$6,025,000. (Pg. 102)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

47. Fiscal Officer Certificate (Escrow Agreement) (Pg. 103)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

48. **ORDINANCE NO. 20-12** - AN ORDINANCE TO TAKE EFFECT IMMEDIATELY PROVIDED IT RECEIVES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF COUNCIL, OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE AFTER THE EARLIEST PERIOD ALLOWED BY LAW, PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE PRINCIPAL AMOUNT OF \$1,948,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF VARIOUS IMPROVEMENTS, AND DECLARING AN EMERGENCY. (Pg. 104)

*Blanket motion made after item No. 57 to place on 1st Reading & Refer to the Finance Committee

49. Fiscal Officer's Certificate; \$1, 948,000. (Pg.111)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

50. **ORDINANCE NO. 21-12** - AN ORDINANCE TO TAKE EFFECT IMMEDIATELY PROVIDED IT RECEIVES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF COUNCIL, OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE AFTER THE EARLIEST PERIOD ALLOWED BY LAW, PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A PRINCIPAL AMOUNT NOT TO EXCEED \$205,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING MADISON AVENUE, BETWEEN CERTAIN TERMINI, BY PROVIDING NEW TRAFFIC SIGNALIZATION, TOGETHER WITH ALL

NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg.112)

*Blanket motion made after item No. 57 to place on 1st Reading & Refer to the Finance Committee

51. Fiscal Officer's Certificate; \$205,000. (Pg.119)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

52. **ORDINANCE NO. 22-12** - AN ORDINANCE TO TAKE EFFECT IMMEDIATELY PROVIDED IT RECEIVES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF COUNCIL, OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE AFTER THE EARLIEST PERIOD ALLOWED BY LAW, PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A PRINCIPAL AMOUNT NOT TO EXCEED \$130,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING AND RENOVATING THE REFUSE FACILITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg. 120)

*Blanket motion made after item No. 57 to place on 1st Reading & Refer to the Finance Committee

53. Fiscal Officer's Certificate \$130,000. (Pg.126)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

54. **ORDINANCE NO. 23-12** - AN ORDINANCE TO TAKE EFFECT IMMEDIATELY PROVIDED IT RECEIVES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF COUNCIL, OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE AFTER THE EARLIEST PERIOD ALLOWED BY LAW, PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A PRINCIPAL AMOUNT NOT TO EXCEED \$255,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF REPLACING THE ROOF ON CITY HALL, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg.127)

*Blanket motion made after item No. 57 to place on 1st Reading & Refer to the Finance Committee

55. Fiscal Officer's Certificate \$255,000. (Pg.133)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

56. **ORDINANCE NO. 24-12** - AN ORDINANCE TO TAKE EFFECT IMMEDIATELY PROVIDED IT RECEIVES THE AFFIRMATIVE VOTE OF AT LEAST FIVE MEMBERS OF COUNCIL, OTHERWISE IT SHALL TAKE EFFECT AND BE IN FORCE AFTER THE EARLIEST PERIOD ALLOWED BY LAW, PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,410,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY

COSTS OF RESURFACING ATKINS AVENUE, BROCKLEY AVENUE, HIRD AVENUE, LAKELAND ROAD, LAUDERDALE AVENUE, MCKINLEY AVENUE, NORTHLAND AVENUE, ST. CHARLES AVENUE, WATERBURY ROAD, WYANDOTTE AVENUE, AND OTHER STREETS LOCATED WITHIN THE CITY, BETWEEN CERTAIN TERMINI, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg.134)

*Blanket Motion made after item No. 57 to receive and file the fiscal officers certificate

57. Fiscal Officer's Certificate \$1,410,000. (Pg.141)

Motion by Mr. Powers, seconded by Ms. Madigan, to place items 45, 48, 50, 52, 54, and 56 on 1s Reading and refer them to the Finance Committee.

Motion adopted. All members voting yea.

Motion Mr. Powers, seconded by Ms. Madigan, to receive and file Items 46, 67, 49, 51, 53, 55, and 57.

Motion adopted All members voting yea.

58. Communication from Law Director Butler regarding Update of Chapter 510, Nuisance Abatement. (Pg.142)

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.

59. **ORDINANCE NO. 25-12** - AN ORDINACE amending Sections 510.01, Declaration of Nuisances, and 510.04, Board of Nuisance Abatement Appeals, of the Codified Ordinances of the City of Lakewood for the purpose of imposing actual, not predefined, costs of nuisance abatement and revising the hearing schedule of the appeals board. (Pg.143)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 25-12 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. All members voting yea.

60. Communication from Fire Chief Gilman regarding Resolution authorizing an agreement with the Federal Emergency Management Agency to receive funds from FY 2011 Assistance to Firefighters Grant Program. (Pg.149)

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

Motion adopted. All members voting yea.

{Please Note Corrected Resolution No. }

61. **RESOLUTION NO.—~~8653~~-(8563-12)** - A RESOLUTION to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council, otherwise to take effect and be in force after the earliest period allowed by law authorizing the Mayor as Director of Public Safety, on behalf of the City, to enter into an Agreement with the Federal Emergency Management Agency to accept funds for the purchase of new radios and upgrade the existing SCBA emergency alarms in the amount of \$80,761 and requiring a match of City funds in the amount of \$20,190. (Pg. 150)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8563-12.
Motion adopted. All members voting yea.

62. Liquor Permit application for C1 and C2 transfers to Moon Group Inc. 14000 Detroit Avenue, from J Shamsi & Sons same address. (Pg.151)

Motion by Mr. Nowlin, seconded by Mr. Powers, to file no objection.

Motion adopted. All members voting yea.

Post Agenda

Council President Powers mentions the first St. Patrick's Day "Jig and Jog Race" at Madison Park. (5k)

Mayor Summers announces promotions of Joe Saad from Unit Manager in Division Manager of Fleet & Glenn Bleich from Unit Manager to Division Manager Refuse and Recycling.

Mayor Summers further informs of a Regulatory compliance deadline of January 1, 2013. The Federal Communications Commission has imposed on all municipalities across the United States a move to shift to a narrow band - Lakewood has to switch off UHF platform. In indicated there were significant penalties to not comply. Considerations were surrounded making modifications and improving present UHF platform but moving to an 800 megahertz technology which would achieve narrow band compliance requirements and interoperability. He indicated that since 9/11 it was decided that should a major catastrophe occur and multiple units arrived on the scene with different communication platforms, efficiency necessary to save lives could be compromised. The City could take advantage of some money from the County; the cost approximately \$600,000. He indicated that the City was waiting to get word on a grant that could pay for a sizable about of the \$600,000. If unsuccessful with the Grant, money in the Capital Budget Program of 2012 and 2013 may be needed to fund this project.

Motion by Mr. Powers, seconded by Ms. Madigan to adjourn the meeting.
Motion adopted. All members present voting yea.
Meeting adjourned 8:33 PM.

Approved: _____

CLERK

Brian E Powers

PRESIDENT