

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
APRIL 16, 2012
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:34 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, Human Resources Director Yousefi.

Motion by Mr. Powers, seconded by Ms. Madigan, to approve the minutes of the Regular Meeting of Council held April 2, 2012 without the necessity of a reading.

Motion adopted. All members voting yea.

1. Committee of the Whole Report regarding Ordinance No. 28-12 (To Be Provided)

#1 Committee of the Whole Report regarding Ordinance 28-12- Council President Powers; Chair

The Committee of the Whole met this evening; we had two items before us. One, an agenda review and more substantively we had before us Ordinance 28-12 regarding the moratorium on internet café sweepstakes gaming. This was a law that had originally been passed by Council, back in I believe October of 2010, this October of 2010. The moratorium has been extended a couple of times and the Law Director communicated with us in regards to that moratorium back at our last meeting. The current moratorium ends on April 18, 2012 so there's some time sensitivity so we've been asked to pass, to suspend the rules and pass this evening on second reading. The Committee of the Whole recommended to the full Council that the ordinance be adopted this evening after suspending the rules.

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

Motion adopted. All members voting yea.

2. **ORDINANCE NO. 28-12** - 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 at the earliest period allowed by law, to extend the moratorium

enacted by Ord. 72-10 on the granting of permits to operate an Internet Café, Sweepstakes Gaming Café or Computer Game Center for a period not to exceed six (6) months from April 18, 2012 in order to allow Council and the Lakewood Planning Commission to continue to review applicable case law, Ohio statute, criminal codes and the Lakewood Zoning Code relative to these establishments. (PLACED ON 1ST READING & REFERRED TO THE COMMITTEE OF THE WHOLE 4/2/12)(Pg.4)

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. 28-12 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. 28-12

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

Nays: None

Motion adopted. Ordinance No. 28-12 adopted.

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

3. Communication from Councilmember Juris regarding Resolution Honoring the St. Edward High School Wrestling Team. (Pg. 7)

Motion by Mr. Powers, seconded by Ms. Madigan, do defer action on this item.

Motion adopted. All members voting yea.

4. **RESOLUTION NO. 8573-12** – A RESOLUTION to honor St Edward High School Wrestling Team on capturing their 27th state wrestling crown. (Pg. 8)

Motion by Mr. Powers, seconded by Ms. Madigan, do defer action on this item.

Motion adopted. All members voting yea.

5. Communication from Police Chief Malley regarding D.A.R.E. Basketball Tournament Contributions. (Pg. 9)

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

Motion adopted. All members voting yea.

6. **RESOLUTION NO. 8571-12** - 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 Mayor to accept, on behalf of the City of Lakewood, donation totaling \$1,500 from various sources

within the community to subsidize the purchase of T-Shirts for the Lakewood Board of Education's 12th Annual D.A.R.E. Basketball Tournament. (Pg. 10)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8571-12.

Motion adopted. All members voting yea.

7. Communication from Finance Director Pae regarding Amended Water System Replacement Program Capital Contracting Authority Ord. 12-12. (Pg. 12)

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

Motion adopted. All members voting yea.

8. **ORDINANCE NO. 12-12A** - AN ORDINANCE 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 after the earliest period allowed by law, amending Ordinance 12-12, adopted March 5, 2012 for the purpose of increasing contracting authority 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. 13)

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

Motion adopted. All members voting yea.

9. Communication from Human Services Director Buckon regarding Family to Family Neighborhood System of Care Program. (Pg. 15)

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

Motion adopted. All members voting yea.

10. Communication from Law Director Butler regarding Resolution permitting Mayor Summers to enter into Memo of Understanding with Parma Public Housing Agency. (Pg. 16)

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.

11. **RESOLUTION NO. 8572-12** - 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 a memorandum of understanding with the Parma Public Housing Agency and other communities that recognizes the rights and obligations of each community in which landlords accept public housing vouchers. (Pg. 17)

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

Motion adopted. All members voting yea.

12. Liquor Permit for new C1 and C2 permit classes to Riser Foods Company d/b/a Lakewood GETGO #3431 – 14013 Detroit (Pg. 22)

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

Motion adopted All members voting yea.

POST AGENDA COMMENTS

End of Meeting Administrative Comments:

Finance Director Pae: Just to let Council and the public know, the City of Lakewood has successfully had two bond anticipation note sales on April 3rd. Bond Anticipation Notes are short term in nature, usually a year or less. The first sale was \$2million for what's considered new money. The \$2 million was used this year to finance the road projects that we're doing. The Madison Avenue traffic signals is starting so we've already done Clifton and Detroit's underway so our next is to study Madison Avenue for updated traffic signals, construction at the Refuse facility and replacement of some roofs throughout the city. We definitely took advantage of the interest rate environment. They sold at a yield of 0.55% and our interest that we'll be paying is 1.125% so that's a record low so far. They'll be due one year from now on April 17, 2013 when we would have to repay those. The City also had a Bond Anticipation Note sale of \$7,973,000 that was actually two different sales. One was the pay off of last years Bond Anticipation Notes which was \$1.948 million and then we are doing a refunding of our 2003 bonds which is currently at a principle amount of \$6,025,000. We're issuing these six months in duration so they'll be due in October. So, we'll be coming towards the end of the summer, probably right before the break or in September to go through the ordinances for these. The reason we're doing six months in duration is we're waiting to find out the county property reappraisal and the values because we use property taxes to pay for our debt service for these types of notes. We really want to see, in terms of cash flow wise, where are we going to be financially. We'll make a decision at that time, do we want to keep them in notes because again, the interest rate is extremely low. These had a yield of 0.4 %, they still had an interest rate of, but we're paying, the City is paying interest of 1.125%. So, we'll either keep those in notes or we'll go to bond. But just to let you know the reason we made the decision to refund the 2003 bonds, we're able to do that, their average percentage that they're at right now is about 4%, the highest being 5% so we're saving considerably in interest on those notes because of the interest rate environment by doing that refunding

Motion by Mr. Powers, seconded by Ms. Madigan to adjourn the meeting.
Motion adopted. All members voting yea.
Meeting adjourned 7:34 PM.

Approved: _____

CLERK

PRESIDENT