

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

Regular Meeting of the Lakewood City Council called to order at 7:30 PM by Acting President Madigan.

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

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Fire Representative Schad, Police Representative, Director of Planning and Development and Assistant Director of Public Safety for Housing and Building Siley, Human Resources Director Yousefi.

Motion by Ms. Madigan, seconded by Mr. Bullock, to excuse the absence of Mr. Powers.  
Motion adopted. All members present voting yea.

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Motion by Ms. Madigan, seconded by Mr. Bullock, to approve the minutes of the Regular Meeting of Council held April 16, 2012 without the necessity of a reading.

Motion adopted. All members present voting yea.

{Without objection from Council, Acting President Madigan moved items 7, 8, 5 and 6 in that order to the beginning of the agenda}

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

1. Finance Committee Report regarding 12-12A - Councilmember Madigan; Chair. (To Be Provided)

**#1 Finance Committee Report regarding Ordinance 12-12A - Madigan**

The Finance Committee met this evening at 5:30 to discuss two items. In depth, we discussed proposed ordinance 12-12A which was about the water system replacement program. The current contracting authority was approved on March 5<sup>th</sup> for \$1.1 million. Tonight we are going to vote on a substitution which is increasing the contracting authority to cover the entire project plus \$100,000 for emergency waterline work and a little bit of cushion for other waterline work that will be needed during the course of the year. This came about because the City received

notice last year that it would get 50% support from Ohio Public Works Commission for the whole water main replacement program and since the City was responsible for the bid which was open on April 20<sup>th</sup>, we needed to increase the amount. The bid was opened, reviewed and decided upon since April 20<sup>th</sup> and we're ready to go. Streets that will be included are Athens, Clarence, Belle and Westwood. The committee recommended to substitute and adopt the substituted ordinance before us this evening. The second matter we had to discuss at the meeting tonight was a settlement of an outstanding water/sewer bill for which there will be a committee report.

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

Motion adopted. All members present voting yea.

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2. **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. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE FINANCE COMMITTEE 4/16/12). (Pg.4)

Motion by Ms. Madigan, seconded by Mr. Anderson, to substitute Ordinance 12-12A.

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

Nays: None

Motion adopted. Ordinance No. 12-12A substituted.

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

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

Nays: None

Motion adopted. Rules suspended.

Motion by Ms. Madigan, seconded by Mr. Anderson, to adopt Ordinance 12-12A as substituted.

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

Nay: None

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

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3. Housing Committee Report regarding Resolution No. 8572-12 – Councilmember Anderson; Chair. (To Be Provided)

### **#3 Housing Committee Report regarding Resolution 8572-12 – Anderson**

All members of the Housing Committee met this evening at 6pm. In addition, we had Councilwoman Madigan and Councilwoman Smith, members of the administration and members of the public. We had three issues to discuss tonight. One, proposed resolution number 8572-12, and I'll start right there. I appreciate what I perceive as the intent behind this MOU which in my mind goes to the notion of being proactive, ensuring all landlord, property managers, etc. maintain or exceed Lakewood's housing standards. In fact, this issue is identified as a housing issue priority by this council just a few months ago. I've had more than one conversation with the Mayor and administration about the importance of making sure we do everything we can to make sure that our housing standards are where they need to be and being addressed. So, specifically regarding 8572-12, the committee voted unanimously that this is a step in the right direction. It memorializes Lakewood's working relationship and standards with Parma Public Housing Agency. We also believe it's worth it to note that PPHA currently has 17 units that it manages or has partnerships here in the City of Lakewood and that's out of a total of 32,000 units, so 17 out of 32,000 in regards to PPHA. In context, the CMHA, which we have a separate MOU with, has approximately 450 units in the City of that 32,000 and about a third or more of the 450 are senior housing. So, that just paints a picture of what organizations and agencies that are operating rental subsidy programs in our City. We went through a number of specific points regarding the resolution – I'm not going to give a blow by blow account if that but it was a very robust and vigorous conversation and again, the Housing Committee unanimously recommended that the full council approve this resolution authorizing the Mayor to enter into this MOU with Parma Public Housing Agency. So, that was the first agenda item. The second agenda item was a brief discussion of the housing strategy to manage vacant properties. Council and the public will recall that last year an ordinance was passed to further strengthen our toolbox regarding conditions of vacant properties. The first thing that we needed to do was to define what vacant property is and it's basically a definition of 180 days of no occupancy at all within the building be it a single, double or triple. Now what we found out since passing the ordinance is that there weren't a whole lot of specific tools that would help us easily identify properties that are now vacant under that definition. Much time, effort and consideration was undertaken by the administration under the guidance of Director Siley to strengthen our process which has led to a number of indicators. One, water; if the water has been shut off, that's a vacant property because you cannot occupy a home legally in the City of Lakewood without water. There's also visual inspections. We can cross reference in some cases against the post office if there has been a discontinuation of service. So what the administration had found out is that just short of 500 properties in the City of Lakewood are currently considered vacant and they will all be receiving a letter in June and July regarding the vacant property license application which is a \$200 fee. Now we do expect that there's a number of these recipients of this letter that are going to come back to us and say this house is not vacant and that's a good thing. It was indicated by the Director this evening that when we get feedback from homeowners about the condition of their property that is definitely a step in the right direction. We're

probably pretty accurate in the vast majority of these 500 and again we just want to make sure that we're communicating, that we have the best information possible of our neighborhoods and our housing stock. So, that was a good conversation. I thank the Director for having taken that on with us. The last agenda item of tonight's conversation dealt specifically with the ward 4 housing condition survey. Up to now, the first three wards in Lakewood had a sort of house-by-house inspection for singles and doubles and we just completed Ward 4. The good news is that Ward 4, as far as the results, is very consistent in trends and overall condition to the rest of the city so that's good news. I think that there's a number of good indicators come out of all that but I think the administration needs to be congratulated for finishing that entire case work and now we're moving into the next phase which is to reinspect and re-communicate and making sure we get homeowners to the attention points that we need to. I know it's the goal of the administration to reduce that number of 3's this year by 50% and regardless of where we get, we might exceed that goal, that would be great, but I think the Housing Committee especially is committed to working with the administration to communicate to Lakewood and all of its residents, the value of this process, the value of this strategy and the outcomes for this year and what we see for the next few years so I appreciate the opportunity there.

Smith: A couple of points that I would love to underscore...that was an excellent report, Councilman Anderson. Thank you for providing all that detail because this is obviously a subject that is so important to our constituents. I think when we're out there talking to constituents I'm sure everybody here is always getting questions and comments about housing and so of course the administration recognizes that is a priority for all of us so thank you for the detail. I think from a communication standpoint, since we're talking about this particular subject, the subject of subsidized housing, I'd love to take the opportunity to underscore a couple of the myths that were dispelled in tonight's conversation because I hear about them when I talk to residents. One is about the quality and the condition of the actual physical structures that are often associated with a subsidized housing program in Lakewood. Again, as you said and as Director Siley told us tonight, our exterior conditions survey for houses this year tells us that properties that are associated with some sort of subsidized housing program do not in fact tend to look worse than properties that are not in those types of programs; one thing I just really, really wanted to underscore. The other thing too is that people don't often realize and that I know, I'm sure again this is something that those who work in administration probably try to remind the public when it comes up is that the majority of participants in subsidized housing programs are elderly folks. I only say that because again, when we're out there talking to people in the community, you tend to hear lots of myths, assumptions and questions about subsidized housing and "what's going on with this property" and "what's going on in that property". Many times a property that's on your street that you might hear somebody asking you questions about isn't even part of a subsidized housing program. So, again, for all of us, in terms of community relations emphasizing some of

these things and continuing to debunk these myths I think is really helpful so I thought I'd throw that out there.

Anderson: Thank you, Councilwoman Smith for re-enforcing those points. I think the numbers are... there's 32,000 housing units in the City of Lakewood and less than 500 are involved in subsidized housing programs. It's just over 1% of all housing units in the City of Lakewood that are involved in these programs which I think it's all of our goal to ensure that everyone living in Lakewood are successful residents and have opportunities to partake and participate in the City as everyone would. This is not a distinction marker at all, it's just, I think your point was right on is to try to clear up some of the myths here and I appreciate your reinforcing them here so thank you.

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

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4. **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. (REFERRED TO THE HOUSING COMMITTEE 4/16/12) (Pg. 6)

Motion by Ms. Madigan, seconded by Mr. Anderson, to adopt Resolution No. 8572-12.  
Motion adopted. All members present voting yea.

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5. Communication from Councilmember Juris regarding Resolution Honoring the St. Edward High School Wrestling Team. (Deferred 4/16/12) (Pg. 11)

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

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6. **RESOLUTION NO. 8573-12** – A RESOLUTION to honor St Edward High School Wrestling Team on capturing their 27<sup>th</sup> state wrestling crown. (Deferred 4/16/12) (Pg. 12)

Motion by Ms. Madigan, seconded by Mr. Bullock, to adopt Resolution No. 8573-12.  
Motion adopted. All members present voting yea.

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

7. Communication from Councilmember Madigan regarding Welcoming the University of Akron to Lakewood. (Pg. 13)

UAL Director Suzanne Metelko introduced Provost Mike Sherman, UAL Executive Committee Members Gary Fix, Lou McMahan, and Dru Siley, mentioning other members who were unable to attend.

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

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8. **RESOLUTION NO. 8574-12** – A RESOLUTION to welcome the University of Akron to Lakewood and to express gratitude for being selected as the ideal location for the furtherance of its mission to develop enlightened members of society. (Pg. 14)

Motion by Ms. Madigan, seconded by Mr. Bullock, to adopt Resolution No. 8574-12.  
Motion adopted. All members present voting yea.

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9. Communication from Finance Director Pae regarding Updating Fees for Tall Weeds and Grass. (Pg.15)

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

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10. **ORDINANCE NO. 29-12** - 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 Section 1775.01, Weed, Tall Grass, Nuisance Vegetation or Growths over Sidewalks; Removal, of the Codified Ordinances of the City of Lakewood for the purpose of strengthening the procedures involving collection of fees related to the City's abatement of nuisances related to tall weeds and grass. (Pg.16)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 29-12 on 1<sup>st</sup> Reading and refer it to the Finance Committee.

Motion adopted. All members present voting yea.

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11. Communication from Police Chief Malley regarding University Hospitals Grant of \$1,275.00 – *Click it or Ticket and Drive Sober or Get Pulled Over* initiatives. (Pg.20)

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

Motion adopted. All members present voting yea.

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12. **RESOLUTION NO. 8575-12** – 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, as Safety Director, to enter into agreements on behalf of the City to accept an expend grant funds, in an amount not to exceed \$1,275.00, from University Hospitals of Cleveland for participation in the Click it or Ticket and Drive Sober or Get Pulled Over initiatives within the City of Lakewood. (Pg. 21)

Motion by Ms. Madigan, seconded by Mr. Bullock, to adopt Resolution No. 8575-12.

Motion adopted. All members present voting yea.

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13. Communication from Fire Chief Gilman regarding Resolution proclaiming May 21-25, 2012 as Emergency Medical Services Week. (Pg.23)

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

Motion adopted. All members present voting yea.

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14. **RESOLUTION NO. 8576-12** – A RESOLUTION authorizing the Mayor, as Director of Public Safety and on behalf of the City of Lakewood, to proclaim May 21-25, 2012 as Emergency medical Services Week. (Pg. 24)

Motion by Ms. Madigan, seconded by Mr. Bullock, to adopt Resolution No. 8576-12.

Motion adopted. All members present voting yea.

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15. (Corrected Liquor Permit was read) Liquor Permit Application for C1 7 C2 transfers to Ohio CVS Stores d/b/a CVS Pharmacy 3340; 15501 Detroit Avenue.

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

Motion adopted. All members present voting yea.

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Motion by Ms. Madigan, seconded by Mr. Bullock to adjourn the meeting.

Motion adopted. All members present voting yea.

Meeting adjourned 8:13 PM.

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

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CLERK

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PRESIDENT