

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JUNE 4, 2012
7:30 P.M.**

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

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

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Public Works Director Beno, Police Chief Malley, Human Services Director Buckon, Director of Planning and Development/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 May 21, 2012 without the necessity of a reading.

Motion adopted. All members voting yea.

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

1. Communication from Councilmembers Anderson, Bullock, Juris, Madigan, Nowlin Powers and Smith regarding Melissa Rerko. (Pg.4)

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

2. **RESOLUTION NO. 8577-12** – A RESOLUTION extending congratulations to Melissa Rerko on achieving the Girl Scouts of the USA Gold Award. (Pg.5)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8577-12.
Motion adopted. All members voting yea.

3. **ORDINANCE NO. 30-12** - 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, submitting to the electors of the City of Lakewood an amendment to the Second Amended Charter of the City of Lakewood in order to create consistency within Cuyahoga County related to filing deadlines for those standing for election to municipal offices. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 5/21/12) (Pg. 6)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 30-12 on 2nd Reading.

Motion adopted. All members voting yea.

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

4. Communication from Councilmembers Juris, Bullock and Madigan regarding 2012 Girls Rugby Team . (Pg. 9)

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

5. **RESOLUTION NO. 8581-12** – A RESOLUTION recognizing and commending the Lakewood High School Girls Rugby Team for capturing the 2012 State Championship and placing second nationally in the 2011/2012 season. (Pg. 10)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8581-12. Motion adopted. All members voting yea.

6. Communication from Councilmember Bullock regarding Resolution to help establish a primary Lakewood bikeway by designating funding for installation of “sharrows” on Detroit Avenue. (Pg. 11)

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

Motion adopted. All members voting yea.

{ Numerical duplication }

7. **RESOLUTION NO. 8582-12** - 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 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 enter into contracts not to exceed \$20,000.00 for materials and services required to establish bicycle “sharrows” on Detroit from the intersection with Alameda in the east to Bonnieview/Cordova Intersection in the west in compliance with the City of Lakewood Bicycle Master Plan. (Pg.13)

Motion by Mr. Powers, seconded by Ms. Madigan, to refer the Resolution to the Committee of the Whole.

Motion adopted. All members voting yea.

8. Communication from Finance Director Pae regarding Amending Codified Ordinance 129.131. (Pg.15)

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

Motion adopted. All members voting yea.

9. **ORDINANCE NO. 31-12** – AN ORDINANCE amending Section 129.131, Internet Auctions, of the Codified Ordinances of the City of Lakewood to allow the City to dispose of property unsold at by Internet auction by selling the property for scrap value or otherwise properly disposing of the item. (Pg. 16)

Motion by Mr. Powers, seconded by ms. Madigan, to place Ordinance No. 31-12 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

10. Communication from Law Director Butler regarding Ordinance amending Section 741.071 to regulate yard and garage sales. (Pg.18)

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

Motion adopted. All members voting yea.

11. **ORDINANCE NO. 32-12** 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, amending Section 741.071, Display for Sale of Household Goods and Furnishings from Nonretail Occupancies, of the Codified Ordinances of the City of Lakewood to establish regulations for yard and garage sales. (Pg. 19)

Motion by MR. Powers, seconded by Ms. Madigan, to place Ordinance No. 32-12 on 1st Reading and refer it to the Housing Committee.

Motion adopted. All members voting yea.

12. Communication from Law Director Butler regarding Ordinance amending Section 309.06 to make the filing of unpaid civil parking infractions as court judgments permissive rather than mandatory. (Pg.22)

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

Motion adopted. All members voting yea.

13. **ORDINANCE NO. 33-12** - 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, amending Section 309.06, Hearing Procedure, of the Codified Ordinances of the City of Lakewood to make filing a unpaid judgments with the municipal court discretionary rather than mandatory. (Pg.23)

Motion by Mr. Powers, seconded by Ms. Madigan, to place Ordinance No. 33-12 on 1st Reading and refer it to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

14. Communication from Human Services Director Buckon regarding 2012 Ohio's Senior Farmers' Market Nutrition Program. (Pg. 27)

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

Motion adopted. All members voting yea.

15. **RESOLUTION NO. – 8582-12** - 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, or his designee to enter into a Contract with the Western Reserve Area Agency on Aging to serve as a Distribution Agent in the Senior Farmers' Market Nutrition Program which provides certain fresh, locally grown foods to eligible participants. (Pg. 28)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8582-12.

Motion adopted. All members voting yea.

16. Liquor Permit Application for D5 & D6 Transfers to John A Defrasia, LTD 1st & 2nd floor, Patio & Basement, 11806 Detroit Avenue Lobby only, 11802-14 Detroit Ave. from John A Defrasia Inc, same address, (Pg. 37)

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

Motion adopted. All members voting yea.

17. Liquor Permit Application for D5 transfer to Zell Holdings, 17014 Madison Avenue from Hospitality Holdings same address. (Pg. 38)

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

Motion adopted. All members voting yea.

{add-on}

18. Liquor Permit Application for C1 and C2 transfers to Jimmys Beverage Inc. d/b/a Sams Beverage, 12201 Franklin Ave, from Samir Food Market, same address. (Pg.)

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

Motion adopted. All members voting yea.

POST AGENDA:

Donita Champion expressed concern as to the Natures Bin expansion and continued problems with delivery trucks.

Ruby Kumar opposed consideration of chicken coops in Lakewood

Councilmember Bullock stated that he agreed that accountability to maintain healthy conditions is important and that while he did witness some general clutter problems at her neighbor's address he did not witness nuisance-level conditions with her neighbor's hen coop at the time of the visit. Mr. Bullock indicated he would be bringing a proposal before Council on the issue that included provisions to address the important concerns Ms. Kumar raised."

Mr. Powers indicated he looked forward to a robust discussion on the issue.

The Bike Rodeo was referenced for Saturday

Mayor Summers mentioned the public communication change to "narrow band" would be by January, still working on securing 130 radios for safety forces, Madison Avenue repaving for 2013 – new model is no local match - - and changes being proposed making a uniform tax code and questions bout that effect on municipal government.

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

Motion adopted. All members voting yea.

Meeting adjourned 8:23 PM.

Approved: _____

CLERK

PRESIDENT

