

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
FEBRUARY 19, 2013
7:30 P.M.**

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

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

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Acting Police Chief Hassing, Fire Chief Gilman, Public Works Director Beno, Planning & Development Director Siley, Human Resources Director Yousefi.

Motion by Mr. Powers, seconded by Ms. Madigan to approve the minutes of the Regular Meeting of Council held February 4, 2013 without the necessity of a reading.

Motion adopted. All members present voting yea.

Without objection from Council, President Powers moved items 6 & 7 to the beginning of the agenda.

1. Public Works Committee Report regarding two items – Automated Recycling; Madison Avenue Signalization. Shawn Juris; Chair (Pg.5)

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

Motion adopted. All members voting yea.

2. Communication from All Councilmembers regarding Resolution on House Bill 5. (Pg.8)

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

Motion adopted. All members voting yea.

3. **RESOLUTION NO. 8636-13** – A RESOLUTION opposing the State of Ohio’s attempt to impose a one-size-fits-all tax code on Ohio Cities as proposed in House Bill 5, which would render powerless the City of Lakewood’s right to govern its own finances. (Pg. 10)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8636-13.
Motion adopted. All members voting yea.

4. Communication from Councilmember Madigan regarding Community Relations Advisory Commission appointment. (Pg.12)

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

Motion adopted. All members voting yea.

5. Amended Certificate of Results - Board of Elections; November 6, 2012 General Election. (Pg.14)

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

6. Communication from Mayor Summers regarding Local Government Innovation Fund Application. (Pg. 15)

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

Motion adopted. All members voting yea.

7. **RESOLUTION NO. 8637-13** – 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, on behalf of the City, to apply for financial assistance under the Ohio Local Government Innovation Fund (LGIF). (Pg. 16)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8637-13.

Motion adopted. All members voting yea.

8. Communication from Finance Director Pae regarding \$1,948,000 Renewal of 2011 Various Purpose General Obligation Bond Anticipation Notes; \$2,000,000 Renewal of 2012 Various Purpose General Obligation (BAN) ; and \$2,500,000 Issuance of 2013 Various (BAN). (Pg. 18)

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

Motion adopted. All members voting yea.

9. **ORDINANCE NO. 1-13** - 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 \$3,948,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF VARIOUS IMPROVEMENTS, AND DECLARING AN EMERGENCY. (Pg. 19)

Motion by Mr. Powers, seconded by Ms. Madigan, to suspend the rules and have the Clerk read items 9-20 after read consecutively for motions at their completion.

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

Nays: None

Motion adopted. Rules suspended – Clerk reads 9-20.

*Motion made on this item after item 20

10. Fiscal Officers Certificate; \$3,948,000. (Pg. 26)

*Motion made on this item after item 20

11. **ORDINANCE NO. 2-13** - 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 \$1,500,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF RESURFACING ARTHUR AVENUE, BLOSSOM PARK AVENUE, LEWIS DRIVE, SUMMIT AVENUE, LAKELAND AVENUE, OLIVE AVENUE, MARLOWE AVENUE, COVE AVENUE AND WOODWARD AVENUE, AND OTHER STREETS LOCATED WITHIN THE CITY, BETWEEN CERTAIN TERMINI, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.(Pg. 27)

*Motion made on this item after item 20

12. Fiscal Officers Certificate; \$1,500,000. (Pg. 33)

*Motion made on this item after item 20

13. **ORDINANCE NO. 3-13** - -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 \$150,000, IN ANTICIPATION OF THE

ISSUANCE OF BONDS, TO PAY COSTS OF RECONSTRUCTING MADISON AVENUE, BETWEEN CERTAIN TERMINI, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg. 34)

*Motion made on this item after item 20

14. Fiscal Officers Certificate; \$150,000. (Pg. 40)

*Motion made on this item after item 20

15. **ORDINANCE NO. 4-13** - 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 \$225,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF REPLACING A SALT STORAGE FACILITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg. 41)

*Motion made on this item after item 20

16. Fiscal Officers Certificate - \$225,000. (Pg. 47)

*Motion made on this item after item 20

17. **ORDINANCE NO. 5-13** - 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 \$225,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING A SHEET PILE BULKHEAD, DOCKS AND A PARKING AREA, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg. 48)

*Motion made on this item after item 20

18. Fiscal Officers Certificate - \$225,000 (Pg. 54)

*Motion made on this item after item 20

19. **ORDINANCE NO. 6-13** - 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 \$400,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING PARKS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. (Pg. 55)

*Motion made on this item after item 20

20. Fiscal Officers Certificate - \$400,000. (Pg.61)

Motion made by Mr. Powers, seconded by Ms. Madigan, to place on 1st reading and refer items 9-20 to the Finance Committee.

Motion adopted. All members voting yea.

21. Communication from Fire Chief Gilman regarding Severe Weather Awareness Week. (Pg. 62)

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

Motion adopted. All members voting yea.

22. **RESOLUTION NO. 8638-13** – A RESOLUTION proclaiming March 3rd through March 9th, 2013 “Severe Weather Awareness Week. (Pg. 63)

Motion by Mr. Powers, seconded by Ms. Madigan, to adopt Resolution No. 8638-13.

Motion adopted. All members voting yea.

23. Liquor Permit Application for transfers to McGintys Pub; 13747-51 Madison Avenue. (Pg. 64)

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

Motion adopted. All members voting yea.

24. Liquor Permit Application for New C1 & C2 classes to Dollar General; 15311 Detroit Avenue. (Pg. 65)

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

Motion adopted. All members voting yea.

Post Agenda:

Karen Karp

2163 Glenbury Ave

Ms. Karp addressed Council on behalf of the Friends of the Lakewood Dog Park, of which she is a board member. She mentioned that the group Secretary and Treasurer were

also present. She stated the group's intention to continue its good relationship with the City and to care for, promote, and improve the park along with the City indicating 2013 marked the 10th anniversary of the dog park.

Council President Powers referenced H20 fundraiser

Public Works Director Beno indicated the street list included in the note ordinances was preliminary

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

Motion adopted. All members present voting yea.

Meeting adjourned at 7:55 PM.

Approved: _____

CLERK

PRESIDENT