

**MINUTES
OF THE
REGULAR MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
JANUARY 21, 2014
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:40 PM by President Madigan.

Present: Councilmembers David Anderson, Thomas R. Bullock III, Shawn Juris, Mary Louise Madigan, Cindy Marx, Ryan Nowlin, Samuel T. O'Leary.

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Also Present: Mayor Summers, Law Director Butler, Finance Director Pae, Police Chief Malley, Fire Chief Gilman, Public Works Representative Papke, Planning & Development Director Siley, Human Services Director Gelsomino, Human Resources Director Yousefi.

Judge Patrick Carroll to administer the oath of office.

Reading and Disposal of the minutes of the Regular Meeting of Council held January 6, 2014.

Motion by Ms. Madigan, seconded by Mr. Nowlin to approve the minutes without the necessity of a reading.

Motion adopted. All members voting yea.

Reports, legislation and communications from Members of Council, the Mayor and other City Officials.

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

1. Committee of the Whole Report regarding Ward 2 Council Appointment (Pg. 5)

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

Motion adopted. All members voting yea.

2. **RESOLUTION NO. 8699-14** - 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 after the earliest period allowed by law, appointing Samuel T. O'leary to the office of Councilmember, Ward 2, for the unexpired term ending December 31, 2015. (PLEASE SUBSTITUTE for Resolution 8699-14 referred to the Committee of the whole 1/6/14) (Pg.6)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to substitute Resolution 8699-14 by inserting the name Samuel T. O'Leary in the blanks.

Yeas: Anderson, Bullock, Juris, Madigan, Marx

Nays: None

Motion adopted. Resolution substituted.

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution 8699-14 as substituted.

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

Nays: None

Motion adopted. Resolution adopted as substituted.

Oath of Office administered to Mr. O'Leary by Judge Patrick Carroll.

3. Committee of the Whole Report regarding Resolutions 8700-14, 8701-14 & 8702-14. (To Be Provided)

The Committee of the Whole met today at 6:45 in the Jury Room to discuss Resolution 8700-14 which is to appoint a member to serve on the Lakewood Hospital Association Governing Board, 8701-14 for a second member of Council to serve on the Board, and 8702-14 for an ex-officio non-voting Councilmember to serve on the Lakewood Animal Safety and Welfare Advisory Board. The Committee, after some discussion, unanimously voted in favor of appointing Tom Bullock to the Lakewood Hospital Board, Mary Louise Madigan Lakewood Hospital Association Governing Board, and Cindy Marx to the Animal Safety and Welfare Advisory Board. In addition, we had an agenda review and discussed Council operations for 2014.

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

Motion adopted. All members voting yea.

4. **RESOLUTION NO. 8700-14** - 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 after the earliest period allowed by law, appointing _____ as an ex-officio councilmember to the Lakewood Hospital Association Governing Board, for the term beginning January 1, 2014 and ending December 31, 2015. (REFERRED TO THE COMMITTEE OF THE WHOLE 1/6/14) (Pg. 7)

Motion by Ms. Madigan, seconded by Mr. Nowlin to amend Resolution No. 8700-14 by inserting the name Thomas R. Bullock, III.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution No. 8700-14 amended.

Motion by Ms. Madigan, seconded by Mr. Nowlin to amend Resolution No. 8700-14 by inserting the name Thomas R. Bullock, III.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution No. 8700-14 adopted amended.

5. **RESOLUTION NO. 8701-14** - 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 after the earliest period allowed by law, appointing_____as an ex-officio councilmember to the Lakewood Hospital Association Governing Board, for the term beginning January 1, 2014 and ending December 31, 2015. (REFERRED TO THE COMMITTEE OF THE WHOLE 1/6/14) (Pg. 8)

Motion by Mr. Nowlin, seconded by Mr. Bullock to amend Resolution No. 8701-14 by inserting the name Mary Louise Madigan.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution No. 8701-14 amended.

Motion by Mr. Nowlin, seconded by Mr. Bullock, to amend Resolution No. 8701-14 by inserting the name Mary Louise Madigan.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution No. 8701-14 adopted amended.

6. **RESOLUTION NO. 8702-14** - 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 after the earliest period allowed by law, appointing_____as an ex-officio, non-voting councilmember to the Lakewood Animal Safety and Welfare Advisory Board, for the term beginning January 1, 2014 and ending December 31, 2015. (REFERRED TO THE COMMITTEE OF THE WHOLE 1/6/14) (Pg. 9)

Motion by Ms. Madigan, seconded by Mr. Nowlin to amend Resolution No. 8702-14 by inserting the name Cindy Marx.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution No. 8702-14 amended.

Motion by Ms. Madigan, seconded by Mr. Nowlin to amend Resolution No. 8702-14 by inserting the name Cindy Marx.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Resolution No. 8702-14 adopted amended.

7. Planning Commission Report regarding Lusso Cosmetics-12903 Madison Avenue – Driveway Rezoning. (Pg. 10)

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

Motion adopted. All members voting yea.

8. **ORDINANCE NO. 31-13**- AN ORDINANCE to amend Section 1105.02 of the Zoning Code of the Codified Ordinances of the City of Lakewood by changing and revising the Zoning Map of the City with respect to certain property as set forth and described as a 10-foot-by-106 foot portion of the parcel located at 12903 Madison Avenue (PPN 315-23-020)

from C2 (Commercial Retail) to R2 (Single and Two-family). (PLACED ON 1ST READING & REFERRED TO THE PLANNING COMMISSION 10/21/13, 2nd reading 11/4/13) (Pg. 11)

Motion by Ms. Madigan, seconded by Mr. Nowlin to substitute Ordinance No. 31-13.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Ordinance No. 31-13 substituted.

Motion by Ms. Madigan, seconded by Mr. Nowlin to amend Ordinance No. 31-13.

Yeas: Anderson, Bullock, Juris, Madigan, Marx, Nowlin, O'Leary

Nays: None

Motion adopted. Ordinance No. 31-13 adopted amended.

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

9. Communication from Council President Madigan regarding Council Committee Assignments. (Pg. 12)

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

Motion adopted. All members voting yea.

10. Communication from Council President Madigan regarding Board of Zoning Appeals Vacancy. (Pg. 13)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive, file and refer the communication to the Committee of the Whole.

Motion adopted. All members voting yea.

11. **RESOLUTION NO. 8712-14** – 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 after the earliest period allowed by law, appointing _____ to the Board of Zoning Appeals for the unexpired term ending December 31, 2017. (Pg. 14)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to refer Resolution No. 8712-14 to the Committee of the Whole.

Motion adopted. All members voting yea.

12. Communication from Council President Madigan regarding Re-appointment of Rich Neff to Citizens Advisory Committee. (Pg. 15)

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

Motion adopted. All members voting yea.

13. Communication from Councilmember Juris regarding Appointment of Diane Helbig to Animal Safety and Welfare Advisory (Pg. 16)

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

14. Communication from Councilmember Juris regarding Appointment of Donald Heckelmoser to the Citizens Advisory Committee. (Pg. 17)

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

15. Communication from Finance Director Pae regarding Amended Purchasing and Contracting Ordinance FY2014 (Pg. 18)

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

16. **ORDINANCE NO. 1-14** – 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 36-13, adopted December 16, 2013, 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 professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2014 Appropriations Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg. 19)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 1-14 on 1st Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

17. Communication from Fire Chief Gilman regarding Trade-in of Hurst extrication equipment. (Pg. 25)

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

18. **RESOLUTION NO. 8713-14** – 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 after the earliest period allowed by law, authorizing and directing the Director of Finance to sell, through trade-in, Hurst extrication equipment in conjunction with the purchase of new extrication equipment. (Pg. 26)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution No. 8713-14.
Motion adopted. All members voting yea.

19. Communication from Planning and Development Director Siley regarding Cuyahoga County US EPA Brownfield Revolving Loan Fund. (Pg. 28)

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

20. **RESOLUTION NO. 8714-14** – A RESOLUTION supporting the application of the City of Lakewood to the Cuyahoga County U.S. EPA Brownfield Revolving Loan Fund in the City. (Pg. 29)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to adopt Resolution No. 8714-14.
Motion adopted. All members voting yea.

21. Communication from City Engineer Papke regarding Madison Avenue CUY-Lakewood Signals, Phase 4; PID 82796 (Pg. 30)

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

22. **RESOLUTION NO. 8715-14** – 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 after the earliest period allowed by law, authorizing the City of Lakewood to participate in the upgrade and interconnect of traffic signals along Madison Avenue in the City of Lakewood with the Ohio Department of Transportation. (Pg. 32)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to refer Resolution No. 8714-14 to the Public Works Committee.
Motion adopted. All members voting yea.

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

Post Agenda Comments

Councilmember O’Leary expressed thanks to Council and to supporters who attended to meeting on his behalf. He expressed enthusiasm for beginning his work on Council.

Mayor Summers announced that the Federal Aviation Administration has “grounded” the City’s drone pending federal approval for its use. The device is of a commercial nature rather than a hobbyist nature. The City expects to make progress within the next 60 days and to receive approval.

Motion adopted. All members voting yea.
Meeting adjourned at 8:14 PM.

Approved: _____

CLERK

PRESIDENT