

**MINUTES  
OF THE  
REGULAR MEETING  
OF  
LAKEWOOD CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
12650 DETROIT AVENUE  
MAY 19, 2014  
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:38 PM by President Madigan.

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Present: 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, Public Works Director Beno, Police Chief Malley, Fire Chief Gilman, Human Services Director Gelsomino, Planning & Development Director Siley, Human Resources Director Yousefi.

Reading and Disposal of the minutes of the Regular Meeting of Council held May 5, 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 Charter Review Commission Update – (Pg. 4)

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

Motion adopted. All members voting yea.

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2. **ORDINANCE NO. 19-14** – 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, to include additional provisions for hotels and motels within commercial districts in the City. (PLACED ON 1<sup>ST</sup> READING & REFERRED TO THE PLANNING COMMISSION 5/5/15) (Pg. 8)

Motion by Ms. Madigan, seconded by Mr. Nowlin to place Ordinance No. 19-14 on 2<sup>nd</sup> Reading.

Motion adopted. All members voting yea.

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

3. Annual Historic Preservation Awards Presentation (Richard Sicha presenting) (To Be Provided)

(PowerPoint presentation and awards provided)

Rick Sicha – 1519 W. Clifton Blvd.

Mr. Sicha addressed Council as Chair of the City’s Heritage Advisory Board (LHAB). Mr. Sicha welcomed everyone to the 13<sup>th</sup> annual Historic Preservation Awards. Fourteen recipients will be honored, at least two in every ward. He thanked all members of the Heritage Advisory Board.

Mr. Sicha announced other LHAB activities and initiatives including the Knowing Your Home educational series, the Annual Architectural Scavenger Hunt, and a program of the Ohio Historic Society to focus on historic home maintenance.

Commercial Revitalization

- The owners of the retail store Cotton at 14400 Detroit Ave. were recognized for their work to revitalize the Bailey Buick Building. Mr. Sicha described the significant interior and exterior renovations that took place at the property.
- The owners of Campbell’s Sweets Factory at 14730 Detroit Ave were recognized for their work to rehabilitate the property by adding new windows, doors, awnings, and signage.
- The owners of the Bow-Detroit Building were recognized for their rehabilitation of 15518-24 Detroit Ave. He described the work that took place.

Porch Rehabilitation

- The owners of 2181 Olive Ave were recognized for rebuilding their porch foundation and floor, taking care to maintain the porch’s historic columns.

Rehabilitation

- The rehabilitation of 1241 Thoreau was recognized as a great accomplishment through a partnership with Lakewood Alive, the County Land Bank and the City. The effort saved the property from demolition.

New Garage Construction

- The owners of 1487 Arthur Ave. were recognized for their work to replace a detached garage with an attached garage and upstairs addition.

- The owners of 16118 Clifton Blvd. were recognized for their work to harmonize the look and feel of their new garage with the aesthetic of the house.
- The owners of 12981 Lake Ave were recognized for their choice of interesting design that matches the home
- The owners of 2043 Lakeland Ave. were recognized for construction of a garage that is complimentary to the main house.
- The owners of 1605 Riverside Drive were recognized for their efforts to rebuild a garage closer to the home with a walkway to connect to the house. The construction was performed by the West Shore Career Technical District.

#### Historic Rehabilitation

- The owners of 12552 Clifton Blvd. were recognized for the rehab of their historic porch which involved taking the porch apart and putting it back together again.

#### Neighborhood Revitalization

- The Arthur Ave. Streetlight project was recognized for its effort to replace the old streetlights with new ones and to bury the electric lines.

#### Preservation Honor Award

- The owners of 17897 Lake Road were recognized for replacement of a 90 year old slate roof.
- The owners of 13428 Lake Rd. were recognized for replacement of a slate roof

#### Sean McDermott – 1490 Arthur Ave.

Mr. McDermott Thanked the City for recognizing the investment that residents wanted to make in the street. He thanked City staff and City Council for the partnership.

#### Corwin Bruaw 1446 Arthur Ave

Mr. Bruaw spoke on behalf of the Arthur Ave. Enhancement Committee and the Arthur Ave. residents thanked LHAB and the City Council for the award. He recognized Sean McDermott's leadership role in the streetlight project. He applauded Mr. McDermott for guiding the group through every phase of the project.

#### Thomas Langenberg – 12552 Clifton Blvd.

Mr. Langenberg stated that he was honored to accept the award and to restore his home. He expressed love for living in Lakewood.

Allen & Kerri Rodgers – 12981 Lake Ave

Mr. Rodger accepted their award and provided anecdotes about the construction process.

David Stein – 1495 Clifton Palce (Cotton)

Mr. Stein thanked the City and the residents for their support. He looks forward to many years in the location.

Lewis Kiss – 15518-24 Detroit Ave

Mr. Kiss thanked the Mayor and Council and the recognition. He expressed enthusiasm for the work to restore his building.

Ken & Kathy Haber - 17897 Lake Road

The Habers accepted their award and thanked LHAB for their design consultation.

Ann Bish – 1605 Riverside Dr.

Ms. Bish Accepted the award and recognized the collaboration between homeowners and the City. She was thrilled with the final product. She said that students worked the entire school year on the garage.

Logan Pagel – 1297 Brockley

Mr. Pagel is a student who worked on the garage. He praised the West Shore Career Technical program and its teachers. He said that the project lead to his current job.

Dana Paul – 1055 Nicholson Ave.

Mr. Paul thanked Lakewood Alive for saving 1241 Thoreau Ave. he recognized the hard work that went into the project and expressed appreciation for it.

Jessica Bollinger – 1241 Thoreau Rd.

Ms. Bollinger is the new and proud owner of the property. She thanked the City, Lakewood Alive and Mr. Paul. She expressed enthusiasm for being a new homeowner and Lakewood resident.

Eric Lowrey – 1560 Waterbury

Mr. Lowrey spoke on behalf of Lakewood Alive to thank the City, the Land Bank, Mr. Paul for turning a difficult situation into a wonderful outcome.

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4. Communication from Councilmember Bullock regarding Legislation to implement recommendations from the Lakewood Tree Task Force. (Pg.11)

Motion by Mr. Bullock, seconded by Ms. Madigan, to receive, file and refer the communication to the Public Works Committee.

Motion adopted. Allow members voting yea.

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5. **ORDINANCE NO. 20-14** – AN ORDINANCE amending Section 565.10, Prohibited Trees, of the Codified Ordinances of the City of Lakewood to revise and update an obsolete provision of local code that establishes overly prescriptive and outmoded bans on certain tree species. (Pg. 12)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 20-14 on 1<sup>st</sup> Reading and refer it to the Public Works Committee.

Motion adopted. All members voting yea.

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6. **ORDINANCE NO. 21-14** – AN ORDINANCE amending Section 905.09, Billposting; Permit for Erecting Structures or Decorations, of the Codified Ordinances of the City of Lakewood to authorize volunteer participation in a public education program of identifying tree species tags on public trees. (Pg.14)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 21-14 on 1<sup>st</sup> Reading and refer it to the Public Works Committee.

Motion adopted. All members voting yea.

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7. Communication from Councilmember Bullock regarding Report from Saturday Lakewood Farmers Market on its 2013 season. (Pg.16)

Jenny Kelly – Woodward Ave

Ms. Kelly provided Council with statistics about the market based on last year's progress. The market attracted between 500 and 700 patrons weekly. Twenty five vendors will participate in 2014. Ms. Kelly thanked Lakewood Alive for serving as the market's fiscal agent.

Paula Reed – Manor Park

Ms. Reed spoke as a representative of The Downtown Lakewood Business Alliance. The Downtown Lakewood Business Alliance has been the title sponsor of the market for three years. She complimented the role of the farmer's market in creating a festive atmosphere downtown. She noted that merchants do not see the market as competition but as a benefit to downtown. She expressed enthusiasm for the future growth of the market.

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

Motion adopted. All members voting yea.

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8. Communication from Councilmember O’Leary regarding Proposed Ordinance Prohibiting Sale to Minors of E-Cigarettes & Alternative Nicotine Products. (Pg. 17)

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

Motion adopted. All members voting yea.

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9. **ORDINANCE NO. 22-14** – AN ORDINANCE to take effect immediately provided it receives an affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, amending Section 521.14, Sale of Tobacco to Minors Prohibited; Vending machines, of the Codified Ordinances of the City of Lakewood to align local and state code with respect to the sale of alternative nicotine products. (Pg. 18)

Motion by Mr. O’Leary, seconded by Mr. Bullock, to suspend the rules requiring this Ordinance to be read on three separate days and placing Ordinance on final reading.

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

Nays: None

Motion adopted. Rules suspended.

Motion by Ms. Madigan, seconded by Mr. O’Leary, to adopt Ordinance No. 22-14.

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

Nays: None

Motion adopted. Ordinance No. 22-14 adopted.

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10. Initiative Petition – Clerk’s Certification (Pg. 22)

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

Motion adopted. All members voting yea.

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11. **ORDINANCE NO. 23-14** – Lakewood Initiative In Support Of the Movement to Amend the U.S. Constitution To Establish That Corporations Are Not People And Money Is Not Speech. (Pg.23)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 23-14 on 1<sup>st</sup> Reading and refer it to the Rules and Ordinances Committee.

Janice Ford - 12020 Lake Ave, Apt. 102

Ms. Ford recently became involved in the movement and circulated petitions. She spoke of how democracy has been lost and compromised in our political system, except at the local level.

Glenn Campbell – 15305 Lanning Ave.

Mr. Campbell circulated petitions because he disagrees with the Supreme Court decision stating that corporations are people and that money is equivalent to speech. He wants to join with other communities that have called for an amendment to the constitution to reverse the Supreme Court decision and to stop the gush of campaign spending. He remarked on a move in the U.S. Senate to introduce a constitutional amendment. He stated that Lakewood is too progressive not to be part of this movement.

Roger Sikes – 1673 Arthur Ave

Mr. Sikes expressed his passion for the issue. He remarked on the influx of cash into our political processes since Citizen’s United. He remarked that Lakewood has a responsibility to ensure that all community members have meaningful access to the political process. Because Lakewood values democracy we must take a stand. He believes that passage of this resolution would be an important step.

Motion adopted. All members voting yea.

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12. Communication from Finance Director Pae regarding Delinquent Collection Fees. (Pg. 24)

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

Motion adopted. All members voting yea.

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13. **ORDINANCE NO. 24-14** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, to enact new Section 129.60, Collection Fees, within the Administrative Code of the City of Lakewood to authorize the recovery of any fees associated with collections from the obligor. (Pg.25)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 24-14 on 1<sup>st</sup> Reading and refer to the Finance Committee.

Motion adopted. All members voting yea.

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14. Communication from Law Director Butler regarding Ordinance increasing maximum age of firefighter hires to 40. (Pg. 27)

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

Motion adopted. All members voting yea.

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15. **ORDINANCE NO. 25-14** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, to amend Section 144.03, qualifications for Applicants for Fire Department, within the Administrative Code of the City of Lakewood to increase the maximum age for a firefighter at hire to 40 years old. (Pg.28)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 25-14 on 1<sup>st</sup> Reading and refer to the Finance Committee.

Motion adopted. All members voting yea.

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16. Communication from Finance Director Pae regarding 2015 Tax Budget. (Pg. 30)

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

Motion adopted. All members voting yea.

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17. **RESOLUTION NO. 8744-14** – A RESOLUTION to take effect immediately provided it received 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, approving the tax budget of the City of Lakewood, Ohio for the year 2015, and authorizing the filing of same with the Cuyahoga County Fiscal Officer. (Pg. 31)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to receive, file and refer Resolution 8744-14 to the Finance Committee.

Motion adopted. All members voting yea.

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18. Communication from Finance Director Pae regarding 2014 2<sup>nd</sup> Quarter Transfers. (Pg.32)

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

Motion adopted. All members voting yea.

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19. **ORDINANCE NO. 26-14** – 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, authorizing the transfer and advance of certain funds. (Pg. 33)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 26-14 on 1<sup>st</sup> Reading and refer it to the Finance Committee.

Motion adopted. All members voting yea.

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20. Communication from Law Director Butler regarding 2014 codification ordinance. (Pg.35)

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

Motion adopted. All members voting yea.

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21. **ORDINANCE NO. 27-14** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect at the earliest period allowed by law, to approve the editing and inclusion of certain ordinances and resolutions



as parts of the various component codes of the Codified Ordinances and to provide for the publication of such new matter. (Pg. 36)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to place Ordinance No. 27-14 on 1<sup>st</sup> Reading and refer it to the Rules & Ordinances Committee.

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- 22. Liquor Permit Notice for D1, D2, and D3 Economic Development Transfer to“TREX” permit to Lakewood Siam d/b/a Brown Sugar 2 Thai Cuisine. 14725 Detroit Ave. Unit C2 Deferred 5/5/14) (Pg. 3 8)

Motion by Ms. Madigan, seconded by Mr. Nowlin, to defer action on this item. Motion adopted. All members voting yea.

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ANNOUNCEMENTS

Mayor Summers mentioned recent Lakewood events including the Cleveland Marathon and the Cleveland Orchestra coming to the City. He promoted the use of the reverse 911 system as a way to notify residents to move cars for special events and other important purposes. He described the features and capability of the system. He set a goal of 40% of residents to sign up. He asked for Council’s help in encouraging residents to sign up.

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Motion by Ms. Madigan, seconded by Mr. Nowlin to adjourn the meeting. Motion adopted. All members voting yea. Meeting adjourned 8:56 PM.

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

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CLERK

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PRESIDENT