Docket
of a meeting of
the Lakewood City Council
To be held in the Council Chambers
Lakewood City Hall - 12650 Detroit Avenue
May 1, 2017
7:30 P.M.

The Regular Meetings of Lakewood City Council shall be held on the first and third Mondays of each month at 7:30 P.M., except that when such meeting date falls on a holiday such meeting shall instead be held on the following day. A Docket and Agenda of the business proposed to be transacted by Council will be available in the Clerk’s Office and on the City’s website www.onelakewood.com as soon after 4 PM on the Friday before a Council meeting as possible.

Section 121.08 of the Codified Ordinances of the City of Lakewood establishes rules for the public to follow when speaking before Council:

ADDRESSING COUNCIL – The President may recognize any non-member for addressing Council on any question then pending. In such cases, the person recognized shall address the chair, state his or her name and address and the subject matter he or she desires to discuss. Speakers must be courteous in their language and avoid personalities. When addressed by the Chair, the speaker must yield the floor and comply with all rulings of the chair, said rulings not being open to debate. Except with permission of Council specifically given, speakers shall be limited to five minutes. No person who has had the floor shall again be recognized until all others desiring an opportunity to speak have been given an opportunity to do so.

AGENDA ITEMS PROTOCOL:
The Clerk at the beginning of the meeting will present the AGENDA ITEMS sign-in sheet to the President of Council. Speakers will be called to address Council by the Chair. A citizen must first write his or her name, address and agenda item number on the designated sign-in sheet in order to be recognized.

PUBLIC COMMENT PROTOCOL:
The Clerk at the end of the meeting will present the PUBLIC COMMENT sign-in sheet to the President of Council. Public Comment will be welcomed at the end of a Council Meeting on miscellaneous issues or issues other than agenda items. A citizen must first write his or her name, address and topic on the designated sign-in sheet in order to be recognized. The forum is not designed to be a question and answer session.

I. Pledge of Allegiance
II. Moment of Silence
III. Roll Call

Reading and disposal of the minutes of the Regular Meeting of Council held April 17, 2017.

Reports, legislation and communications from Members of Council, the Mayor and other City Officials.
1. Committee of the Whole Report regarding April 17, 2017 Committee of the Whole Meeting re: Concessions Agreement with Cornucopia, Inc. (Pg. 5) and May 1, 2017 Committee of the Whole meeting regarding Proposed Third Amended Charter. (To Be Provided) Mr. O'Leary; Chair.

2. **ORDINANCE NO. 19-17** – AN ORDINANCE amending Section 146.04, Advisory; Reports, of the Codified Ordinances of the City of Lakewood to further clarify the role and duties of the Lakewood Animal Safety and Welfare Advisory Board. (1st READING & REFERRED TO PUBLIC SAFETY COMMITTEE 4/3/17, 2nd READING, RECOMMENDED FOR ADOPTION 4/17/17) (Pg. 6)

3. **ORDINANCE NO. 20-17** - 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 and directing the Mayor to enter into a concession lease agreement with Cornucopia, Inc. for the operation of food concessions at Lakewood Park, pursuant to Section 155.08 of the Codified Ordinances. (PLEASE SUBSTITUTE for ORDINANCE 20-17 1st READ & REFERRED TO THE PUBLIC WORKS COMMITTEE 4/3/17, 2nd READING & RECOMMENDED FOR ADOPTION 4/17/17) (Pg. 8)

4. Finance Committee Report regarding Ordinances 21-17 & 22-17. (To Be Provided). Mr. Bullock; Chair.

5. **ORDINANCE NO. 21-17** – AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $6,050,000 OF BONDS FOR THE PURPOSE OF CURRENTLY REFUNDING THE CITY’S VARIOUS PURPOSE GENERAL OBLIGATION BONDS, SERIES 2007 (LIMITED TAX), DATED MAY 30, 2007; APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND DECLARING AN EMERGENCY. (1st READING & REFERRED TO FINANCE COMMITTEE 4/17/17) (Pg. 10)

CREATING AN ESCROW FUND FOR SAID DEFEASANCE, AUTHORIZING THE APPOINTMENT OF AN ESCROW TRUSTEE, AUTHORIZING AND APPROVING THE FORM OF AN ESCROW AGREEMENT IN CONNECTION WITH SUCH DEFEASANCE. (1ST READING & REFERRED TO THE FINANCE COMMITTEE 4/17/17) (Pg. 19)

7. Health and Human Services Committee Report regarding Community Health Needs Assessment. (To Be Provided). Ms. Marx; Chair.

8. Housing Committee Report regarding Resolution 8928-17. (To Be Provided) Mr. Anderson; Chair.

9. **RESOLUTION NO. 8928-17** – A RESOLUTION to permit the purchase of real property for an amount not to exceed $70,000 without advertising and competitive bidding or specific approval of Council as required by Lakewood Codified Ordinance §111.04 for a period of three years from the effective date of this legislation. (REFERRED TO HOUSING COMMITTEE 4/3/17) (Pg. 23)

****NEW BUSINESS****

10. Communication from Councilmembers Bullock and Marx regarding Declaring May Lakewood’s Bike Month. (Pg. 25)

11. **RESOLUTION 8930-17** – A RESOLUTION to declare the month of May as Bike Month in Lakewood, Ohio. (Pg. 26)

12. Communication from Councilmember O’Malley regarding Revising Lakewood’s laws on tattooing. (Pg. 28)

13. Communication from Mayor Summers regarding Mayoral appointment to the Lakewood Loan Approval Board. (Pg. 29)

14. Communication from Finance Director Pae regarding 2017 Capital Lease Authorization. (Pg. 30)

15. **ORDINANCE NO. 23-17** – 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 Director of Finance to enter into Equipment Leases in forms approved by the Director of Law on behalf of the City of Lakewood ("City"). (Pg. 31)

16. Communication from Law Director Butler regarding Minor changes to Chapter 505, Animals and Fowl. (Pg. 34)

17. **ORDINANCE 24-17** – 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, amending various sections of Chapter 505, Animals and Fowl, of the Codified Ordinances of the City of Lakewood to update and provide penalties for violations of those provisions. (Pg. 35)
May 1, 2017

Lakewood City Council
Lakewood, OH 44107

Re: Committee of the Whole Report; April 17, 2017

Dear Members of Council:

The Committee of the Whole met April 17, 2017 to discuss a communication from Councilmember Bullock regarding the Lakewood Public Arts Task Force. Committee Members Anderson, Bullock, Marx, Nowlin, O’Malley and I were present. Mayor’s Executive Assistant Strachan, Planning & Development Director Sylvester, Public Arts Task Force Members Katelyn Milius, Lee Norris, and Achala Wali were also in attendance.

The Committee reviewed the Public Arts Task Force recommendations which included some of the following:

- Create a public art committee
- Determine goals & strategies for publicly commissioned projects vs. privately commissioned projects in public spaces
- Identify source(s) of funding for publicly commissioned projects
- Identify priority projects
- Balance Lakewood’s art collection through a combination of permanent, temporary, and programmatic arts investments
- Help build capacity of local artists
- Start small, build off of existing cultural assets

The Chair indicated legislation for creating an Arts Committee would be proposed and a separate conversation with Lakewood Alive regarding the Warren Gateway Project would be scheduled.

Respectfully submitted,

Sam O’Leary, Chair
COMMITTEE OF THE WHOLE
ORDINANCE NO. 19-17

BY:

AN ORDINANCE amending Section 146.04, Advisory; Reports, of the Codified Ordinances of the City of Lakewood to further clarify the role and duties of the Lakewood Animal Safety and Welfare Advisory Board.

WHEREAS, the Lakewood Animal Safety and Welfare Advisory Board was established for the purpose of protecting the welfare and interests of animals through public outreach and education and by providing advice to City officials on these matters; and

WHEREAS, since its establishment, the Board has made positive contributions to City life through the efforts of hard-working and passionate volunteers; and

WHEREAS, clarifying the Board's official charge and its means for carrying out this charge will further enhance the Board's positive impact on Lakewood; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 146.04, Advisory; Reports, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

**146.04 ADVISORY; REPORTS**

The Lakewood Animal Safety and Welfare Advisory Board shall advise Council, the Mayor, and the Mayor's administration on issues formally referred to the Board by Council.

shall be and is hereby amended to read as follows:

**146.04 ADVISORY; REPORTS**

The Lakewood Animal Safety and Welfare Advisory Board shall advise Council, the Mayor, and the Mayor's administration on issues formally referred to the Board by Council be advisory and shall coordinate its activities with the Administration and Council. The board shall report to Council and the Mayor at the request of either or at its own discretion.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council,
and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: ____________________________
__________________________
President

__________________________
Clerk

Approved: ______________
__________________________
Mayor
ORDINANCE NO. 20-17

BY:

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 and directing the Mayor to enter into a concession lease agreement with Cornucopia, Inc. for the operation of food concessions at Lakewood Park, pursuant to Section 155.08 of the Codified Ordinances.

WHEREAS, the City is the owner of real property located in Lakewood, Ohio, known as Lakewood Park; and

WHEREAS, Cornucopia, Inc., which previously operated Nature’s Bin and continues to operate a prepared food commissary and training center on Sloane Avenue, is a 42-year-old Lakewood-based nonprofit organization with the special mission of providing work adjustment training for people with disabilities including developmental disabilities, mental illness, autism, visual and hearing impairment, and injuries resulting from accident or illness; and

WHEREAS, the City has determined that making available food concessions at Lakewood Park offered by this local, longstanding non-profit corporation is in the best interests of the City and will further the interests of the City and its residents; and

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal department in that the beginning of the 2017 park season is upon us; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor is hereby authorized and directed, on behalf of the City, to enter into a concession lease agreement with Cornucopia, Inc. for the operation of food concessions at Lakewood Park, pursuant to Section 155.08 of the Codified Ordinances, the agreement to be on terms approved by the Director of Law and in substantially the same form as the document attached as Exhibit A.

Section 2. To the extent Cornucopia, Inc.’s provision of services or other operation under the concession lease agreement conflicts with other established municipal rules and ordinances related to the presence of persons or the operation of food service in Lakewood Park, the concession lease agreement shall control over those rules and ordinances.
Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: __________________________________________

President

Approved: __________________________________________

Clerk

Mayor
ORDINANCE NO. 21-17

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $6,050,000 OF BONDS FOR THE PURPOSE OF CURRENTLY REFUNDING THE CITY'S VARIOUS PURPOSE GENERAL OBLIGATION BONDS, SERIES 2007 (LIMITED TAX), DATED MAY 30, 2007; APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City (the “Council”) issued Various Purpose General Obligation Bonds, Series 2007 (Limited Tax), dated May 30, 2007, in the original principal amount of $10,875,000 (the “Outstanding Bonds”) (a) to finance certain capital assets of the City, including improving buildings and sites, streets and sidewalks, municipal recreation facilities, parking facilities, sanitary sewers, and the wastewater treatment plant; reforestation; and acquiring equipment for the police and fire departments; and (b) to advance refund a portion of the City’s $8,225,000 Various Purpose General Obligation Bonds, Series 2001 (Limited Tax Obligations), dated May 3, 2001; and

WHEREAS, in view of currently prevailing lower interest rates, the Council has determined that it is advisable and in the best interest of the City to issue refunding bonds of the City to currently refund certain maturities of the Outstanding Bonds (the “Refunded Bonds”); and

WHEREAS, the Director of Finance of the City (the “Director of Finance”) has certified to this Council that the maximum maturity and authorized principal amount of the bonds herein authorized cannot exceed the maximum maturity and principal amount of the Refunded Bonds; and

WHEREAS, it is now deemed necessary to issue and sell not to exceed $6,050,000 of such bonds under authority of the general laws of the State of Ohio, including Chapter 133, Ohio Revised Code, and in particular Section 133.34 thereof, for the purpose stated in the title of this Ordinance;

WHEREAS, this Council by a vote of at least five of its members determines that this Ordinance is an emergency measure, and that this Ordinance shall take effect at the earliest date possible as set forth
in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood (the "Charter"), and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operations of municipal departments and further in order to issue and sell the Bonds to enable the City to take advantage of present interest rates and to refund the Refunded Bonds. Now Therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Issuance of the Bonds. It is hereby declared necessary to issue bonds of the City in the principal sum of not to exceed $6,050,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which bonds shall be shall be designated "City of Lakewood, Ohio Refunding Bonds, Series 2017," or as otherwise determined by the Director of Finance (the "Bonds"), for the purpose described in the title of this Ordinance. The Bonds may be issued in one or more series.

Section 2. Terms of the Bonds. The Bonds shall be issued as fully registered bonds in denominations of $5,000 or any integral multiple thereof; shall be numbered consecutively from R-1 upward, as determined by the Director of Finance; shall be dated the date determined by the Director of Finance and set forth in the Certificate of Fiscal Officer provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Director of Finance and set forth in the Certificate of Fiscal Officer, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of 12 30-day months.

Section 3. Certificate of Fiscal Officer Relating to Terms of Bonds. The Director of Finance is hereby authorized and directed to execute on behalf of the City a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Director of Finance. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 5.00% per annum, the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Director of Finance shall deem appropriate.

Section 4. Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity, as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of $5,000 or any integral multiple thereof.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be
paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at the address shown in the Bond Register (as defined hereinbelow) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

**Section 5. Form and Execution of the Bonds.** The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance; and shall be executed by the Director of Finance and the Mayor of the City (the “Mayor”), in their official capacities, provided that either or both of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

**Section 6. Payment of the Bonds.** The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the “Record Date”) (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called “Defaulted Interest”) shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the “Special Record Date”) to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date thereof to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder’s address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

**Section 7. Appointment of Bond Registrar.** The Director of Finance is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent for the Bonds (the “Bond Registrar”) or to execute on behalf of the Council a Bond Registrar Agreement with such bank or
other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as the Bond Registrar for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer’s discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the “Bond Register”). Subject to the provisions of hereinabove, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

Section 8. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the “Debt Service Levy”) for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same
falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution, provided, however, that in each year to the extent that funds are available from other sources and are lawfully appropriated for the payment of the Bonds, the amount of the Debt Service Levy shall be reduced by the amount of such funds so available and appropriated.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest and principal of the Bonds when and as the same falls due.

Section 9. Sale of the Bonds. The Bonds shall be sold at private sale to Capital One Public Funding, LLC or such purchaser or purchasers (collectively, the “Original Purchaser”), as the Director of Finance shall designate at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued to the date of delivery of the Bonds to the Original Purchaser. The Director of Finance and the Mayor of the City, or either of them individually, are authorized and directed to execute on behalf of the City a bond purchase agreement, term sheet, or similar document with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and delivered, which shall be in such form, not inconsistent with this Ordinance, as the Director of Finance shall determine.

Section 10. Establishment of Escrow Fund; Escrow Trustee. There is hereby created and established, as an account within the Bond Retirement Fund of the City, a trust fund to be designated “City of Lakewood, Ohio — Refunding Bonds, Series 2017 – Escrow Fund” (the “Escrow Fund”) or as otherwise designated by the Director of Finance, which account may be in the custody of a bank or trust company as an escrow trustee, if desired. The proceeds from the sale of the Bonds, except the accrued interest and premium thereon (if any), shall be deposited in the Escrow Fund, along with such funds, if any, as the Director of Finance may transfer from the bond retirement fund. Such moneys deposited in the Escrow Fund may be (i) held as cash or (ii) used to purchase direct obligations of or obligations guaranteed as to payment by the United States of America of such maturities and interest payment dates and bearing interest at such rates as will, as certified by such independent public accounting firm as shall be acceptable to the Director of Finance and the Original Purchaser without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to pay the interest on, and the redemption price (including any redemption premium) of, the Refunded Bonds on the earliest optional redemption date for the Refunded Bonds. The Director of Finance is also authorized, if necessary or desirable to facilitate the refunding of the Refunded Bonds, to engage a consultant to verify the sufficiency of the cash or other obligations held in the Escrow Fund to refund the Refunded Bonds on such redemption date.

Any accrued interest received from the sale of the Bonds shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the City, as permitted by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of the Bonds within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund, including the Escrow Fund contained therein, in the manner provided by law.

The Director of Finance is hereby authorized to execute on behalf of the City an Escrow Agreement (the “Escrow Agreement”) with a bank or trust company to be selected by the Director of Finance (the “Escrow Trustee”), setting forth the terms by which the Escrow Fund shall be held and disbursed, if the
Director of Finance determines that an Escrow Agreement is necessary or beneficial to facilitate the refunding of the Refunded Bonds. Such an Escrow Agreement shall be in such form, not inconsistent with this Resolution, as the Director of Finance shall determine.

Section 11. Federal Tax Law Compliance. The City hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it shall restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Director of Finance, or any other officer, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of bond proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Section 12. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of Council and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.
The Director of Finance is hereby authorized and directed to take such action (including, but not limited to, hiring bond counsel and such other professions or consultants as may be needed to facilitate the issuance of the Bonds) and to execute and deliver, on behalf of this Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 13. Placement Agent. The Director of Finance is hereby authorized to appoint KeyBanc Capital Markets Inc., to serve as placement agent for the Bonds. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 14. Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 15. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 16. Filing of Bond Ordinance. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 17. Emergency Measure. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operations of municipal departments, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds to enable the City to take advantage of present interest rates and to refund the Refunded Bonds and maximize interest costs savings in a fluctuating bond market and obtain savings in the issuance of the Bonds; and provided it receives the affirmative vote of at least five of this Council, this Ordinance shall take effect and be in force at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Charter.

Passed: ______________, 2017

President of Council

__________________________

Clerk of Council

Approved: ______________, 2017

Mayor

__________________________
CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. ___-17 duly adopted by the Council of the City of Lakewood, Ohio on __________, 2017 and that a true copy thereof was certified to the County Fiscal Officer of Cuyahoga County, Ohio.

__________________________
Clerk of Council
City of Lakewood, Ohio
CERTIFICATE OF MAXIMUM MATURITY

To: The City Council of the
    City of Lakewood, Ohio

The undersigned Director of Finance of the City of Lakewood, Ohio (the “City”) as the fiscal officer of the City, hereby certifies as follows with respect to the Refunding Bonds, Series 2017, of the City, in the principal sum of not to exceed $6,050,000 (the “Bonds”), that are to be used to currently refund all or a portion of the City’s Various Purpose General Obligation Bonds, Series 2007 (Limited Tax), dated May 30, 2007, originally issued in the aggregate principal amount of $10,875,000 (a) to finance certain capital assets of the City, including improving buildings and sites, streets and sidewalks, municipal recreation facilities, parking facilities, sanitary sewers, and the wastewater treatment plant; reforestation; and acquiring equipment for the police and fire departments; and (b) to advance refund a portion of the City’s $8,225,000 Various Purpose General Obligation Bonds, Series 2001 (Limited Tax Obligations), dated May 3, 2001; and the last maturity permitted by law is December 1, 2026 (the “Outstanding Bonds”), and the maximum maturity of the Bonds cannot exceed the last maturity permitted by law for the bonds to be refunded, in accordance with Section 133.34, Ohio Revised Code.

Therefore, the maximum maturity of the Bonds cannot be later than December 1, 2026.

Dated: April 17, 2017

[Signature]

Director of Finance
City of Lakewood, Ohio
ORDINANCE NO. 22-17

By:

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF MONEY FROM THE GENERAL FUND OF THE CITY OF LAKEWOOD, OHIO FOR THE PURPOSE OF DEFEASING $670,000 WATER SYSTEM MORTGAGE REVENUE BONDS, DATED APRIL 15, 1995 ISSUED BY THE CITY, ESTABLISHING AND CREATING AN ESCROW FUND FOR SAID DEFEASANCE, AUTHORIZING THE APPOINTMENT OF AN ESCROW TRUSTEE, AUTHORIZING AND APPROVING THE FORM OF AN ESCROW AGREEMENT IN CONNECTION WITH SUCH DEFEASANCE

WHEREAS, the City of Lakewood (the “City”) has issued special obligation bonds dated April 15, 1995 in the original principal amount of $3,125,000 (the “Outstanding Bonds”), of which $865,000 of such Outstanding Bonds remains outstanding; and;

WHEREAS, the City Council (the “Council”) of the City desires to defease $670,000 of the Outstanding Bonds maturing between July 1, 2018 and July 1, 2020 with cash from its Water Fund for the purpose of enhancing the marketing of other obligations to be issued by the City; Now Therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. This Council hereby authorizes the transfer of an amount not to exceed $665,000 from the Water Fund of the City to the Escrow Fund, as defined herein below, for the purpose of defeasing the principal and interest of the Outstanding Bonds.

Section 2. There is hereby created and established, a trust fund to be designated “City of Lakewood, Ohio 1995 Bonds Escrow Fund” (the “Escrow Fund”), or as otherwise designated by the Director of Finance, which shall be held in the custody of the Escrow Trustee, as hereinafter defined, and shall be used for the purpose of funding the defeasance of the Outstanding Bonds.

Section 3. The Director of Finance of the City (the “Director of Finance”), or any other appropriate officer of the City, is hereby authorized and directed to execute on behalf of the City an Escrow Agreement (the “Escrow Agreement”) with a bank or trust company to be selected by the Director of Finance (the “Escrow Trustee”), setting forth the terms by which the Escrow Fund shall be held and disbursed, which Escrow Agreement shall be in such form, not inconsistent with this ordinance, as the Director of Finance shall determine. Pursuant to the Escrow Agreement, the Escrow Trustee shall apply the moneys deposited in the Escrow Fund to the purchase of direct obligations of the United States of America of such maturities and interest payment dates and earning interest at such rates as will, as certified by such independent public accounting firm as shall be acceptable to the Director Finance, without further investment of reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to pay (i) the principal on the Outstanding Bonds, which is due and payable on each July 1, commencing July 1, 2018, and (ii) the interest on the Outstanding Bonds, which is due and payable on each January 1 and July 1, commencing January 1, 2018, through final maturity of the Outstanding Bonds on July 1, 2020.
Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall take effect and be in force at the earliest date permitted by law.

Passed: _____________, 2017

President of Council

Approved: _____________, 2017

Clerk of Council

Mayor
CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. ___-17 duly adopted by the Council of the City of Lakewood, Ohio on __________, 2017.

______________________________
Clerk of Council
City of Lakewood, Ohio
RECEIPT OF COUNTY FISCAL OFFICER
FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION BONDS

I, Dennis G. Kennedy, the duly elected, qualified, and acting County Fiscal Officer in and for Cuyahoga County, Ohio hereby certify that a certified copy of Ordinance No. ___-17 duly adopted by the City Council of the City of Lakewood, Ohio on __________, 2017 providing for the issuance of general obligation bonds designated City of Lakewood, Ohio Refunding Bonds, Series 2017, in the amount of not to exceed $__________, was filed in this office on __________, 2017.

WITNESS my hand and official seal at Cleveland, Ohio on __________, 2017.

__________________________________
County Fiscal Officer
Cuyahoga County, Ohio
RESOLUTION NO. 8928-17

BY:

A RESOLUTION to permit the purchase of real property for an amount not to exceed $70,000 without advertising and competitive bidding or specific approval of Council as required by Lakewood Codified Ordinance §111.04 for a period of three years from the effective date of this legislation.

WHEREAS, Council adopted Resolution No. 8726-14 on April 7, 2014 which authorized the Mayor to purchase properties within the City of Lakewood without competitive bidding for a purchase price less than $60,000 for a period of three years; and

WHEREAS, while the expiration of that authority is fast approaching, economic conditions which have been affecting local housing have are still a threat to homes in our area; and

WHEREAS, the City wants to continue to defend against the unscrupulous use of deteriorated properties; and

WHEREAS, the City would like to continue to purchase properties and either rehabilitate or raze them for use as green space or to hold in the Land Bank for future development; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor of the City of Lakewood is hereby authorized to enter into all necessary agreements and instruments for the purchase real property on behalf of the City of Lakewood without advertising or competitive bidding or specific approval of Council as required by Lakewood Codified Ordinance §111.04.

Section 2. Each individual transaction for the purchase of real property shall not exceed $70,000.

Section 3. This authority shall expire three years from the effective date of this resolution.
Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: ____________________________

PRESIDENT

CLERK

Approved: ____________________________

MAYOR
May 1, 2017

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Declaring May to be Lakewood’s Bike Month

Dear Mayor and Members of Council:

With the arrival of warm weather comes the beginning of cycling season. Along with daffodils and tulips, Lakewood residents can enjoy, after the long cold season, walks and bike rides that improve our health, reduce our fossil fuel use, and increase our feeling of well-being.

May is National Bike Month and it is filled with events to kick off the riding season. In our community, Bike Lakewood will begin Bike to Work Days on May 19 and continue them throughout the season. Other Northeast Ohio organizations are putting on rides and events continually.

One of the best ways for our city to support Bike Month is by declaring it. Accordingly, we submit for your consideration the attached resolution, which would officially declare May to be Bike Month in Lakewood.

As today is the first day of May, we respectfully request that you join us in supporting cycling in Lakewood by adopting this resolution tonight.

Sincerely,

Thomas R. Bullock III
Member of Council, at Large

Cynthia Marx
Member of Council, at Large
RESOLUTION NO.

A Resolution to declare the month of May as Bike Month in Lakewood, Ohio.

WHEREAS every year since 1956, the League of American Bicyclists has sponsored National Bike Months in May as a chance to showcase the benefits of bicycling and to encourage new ridership, and;

WHEREAS in 2012, after several years of community engagement, data collection, and collaboration between the City and local bike advocacy groups, City Council adopted the City’s first Bicycle Master Plan which articulated the goal of establishing bicycling as a main means of transportation and accommodating cyclists’ through policies, programs, and projects, and;

WHEREAS since adoption of the Bicycle Master Plan the City and its partners have taken significant steps to improve safety and mobility for cyclists including striping dedicated bike lanes on Franklin Boulevard and Madison Ave., painting sharrows on Detroit Ave., hosting Bike Rodeo cycling and education events for kids, updating local ordinances on cycling to reflect best practices and installing over 50 new bike parking facilities, among many other pro-cycling initiatives, and;

WHEREAS Lakewood is home to Spin Bike Shop and Beat Cycles, both of whom generously contribute their expertise, enthusiasm, and example to educate cyclists, promote cycling, and provide leadership to the active cycling community in Lakewood, and;

WHEREAS these initiatives and partnerships have been recognized by the League of American Bicyclists which in 2013 designated Lakewood a Bicycle Friendly Community at the Bronze Level, and;

WHEREAS throughout the month of May the City of Lakewood and its partners will be promoting and hosting cycling events such as Bike to Work Day, Bike to School Day, and Bikes & Bands which will most certainly bring attention to the City’s recent enhancements to cycling infrastructure and also maintain enthusiasm for pursuing new cycling goals; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That this Council joins with cities and towns across the nation to hereby declare the month of May to be Bike Month in the City of Lakewood.

Section 2. That this Council would like to recognize Bike Lakewood, the Planning Department, H2O, the Planning Commission, Lakewood Police Department, Lakewood City Schools, Lakewood Public Library and all other community partners who have worked in collaboration with the City now and in the past on cycling events and other cycling improvement projects.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council,
and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Adopted: ____________________________  PRESIDENT

______________________________
CLERK

Approved: ____________________________  MAYOR
May 1, 2017

Lakewood City Council
Lakewood, OH 44107

Re: Revising Lakewood’s laws on tattooing

Dear Members of Council:

Chapter 1793 of Lakewood’s code effectively prohibits the practice of tattooing in our city by requiring it be performed or supervised by a medical doctor.

Tattoos are rapidly becoming increasingly mainstream, and the industry has become remarkably professionalized. A recent study conducted by Harris Poll indicates that the majority of Americans in their 30s have a tattoo, and 70% of those with a tattoo have more than one. Revenue from tattoo shops in the U.S. is now estimated to be around $3 billion annually, and the median wages of trained and highly-skilled artists continues to rise as well.

I do not believe the city should be prohibiting this perfectly legitimate and mainstream industry from existing in Lakewood. I am asking council to review this chapter of our code and thoughtfully replace it with more reasonable language that still protects the economic development goals and interests of our city. Please refer this communication to an appropriate committee for further consideration.

Sincerely,

Daniel J. O’Malley
Councilmember, Ward 4
May 1, 2017

Lakewood City Council
Lakewood, Ohio 44107

Re: **Mayoral appointment to the Lakewood Loan Approval Board**

Dear Members of Council:

It is with great pleasure that I announce my appointment of Ben Klein to the Lakewood Loan Approval Board. His term will begin immediately and expire on December 31, 2019.

I am grateful that this fine Lakewood citizen is willing to volunteer his time, energy and knowledge to improve the quality of our community. I am confident that he will bring commitment, prudence and enthusiasm to this important responsibility.

Sincerely,

Michael P. Summers
May 1, 2017

Lakewood City Council
Lakewood, OH 44107

Re: 2017 Capital Lease Authorization

Dear Members of Council:

Attached is an ordinance to enter into an agreement with a yet to be named financial institution for the 2017 Capital Program that will finance the following in a total amount not to exceed approximately $1.7 million:

- Fire - Medical Squad
- Streets Vehicle - 5-Ton Truck with Stainless Steel Dump with Plow and Spreader
- Police Vehicles (four to five)
- Automated Side-loader Refuse & Recycling Packer Truck
- Upgrade of Public Safety Computer Aided Dispatch and Data Records System

I respectfully request that this be placed on first reading and referred to the Finance Committee. The financial institution receiving the municipal lease award will be known by the time of the committee meeting.

Sincerely,

[Signature]

Jennifer R. Pae
Director of Finance
ORDINANCE NO.  

BY:  

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 Director of Finance to enter into Equipment Leases in forms approved by the Director of Law on behalf of the City of Lakewood (“City”).

WHEREAS, the City is an Ohio political subdivision and is organized and existing under the Constitution and laws of Ohio and its Charter; and

WHEREAS, in accordance with applicable law, including without limitation its home rule authority under Ohio Constitution Article XVIII, the City has the power to acquire personal property, including without limitation, acquisition by lease-purchase agreement; and

WHEREAS, the City has requested proposals for the lease-purchase acquisition of certain property, and the authorized representatives of the City have determined that the proposal of __________________________, its affiliates, successors, or assigns is the most responsive and responsible proposal;

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect at the earliest date possible as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that these equipment leases are necessary for the operation of various departments and divisions; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKWOOD, OHIO:

Section 1. This Council makes the following findings and determinations:

(a) It is appropriate and necessary to the functions and operations of the City, to enter into one or more lease-purchase agreements (the “Equipment Leases”) in the principal amount not exceeding $1,700,000, for the purpose of acquiring the vehicles, equipment, and other personal property generally described in Exhibit A to this ordinance (the “Leased Property”) and to be described more specifically in the Equipment Leases.

(b) __________________________ is the lessor under the Equipment Leases in accordance with its proposal.

(c) The City is entering into the Equipment Leases in accordance with its power and authority under the Ohio Revised Code, the Ohio Constitution, and its Charter, to acquire the Leased Property and the Equipment Leases constitute “public obligations” as defined in Chapter 133.01(GG), Ohio Revised Code.
Section 2. The Director of Finance acting on behalf of the City is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in the form approved by the Director of Law. The Director of Finance is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Leases (including, but not limited to, escrow agreements) as the Director of Finance deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized. By a written instrument signed by the Director of Finance, the Director of Finance may designate specifically identified officers or employees of the City to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the City.

Section 3. The aggregate original principal amount of the Equipment Leases shall not exceed $1,700,000. The payments under the Equipment Leases shall include interest at the rates determined in accordance with ___________’s proposal, but in no event to exceed an annual rate of 5%. The Equipment Leases shall be for the term or terms selected by the Director of Finance, in accordance with ___________’s proposal, but in no event to exceed 20 years. The Equipment Leases shall contain such options to purchase by the City as set forth in ___________’s proposal and the Equipment Leases, and approved by the Director of Finance.

Section 4. The Clerk of Council is hereby directed to send certified copy of this Ordinance to ___________.

Section 5. All formal actions of this Council relating to the enactment of this Ordinance were taken in an open meeting of this Council, and the deliberations of this Council and any of its committees that resulted in those formal actions, were meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this Ordinance, and provided it receives the affirmative vote of at least five members of Council, this Ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: ____________________________

President of Council

Clerk of Council

Approved: ____________________________

Mayor
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<th>Project Description</th>
<th>Estimated Amount</th>
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<td>Automated sideloader refuse &amp; recycling packer truck</td>
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<td><strong>Total</strong></td>
<td><strong>$ 1,700,000</strong></td>
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</table>
May 1, 2017

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Minor changes to Chapter 505, Animals and Fowl

Dear Members of Council:

Following this communication is an ordinance that, if enacted, would update two sections of Chapter 505, which sits within the general offenses code of the Codified Ordinances, in order to provide those sections with proper penalty provisions and eliminate an orphaned provision no longer suitable for the code.

Please refer the legislation to an appropriate committee for further review.

Very truly yours,

Kevin M. Butler

Kevin M. Butler
ORDINANCE NO.         BY:

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, amending various section of Chapter 505, Animals and Fowl, of the Codified Ordinances of the City of Lakewood to update and provide penalties for violations of those provisions.

WHEREAS, currently Chapter 505 requires property maintenance of animal yard structures and for owners of cats and dogs to have those animals vaccinated with a rabies vaccine, but the code does not provide penalty provisions for those sections; and

WHEREAS, the chapter stands to be updated to eliminate mention of codified regulations not found anywhere in the code; and

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments, in that penalties should be provided for these sections immediately to allow their immediate enforcement if necessary; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 505.10, Proper Maintenance of Animal Yard Structures and Pens Required, of the Codified Ordinances, currently reading as follows:

505.10 PROPER MAINTENANCE OF ANIMAL YARD STRUCTURES AND PENs REQUIRED.

(a) No person shall keep or maintain any animal or fowl in any yard, structure or area that is not clean, dry and sanitary; free from debris and offensive odors that annoy any neighbor; and devoid of rodents and vermin.

(b) All animal pens and yards shall be so located that adequate drainage is obtained, normal drying occurs, and standing water is not present.

(c) All premises other than private residences on which animals are kept shall be subject to inspection by the Health Officer and/or the Animal Control Officer. If the Health Officer or the Animal Control Officer determines from such inspection that the premises are not be-
ing maintained in a clean and sanitary manner, he shall notify the owner of the animal in writing to correct the sanitation deficiencies within twenty-four hours after notice is served. Any animal kept under any condition which could endanger the public or animal health or create a health nuisance may be impounded. Animals shall be released after fees are paid and cause for impoundment has been corrected.

shall be and hereby is repealed, and new Section 505.10, Proper Maintenance of Animal Yard Structures and Pens Required, of the Codified Ordinances is hereby enacted to read as follows:

505.10 PROPER MAINTENANCE OF ANIMAL YARD STRUCTURES AND PENS REQUIRED.

(a) No person shall keep or maintain any animal or fowl in any yard, structure or area that is not clean, dry and sanitary; free from debris and offensive odors that annoy any neighbor; and devoid of rodents and vermin.

(b) All animal pens and yards shall be so located that adequate drainage is obtained, normal drying occurs, and standing water is not present.

(c) All premises other than private residences on which animals are kept shall be subject to inspection by the Health Officer and/or the Animal Control Officer. If the Health Officer or the Animal Control Officer determines from such inspection that the premises are not being maintained in a clean and sanitary manner, he shall notify the owner of the animal in writing to correct the sanitation deficiencies within twenty-four hours after notice is served. Any animal kept under any condition which could endanger the public or animal health or create a health nuisance may be impounded. Animals shall be released after fees are paid and cause for impoundment has been corrected.

(d) Whoever violates this section is guilty of a minor misdemeanor.

Section 2. Section 505.19, Rabies Vaccination of Dogs and Cats Required, of the Lakewood Codified Ordinances, currently reading as follows:

505.19 RABIES VACCINATION OF DOGS AND CATS REQUIRED.

Any person owning any dog or cat over 120 days of age shall be required to have such animal currently immunized against rabies. For the purpose of this chapter "currently immunized" or vaccinated against rabies shall mean that such dog or cat has been inoculated against rabies by a licensed veterinarian within the past thirty-six months. However, dogs and cats receiving the first rabies inoculation must receive a second rabies inoculation within twelve months. This provision shall not apply to any catterie breeder duly licensed under the provisions of this chapter.

is hereby repealed, and new Section 505.19, Rabies Vaccination of Dogs and Cats Required, of the Codified Ordinances is hereby enacted to read as follows.
505.19 RABIES VACCINATION OF DOGS AND CATS REQUIRED.

(a) Any person owning any dog or cat over 120 days of age shall be required to have such animal currently immunized against rabies. For the purpose of this chapter "currently immunized" or vaccinated against rabies shall mean that such dog or cat has been inoculated against rabies by a licensed veterinarian within the past thirty-six months. However, dogs and cats receiving the first rabies inoculation must receive a second rabies inoculation within twelve months. This provision shall not apply to any catterie-bred cat or dog licensed under the provisions of this chapter.

(b) Whoever violates this section is guilty of a minor misdemeanor.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in its preamble, and provided it receives the affirmative vote of at least five members of Council this ordinance shall take effect and be in force immediately, or otherwise shall take effect and be in force after the earliest period allowed by law.

Adopted: ___________________________  PRESIDENT

_______________________________  CLERK

Approved: _________________________  MAYOR

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