DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD IN THE COUNCIL CHAMBERS
LAKEWOOD CITY HALL - 12650 DETROIT AVENUE
SEPTEMBER 3, 2019
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 & disposal of the Minutes of the Regular Meeting of Council held July15, 2019.

IV. Reports, legislation and communications from Members of Council, the Mayor and other City Officials.
****OLD BUSINESS****

1. Public Works Committee report regarding meeting held July 22, 2019. (pg. 1)

2. **SUBSTITUTE ORDINANCE 23-19** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, enacting Chapter 161, Tree Advisory & Education Board, of the Lakewood Codified Ordinances to establish a permanent Tree Advisory & Education Board for the purpose of collaborating with City officials regarding its urban tree policies and practices, promoting the City’s tree programs and educating residents regarding responsible tree stewardship and the benefits of tree planting on private property. (Placed on 1st reading 7/15/19) (pg. 2)

3. Housing Committee report regarding meeting held July 22, 2019. (to be provided)

4. **ORDINANCE 19-19** - AN ORDINANCE amending Section 541.04, Criminal Mischief, of the Codified Ordinances of the City of Lakewood to include residential light nuisances. (Placed on 1st reading and referred to Housing Committee 6/3/19; 2nd reading 6/17/19) (pg. 4)

5. Finance Committee report regarding meeting held September 3rd, 2019. (to be provided)

6. **ORDINANCE 21-19** – AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, authorizing the transfer and advance of certain funds. (Placed on 1st reading and referred to Finance Committee 7/1/19, 2nd reading 7/15/19) (pg. 7)

7. Public Safety Committee report regarding meeting held September 3rd, 2019. (to be provided)

8. **ORDINANCE 05-19** - AN ORDINANCE to take effect at the earliest period allowed by law enacting Section 331.346, Using Mobile Telephones while Driving, of the Codified Ordinances of the City of Lakewood in order to update the Code so as to regulate the use of mobile phones while driving in the City. (Placed on 1st reading and referred to Public Safety 1/22/19; 2nd reading 2/4/19) (pg. 9)

****NEW BUSINESS****

9. 2019 Audit with Distinction Award – presented by the Auditor of the State. (to be provided)

10. Communication from President O’Leary regarding Welcoming Week. (pg. 11)
11. **RESOLUTION 9083-19** - A RESOLUTION to proudly support the mission and spirit of Welcoming Week 2019, a national series of events that brings communities together September 13th-22nd, in the spirit of unity to affirm the benefits of welcoming immigrants and other newcomers. (pg. 12)

12. **RESOLUTION NO. 9084-19** - A RESOLUTION to recognize and thank Chief Scott Gilman for the extraordinary length and quality of his service and leadership to the Lakewood Fire Department over the past three and a half decades. (pg. 13)

13. Communication from Vice President Anderson regarding registering your dog with the County. (pg. 14)

14. Communication from Vice President Anderson regarding ordinance to require dog registration. (pg. 15)

15. **ORDINANCE 25-19** - AN ORDINANCE repealing 905.07 Animals, and enacting a new 905.07 Animals which require that all dogs in any park be registered with the County Fiscal Officer and wear a registration tag. (pg. 16)

16. Communication from Councilmember George regarding demolition and re-build of homes. (pg. 19)

17. Communication from Vice President Anderson regarding appointment to Community Relations Advisory Commission. (pg. 20)

18. Communication from Councilmember Bullock regarding appointment to Community Relations Advisory Commission. (pg. 21)

19. Communication from Councilmember George regarding appointment to Community Relations Advisory Commission. (pg. 22)

20. Communication from Councilmember O’Malley regarding appointment to the Citizens Advisory Committee. (pg. 23)

21. Communication from Mayor Summers regarding the replacement of lead drinking water supply lines. (pg. 24)

22. Communication from Mayor Summers regarding the acceptance of Ohio Arts Council Grant Award & Commitment of Matching Funds. (pg. 27)

23. **RESOLUTION 9085-19** - A RESOLUTION to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the City of Lakewood enter into an agreement with the Ohio Arts Council to accept a grant in the amount of $2,381 and authorizing a match in the same amount. (pg. 28)
24. Communication from Mayor Summers regarding a mayoral appointment to the Lakewood Citizens Advisory Committee. (pg. 33)

25. Communication from Mayor Summers regarding a mayoral appointment to the Lakewood Citizens Advisory Committee. (pg. 34)

26. Communication from Director Gelsomino regarding an application to the NOACA 5310: Enhanced Mobility for Seniors & Individuals with Disabilities. (pg. 35)

27. **RESOLUTION 9086-19** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor or his designee to apply for a grant through the Northeast Areawide Coordinating Agency (“NOACA”) for Cleveland Urbanized Area Federal Transit Administration (FTA) funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program. (pg. 36)

28. Communication from City Engineer Papke regarding the Ohio Public Works Commission – Program Year 2020. (pg. 38)

29. **RESOLUTION 9087-19** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of council, or otherwise to take effect at the earliest period allowed by law, authorizing the Mayor of the City of Lakewood, or his designee, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program, Local Transportation Improvement Program or any other appropriate Ohio Public Works Commission program that the Summit Outfall Replacement Project qualifies for and to execute contracts as required. (pg. 39)

30. Communication from Director Sylvester regarding the Trinity Church Adaptive Reuse Project. (pg. 41)

31. Communication from Director Sylvester regarding the Cuyahoga County Bicycle & Scooter Share Program. (pg. 42)

32. Communication from Director Sylvester regarding the donation of items from Cove Church. (pg. 44)

33. **RESOLUTION 9088-19** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the donation of various items that remain at Cove Church to Lakewood organizations including the Lakewood Historical Society, LakewoodAlive, Barton Center, The Beck Center, Dr. Christine Johnson-Anglican Church, Habitat for Humanity. (pg. 45)
34. Communication from IT Manager Coletta regarding the donation of computer monitors to LakewoodAlive. (pg. 49)

35. **RESOLUTION 9089-19** - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the City of Lakewood Division of Information Technology to donate five computers monitors that are no longer in use to LakewoodAlive for the purpose of replacing theirs which have recently failed. (pg. 50)

36. Communication from Director Yousefi regarding the acceptance of exercise equipment donated to the City. (pg. 52)

37. Communication from Chief Malley regarding the acceptance of funds donated to the city by a private estate intended for the purchase of body armor for police and K9’s. (pg. 53)

****LIQUOR PERMITS****

38. Liquor Permit Notice regarding Covelli Collective LLC at 11806 Detroit Ave. & 11802-14 Detroit Ave. (pg. 54)

39. Liquor Permit Notice regarding Covelli Collective LLC at 11794-96 Detroit Ave. (pg. 55)

40. Liquor Permit Notice regrading Ashirvad Beverage LLC at 1630 W. 117th Street S/E Unit. (pg. 56)

41. Liquor Permit Notice regarding Talia and Brothers LLC at 14412 Detroit Rd. (pg. 57)

42. Liquor Permit Notice regarding Albestan LLC at 13610 Detroit Ave.- Types C1 & C2 (pg. 58)
Dear Members of Council,

The Public Works Committee met on July 22nd with all members present, along with members of the administration, and members of the former Tree Taskforce. The minutes for the committee’s previous meeting on June 13th were approved. The committee focused on two pieces of legislation, Resolution 9081-19, which endorses the principles for tree care and urban forestry goals recommended by the former Tree Taskforce, and Ordinance 23-19, which establishes a permanent Tree Advisory and Education Board to collaborate with the city regarding urban tree policy and educate residents on responsible tree stewardship and the benefits of planting.

After a well-rounded discussion, minor changes were made to the language of both pieces of legislation. Both items were unanimously recommended by the committee for adoption by full council. We are aiming to have the Tree Advisory and Education Board up and running by this fall, with the intent for the new members to begin their work of educating residents and promoting planting programs in the spring of next year. Council welcomes resumes from any Lakewood residents interested in participating in this new initiative.

Sincerely,

Tristan Rader, Chair
Tom Bullock, David Anderson; Members
PUBLIC WORKS COMMITTEE
AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, enacting Chapter 161, Tree Advisory & Education Board, of the Lakewood Codified Ordinances to establish a permanent Tree Advisory & Education Board for the purpose of collaborating with City officials regarding its urban tree policies and practices, promoting the City’s tree programs and educating residents regarding responsible tree stewardship and the benefits of tree planting on private property.

WHEREAS, recognizing the importance of trees to the cultural and environmental wellbeing of our City, the Tree Task Force was established by City Council in 2012 and charged with recommending action items on the City’s public and private tree populations; and

WHEREAS, in 2014, the task force issued a set of 19 recommendations to Council focused on tree planting, tree policies, education, outreach and tree protection; and

WHEREAS, one of the Tree Task Force’s recommendations was that the City establish a permanent volunteer body dedicated to the City’s trees; and

WHEREAS, this Council concurs with the Tree Task Force’s above-mentioned recommendation and believes that the City and its residents would benefit from the knowledge and enthusiasm of a permanent volunteer Tree Advisory & Education Board; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately after its adoption by Council and approval by the Mayor in order to assemble an initial Board to be of assistance during the City’s fall tree planting season; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Chapter 161, Tree Advisory & Education Board, is hereby enacted to read as follows:

CHAPTER 161
Tree Advisory & Education Board

161.01 Establishment; purpose.
161.02 Membership
161.03 Terms
161.04 Bylaws and general rules of operation
161.05 Public records; Reporting duties

Section 161.01 Establishment
That the Tree Advisory & Education Board is hereby established with the charge of collaborating with City officials regarding its urban tree policies and practices, promoting the City’s tree programs and educating residents regarding
responsible tree stewardship and the benefits of tree planting on private property.

Section 161.02 Membership
The Tree Advisory & Education Board shall be composed of five volunteer members, three of whom shall be appointed by Council and two of whom shall be appointed by the Mayor. Special consideration will be given to applicants with background and expertise in forestry. Additionally, the Director of Public Works or his or her designee and shall serve as an ex officio non-voting member. Council may appoint a non-voting ex officio member if it chooses.

Section 161.03 Terms
Members of the Tree Advisory & Education Board shall serve a term of three years and receive no compensation for service. Initial appointment shall be staggered so that two members’ terms expire every three years.

Section 161.04 Bylaws and general rules of operation
The Tree Advisory & Education Board shall be empowered to adopt its own bylaws and rules for operation consistent with this chapter including whether or not to elect a Chairperson or other officers.

161.05 Public records; Reporting duties
The Tree Advisory & Education Board shall meet at least on a quarterly basis. All meetings of the Tree Advisory & Education Board shall be open to the public and a record of its business maintained by its members. The Tree Advisory & Education Board is responsible for compliance with Chapter 109 of the Lakewood Codified Ordinances. The Board is required to arrange an annual meeting with City Council’s Public Works Committee to discuss its work.

SECTION 2. 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 of any of its committee that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. 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 two thirds of the 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

____________________________

CLERK

Approved: ___________________________ ______________________________

MAYOR
ORDINANCE NO. 19-19

BY: BULLOCK

AN ORDINANCE amending Section 541.04, Criminal Mischief, of the Codified Ordinances of the City of Lakewood to include residential light nuisances.

WHEREAS, it is necessary to amend Section 541.04 of the Code in order to ensure Lakewood residents’ peaceful enjoyment of their own property; and

WHEREAS, this Council has determined that the amendment of Section 541.04 is a matter of local self-government and/or a matter of local police powers; 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 ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 541.04, Criminal Mischief, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

541.04 CRIMINAL MISCHIEF.
  (a) No person shall:
      (1) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with the property of another;
      (2) With purpose to interfere with the use or enjoyment of property of another, employ a tear gas device, stink bomb, smoke generator or other device releasing a substance which is harmful or offensive to persons exposed, or which tends to cause public alarm;
      (3) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a bench mark, triangulation station, boundary marker or other survey station, monument or marker;
      (4) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with any safety device, the property of another, or the property of the offender when required or placed for the safety of others, so as to destroy or diminish its effectiveness or availability for its intended purpose;
      (5) With purpose to interfere with the use or enjoyment of the property of another, set a fire on the land of another or place personal property that has been set on fire on the land of another, which fire or personal property is outside and apart from any building, other structure or personal property that is on that land.
  (b) As used in this section, “safety device” means any fire extinguisher, fire hose or fire axe, or any fire escape, emergency exit or emergency escape equipment, or any life line, life-saving ring, life preserver or life boat or raft, or any alarm, light, flare, signal, sign or notice intended to warn of danger or emergency, or intended for other safety purposes, or any guard railing or safety barricade, or
any traffic sign or signal, or any railroad grade crossing sign, signal or gate, or any first aid or survival equipment, or any other device, apparatus or equipment intended for protecting or preserving the safety of persons or property.

(c) Whoever violates this section is guilty of criminal mischief, a misdemeanor of the third degree. If violation of this section creates a risk of physical harm to any person, criminal mischief is a misdemeanor of the first degree. If the property involved in a violation of this section is an aircraft, an aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid or any other equipment, implement or material used or intended to be used in the operation of an aircraft, or any cargo carried or intended to be carried in an aircraft, and if the violation creates a risk of physical harm to any person, or if the property involved in a violation of this section is an occupied aircraft, criminal mischief is a felony and shall be prosecuted under Ohio R.C. 2909.07.

is hereby repealed, and new Section 541.04, Criminal Mischief, of the Codified Ordinances of the City of Lakewood is hereby enacted to read as follows:

541.04 CRIMINAL MISCHIEF.

(a) No person shall:

(1) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with the property of another;

(2) With purpose to interfere with the use or enjoyment of property of another, employ a tear gas device, stink bomb, smoke generator or other device releasing a substance which is harmful or offensive to persons exposed, or which tends to cause public alarm;

(3) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a bench mark, triangulation station, boundary marker or other survey station, monument or marker;

(4) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with any safety device, the property of another, or the property of the offender when required or placed for the safety of others, so as to destroy or diminish its effectiveness or availability for its intended purpose;

(5) With purpose to interfere with the use or enjoyment of the property of another, set a fire on the land of another or place personal property that has been set on fire on the land of another, which fire or personal property is outside and apart from any building, other structure or personal property that is on that land.

(6) With purpose to interfere with the use or enjoyment of the property of another, maintain a light nuisance originating from a residential property by causing light to unreasonably shine, glare, reflect or direct onto the property of another.

(b) As used in this section, “safety device” means any fire extinguisher, fire hose or fire axe, or any fire escape, emergency exit or emergency escape equipment, or any life line, life-saving ring, life preserver or life boat or raft, or any alarm, light, flare, signal, sign or notice intended to warn of danger or emergency, or intended for other safety purposes, or any guard railing or safety barricade, or any traffic sign or signal, or any railroad grade crossing sign, signal or gate, or any first aid or survival equipment, or any other device, apparatus or equipment intended for protecting or preserving the safety of persons or property.

(c) Whoever violates subsection (a)(6) of this section is guilty of a minor misdemeanor.

(d) Whoever violates any remaining subsections of this section is guilty of criminal mischief, a misdemeanor of the third degree. If violation of this section creates a risk of physical harm to any person, criminal mischief is a misdemeanor of the first degree. If the property involved in a violation of this section is an aircraft, an aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid or any other equipment, implement or material used or intended to be
used in the operation of an aircraft, or any cargo carried or intended to be carried in an aircraft, and if the violation creates a risk of physical harm to any person, or if the property involved in a violation of this section is an occupied aircraft, criminal mischief is a felony and shall be prosecuted under Ohio R.C. 2909.07.

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

Adopted: ____________________________

______________________________
President of Council

______________________________
Clerk of Council

Approved: ____________________________

______________________________
Mayor
ORDINANCE NO. 21-19

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, authorizing the transfer and advance of certain funds.

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, 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 to provide for the usual daily operation of the City in that the City must record all financial transactions within the appropriate fiscal period. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That the Director of Finance be and is hereby authorized to make the following transfers and advances:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Transfers Out</th>
<th>Transfers In</th>
</tr>
</thead>
<tbody>
<tr>
<td>101 General Fund</td>
<td>$ 482,128</td>
<td></td>
</tr>
<tr>
<td>Special Revenue Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>250 Office on Aging IIB</td>
<td>$ 345,000</td>
<td></td>
</tr>
<tr>
<td>Internal Service Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>600 Hospitalization</td>
<td>$ 128,364</td>
<td></td>
</tr>
<tr>
<td>601 Workers’ Compensation</td>
<td>$ 8,764</td>
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<td>Debt Service Payments</td>
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</tr>
<tr>
<td>512 WWTP Improvements</td>
<td>$ 1,000,000</td>
<td></td>
</tr>
<tr>
<td>301 Debt Service Fund</td>
<td>$ 1,000,000</td>
<td></td>
</tr>
</tbody>
</table>

Section 2. The Third Amended Charter published in the Codified Ordinances is the official charter of the City of Lakewood.

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 two thirds of the 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
ORDINANCE NO. 05-19
BY: O'LEARY

AN ORDINANCE to take effect at the earliest period allowed by law enacting Section 331.346, Using Mobile Telephones while Driving, of the Codified Ordinances of the City of Lakewood in order to update the Code so as to regulate the use of mobile phones while driving in the City.

WHEREAS, the National Highway Traffic Safety Administration has reported that nearly 4,000 Americans are killed and close to 400,000 are injured annually in accidents involving distracted drivers; and

WHEREAS, this public safety concern shows no signs of abating, given the prevalence of alternatives to handheld mobile phone use, and the fact that handheld cell phone use continues to be highest among 16-24 year old drivers according to the National Occupant Protection Use Survey; and

WHEREAS, the City of Lakewood, Ohio, is a walkable, bikeable, and densely populated community in which it is of heightened importance that drivers remain aware of their surroundings; 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 ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. New Section 331.346, Using Mobile Telephones while Driving, of the Codified Ordinances of the City of Lakewood is enacted to read as follows:

331.45 USING MOBILE TELEPHONES WHILE DRIVING.

(a) Definitions. As used in this Section:

(1) “Mobile telephone” means, including but not limited to cellular, analog, wireless and digital telephones.

(2) “Use” means to use a mobile telephone in text messaging, typing, reading or scrolling on the mobile telephone’s screen or display, dialing, answering, talking or listening.

(3) “Park” means for an automatic transmission vehicle that the vehicle is in the Park gear; for a standard transmission vehicle that the vehicle is in the neutral gear and the brake is being utilized or otherwise stationary.
(b) **Purpose.** It is the purpose of this Section and the policy of the City to regulate the use of mobile telephones, which are used while persons are operating a motor vehicle in order to protect other persons operating motor vehicles and pedestrians and other forms of traffic in the City.

(c) **Severability.** In the event that any provision of this Section is found by a court of competent jurisdiction to be invalid, unconstitutional or unenforceable, such provision shall be deemed severable from the remainder of this Section and shall not cause the invalidity or unenforceability of the remainder of this Section; and if a provision shall be deemed invalid only because of excessive scope or breadth, the provision shall be deemed valid to the extent of the scope and breadth permitted by law.

(d) **Use; Restrictions.**

(1) No person shall operate a motor vehicle on any street or highway while engaging in any conduct defined as the “use” of a mobile telephone unless the operator maintains both hands on the applicable steering device.

(2) Subsection (d)(1) hereof does not apply to a person who is using the mobile telephone:

A. To contact public safety forces, or

B. While maintaining the vehicle in the park position either on public or private property, or

C. With a “hands-free device” which allows the operator to maintain both hands on the vehicle while using the mobile telephone.

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

Adopted: ___________________________ ______________________________

PRESIDENT

____________________________

CLERK

Approved: ___________________________ ______________________________

MAYOR
September 3, 2019

Lakewood City Council
Lakewood, Ohio 44107

Re: Welcoming Week 2019, an initiative to affirm the benefits of welcoming immigrants

Dear Council Members,

Please join me in supporting the mission and spirit of Welcoming Week 2019, a national series of events that brings communities together September 13th-22nd, in the spirit of unity to affirm the benefits of welcoming immigrants and other newcomers. The City of Lakewood seeks to nurture a community culture committed to social justice and assure that all groups and individuals are welcomed to participate fully in civic affairs with equal access to employment, community resources, and decision-making processes.

During the week of September 13th–22nd Global Cleveland will lead our region in hosting Welcoming Week 2019 – an exciting week of events designed to exhibit, applaud, and reflect on the many benefits that immigrants and other newcomers bring to our state, region and City. The City of Lakewood is pleased to support the Welcoming Week 2019 as a way to continue the momentum built around attracting, welcoming, and connecting immigrants and other newcomers into the fabric of our communities. This Council thanks Global Cleveland for hosting this event and for all the important work it does to strengthen communities and create a diverse, inclusive environment for newcomers to the region.

Sincerely,

Sam O’Leary
Council President
RESOLUTION NO. 9083-19

BY: O’LEARY

A RESOLUTION to proudly support the mission and spirit of Welcoming Week 2019, a national series of events that brings communities together September 13th-22nd, in the spirit of unity to affirm the benefits of welcoming immigrants and other newcomers.

WHEREAS, the City of Lakewood is a community of people with diverse ethnicities, backgrounds and cultures which have contributed to its rich and unique character; and

WHEREAS, the City of Lakewood seeks to nurture a community culture committed to social justice and assure that all groups and individuals are welcomed to participate fully in civic affairs with equal access to employment, community resources, and decision-making processes; and

WHEREAS, it is important to recognize the contributions of immigrants and other newcomers in our city, state and region because it is part of our present and an important part of our past, and

WHEREAS, during the week of September 13th – 22nd Global Cleveland will lead our region in hosting Welcoming Week 2019 – an exciting week of events designed to exhibit, applaud, and reflect on the many benefits that immigrants and other newcomers bring to our state, region and City; and

WHEREAS, the City of Lakewood is pleased to support the Welcoming Week 2019 as a way to continue the momentum built around attracting, welcoming, and connecting immigrants and other newcomers into the fabric of our communities; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That this Council and Administration does hereby recognize and support Welcoming Week 2019 and would like to use Welcoming Week as an opportunity to officially welcome immigrants and other newcomers to Lakewood.

Section 2. That this Council thanks Global Cleveland for hosting this event and for all the important work it does to strengthen communities and create a diverse, inclusive environment for newcomers to the region.

Section 3. That this Council and Mayor, on behalf of the citizens of Lakewood, reaffirms Lakewood’s commitment to the values of equality, diversity, and inclusion and recommits to promoting the same through example and public policy.

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 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

012
RESOLUTION NO. 9084-19

BY: ANDERSON, BULLOCK, GEORGE, LITTEN, O’LEARY, O’MALLEY, RADER

A RESOLUTION to recognize and thank Chief Scott Gilman for the extraordinary length and quality of his service and leadership to the Lakewood Fire Department over the past three and a half decades.

WHEREAS, Chief Gilman has given 41 years to the fire service, spending 38 of them as a proud member of the Lakewood Fire Department; and

WHEREAS, Chief Gilman has led the department over the last 8 years, being appointed to the post, after serving the city as fire marshal since 1992; and

WHEREAS, Chief Gilman’s service to the City and the Fire Department has been characterized by an all-consuming dedication to the Fire Service, effective mentorship to the department’s rising leaders, and moving the department forward into the modern era of firefighting; and

WHEREAS, Chief Gilman endeared himself to City Council by skillfully seeking out creative funding opportunities each year that frequently required no matching funds; just one example among many of his leadership; and

WHEREAS, Chief Gilman will be solely missed by his colleagues who will remember him for his visionary leadership, forward thinking mentality and Tony Packo hot dog lunches; Now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That this Council and Administration does hereby thank Chief Scott Gilman for the extraordinary length and quality of his service and leadership to the Lakewood Fire Department since his appointment in 1981.

Section 2. That this Council and Administration does hereby express its well-wishes that Chief Gilman experience an enjoyable retirement from service to the City, free from the responsibility of caring for the safety and welfare of 90 members of the Lakewood Fire Department.

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
September 3, 2019

Lakewood City Council
Lakewood, Ohio

Re: Registering your dog with the County

In early 2018 City Council spent many public meetings deliberating on the City’s dog ordinances. These deliberations resulted in significant changes to the ordinances and were greatly influenced by the input of hundreds of residents and other animal lovers who packed the City Hall Auditorium to voice their support for policies that promote the safety and proper care of all Lakewood dogs. I wanted to follow up on that outpouring of public support for our pets by sharing information regarding Lakewood’s rate of dog registration and making the case for the importance and value of registering all dogs.

Per Ohio law, every dog must be registered with the County where it is owned or kept. Annual and three-year licenses are available at a cost $20 per year. A permanent license is also available for $200. The Cuyahoga County Animal Shelter (CCAS) estimates that 11,000 dogs currently live in Lakewood. They report the following rates of registration:

- 2016 – 28%
- 2017 – 27%
- 2018 – 37%

In addition to protecting the rights of dog owners, registering your dog supports the direct operations of CCAS which includes housing, feeding and providing veterinary services for all dogs, lost and found services, and the adoption process – all things that Lakewood dog owners and dog lovers convinced me that they care deeply about. Imagine the positive impact on the health and welfare of the animals cared for at CCAS should the rate of dog registration in Lakewood double or increase to 80%, 90% or 100% over the coming years! While complete compliance with the law may be out of reach, we can and should set high expectations and promote the message that responsible dog ownership starts with registering your dog.

Over the past several years, Lakewood has taken many steps to be more welcoming and protective of our dogs. As we look to the future, I ask that all dog owners do their part to raise the rate of registration in Lakewood so that Lakewood will continue to be a great home for dogs and responsible owners. If you have registered your dog in the past – thank you! Your effort makes a difference! For more information or to register your dog, please contact CCAS, Pet Supplies Plus, or go to www.cuyahogadogs.com.

Yours in Service,

David W. Anderson
September 3, 2019

Lakewood City Council
Lakewood, Ohio

Re: Ordinance to Require Dog Registration

Dear Colleagues:

The accompanying ordinance would require that a dog be registered with the Cuyahoga County Fiscal Officer and wear a registration tag in order to be permitted into any Lakewood park.

Per my related communication, the value of registering a dog includes direct support for shelter, lost and found, feeding, veterinary, adoption and multiple other services managed by the Cuyahoga County Animal Shelter (CCAS).

The CCAS reports that just over three in 10 Lakewood dogs are registered with the County. With the CCAS estimating that 11,000 dogs live in Lakewood homes, this leaves approximately 7,000 dogs remaining unregistered.

In my opinion, while it is unrealistically idealistic to believe that all dog owners will regularly register their dogs as required by Ohio law, it is also pragmatic to add a requirement that the owners of dogs enjoying Lakewood parks have their dogs registered as a way of increasing overall registration and enhancing the services of the Cuyahoga County Animal Shelter.

I thank my colleagues, in advance, for their attention to this matter and look forward to the opportunity to persuade members of Council and the Mayor of the merits of this proposal.

Yours in service,

David W. Anderson
Councilmember Ward 1
AN ORDINANCE repealing 905.07 Animals, and enacting a new 905.07 Animals which require that all dogs in any park be registered with the County Fiscal Officer and wear a registration tag.

WHEREAS, the greater Lakewood community values the inclusion of dogs in its neighborhoods and parks; and

WHEREAS, the general welfare of all animals in need of shelter, food and care at the Cuyahoga County Animal Shelter remains a vital need for hundreds of dogs and animals every year; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Section 905.07, Animals, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

905.07 ANIMALS.

(a) Animals Prohibited. No dogs or other animals shall be allowed within the parks, with the exception of those animals specifically authorized by the Director of Public Works or by ordinance.

(b) Feeding of Animals Prohibited. No person shall feed or otherwise provide food to geese, other wild animals and/or birds within the parks.

(c) Molesting Animals. No person shall use any weapon, stick, stone or missile of any kind in the destruction or injury of or to, or in such manner as to disturb or molest, any wild or domestic fowl, animal or fish properly within the park limits.

(d) If dogs are permitted within any park pursuant to subsection (a) hereof, no person shall fail to adhere to the following rules and restrictions:

(1) Any dog must be on a leash that is extended no farther than six feet and must wear a collar or harness that must be specifically made or manufactured to be the proper size and strength for that particular dog.

(2) Any dog must be under control of a person who possesses discretion and physical strength sufficient to exercise reasonable restraint and control conforming to the animal’s weight, size and strength.

(3) Any person bringing a dog into a park or exercising control of a dog while in a park shall promptly clean up any waste from the dog and place it in the receptacles provided.

(4) At Lakewood Park:

A. Any person walking a dog on paved paths shall yield way to any and all traffic on the paths without dogs and shall obey other rules related to traffic on paved paths at the park posted by the Director of Public Works.

B. Dogs shall be prohibited on July 4 and on any days or portions of days during which widely-attended public events, including but not limited to City-sponsored events or events for which a “Special Event Permit” has been issued, shall be staged wholly or in part at Lakewood Park and at which the Chief of Police or the Director of Public Works determines that prohibiting leashed dog walking at Lakewood Park would be conducive to public safety. At such times that dogs shall be prohibited in a park, signs indicating the prohibition shall be conspicuously posted at entrances to the park.
(5) Notwithstanding any provision of this section, dogs shall be prohibited from the following areas within Madison Park, Lakewood Park and Kauffman Park:

A. Playground equipment, playground areas, and 30 feet immediately surrounding;
B. The athletic fields, courts and skating areas, whether or not they are in use;
C. Any garden or decorative areas planted with vegetables;
D. Flowers, shrubs or other decorative vegetation;
E. The Kiwanis Pavilion; and
F. The handicap-accessible ramp which extends from the eastern end of the top of the bluff to the lower lakefront promenade.

is hereby repealed.

Section 2. Section 905.07 Animals, of the Codified Ordinances of the City of Lakewood, is hereby enacted to read as follows:

905.07 ANIMALS.
(a) Animals Prohibited. No dogs or other animals shall be allowed within the parks, with the exception of those animals specifically authorized by the Director of Public Works or by ordinance.
(b) Feeding of Animals Prohibited. No person shall feed or otherwise provide food to geese, other wild animals and/or birds within the parks.
(c) Molesting Animals. No person shall use any weapon, stick, stone or missile of any kind in the destruction or injury of or to, or in such manner as to disturb or molest, any wild or domestic fowl, animal or fish properly within the park limits.
(d) If dogs are permitted within any park pursuant to subsection (a) hereof, no person shall fail to adhere to the following rules and restrictions:
   (1) Any dog must be on a leash that is extended no farther than six feet and must wear a collar or harness that must be specifically made or manufactured to be the proper size and strength for that particular dog.
   (2) Any dog must be under control of a person who possesses discretion and physical strength sufficient to exercise reasonable restraint and control conforming to the animal’s weight, size and strength.
   (3) Any person bringing a dog into a park or exercising control of a dog while in a park shall promptly clean up any waste from the dog and place it in the receptacles provided.
   (4) Any dog must be registered with the County Fiscal Officer and wear a registration tag.
   (5) At Lakewood Park:
      A. Any person walking a dog on paved paths shall yield way to any and all traffic on the paths without dogs and shall obey other rules related to traffic on paved paths at the park posted by the Director of Public Works.
      B. Dogs shall be prohibited on July 4 and on any days or portions of days during which widely-attended public events, including but not limited to City-sponsored events or events for which a “Special Event Permit” has been issued, shall be staged wholly or in part at Lakewood Park and at which the Chief of Police or the Director of Public Works determines that prohibiting leashed dog walking at Lakewood Park would be conducive to public safety. At such times that dogs shall be prohibited in a park, signs indicating the prohibition shall be conspicuously posted at entrances to the park.
      (5) Notwithstanding any provision of this section, dogs shall be prohibited from the following areas within Madison Park, Lakewood Park and Kauffman Park:
         A. Playground equipment, playground areas, and 30 feet immediately surrounding;
         B. The athletic fields, courts and skating areas, whether or not they are in use;
         C. Any garden or decorative areas planted with vegetables;
         D. Flowers, shrubs or other decorative vegetation;
         E. The Kiwanis Pavilion; and
F. The handicap-accessible ramp which extends from the eastern end of the top of the bluff to the lower lakefront promenade.

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

Adopted: _________________________ ____________________________________  
____________________________________  
President of Council

 cases

Clerk of Council

Approved: ________________________ ____________________________________  
____________________________________  
Mayor
Re: Demolition and Re-build of Homes

September 3, 2019

Lakewood City Council
Lakewood, Ohio

Dear Colleagues,

After multiple hearings with input from neighbors and the community at-large, the Architectural Board of Review recently approved the demolition of a structurally sound 1923 home to make way for new construction proposed by the property owner. I have been following this matter with great interest. While I appreciate the thoughtful changes that have been made to the new home over the course of multiple hearings and the responsiveness of the homeowner and builder, I remain concerned that the Lakewood Codified Ordinances simply make it too easy for homeowners to take the path of demolition rather than preservation.

The unique character and high property values of our City are tremendously influenced by our historic and irreplaceable housing stock. LCO Section 1133.09 allows for the demolition of a residential home built before 1945 if its replacement is approved by ABR as consistent with the design of the neighborhood. However, the section also explicitly states that “the City encourages conservation, preservation, redevelopment, and revitalization of residential neighborhoods to preserve their unique environments and for the public welfare of the City.”

I perceive inconsistency in LCO Section 1133.09 and would like to open up this conversation more broadly in a committee of Council’s choosing.

Sincerely,

Meghan F. George
Councilmember At-Large
Re: Appoint Gwendolyn Holden Seckers to Lakewood Community Relations Advisory Commission

Dear Colleagues,

I am delighted to appoint Gwendolyn Holden Seckers to fill a vacancy on the Lakewood Community Relations Advisory Commission. Ms. Holden Seckers’ diversity of experience working in non-profit administration and the arts should make her a significant asset to the commission and its work.

Ms. Holden Seckers’ civic pride, penchant for volunteering, and expertise in teaching groups of all ages make her a great fit for the Lakewood Community Relations Advisory Commission. Please join me in thanking Ms. Holden Seckers for her willingness to serve on this important City Commission.

Move to receive and file this communication.

Yours in service,

David W. Anderson
Member of Council, Ward 1
Re: Community Relations Advisory Commission Appointment

Dear Colleagues,

It is with great enthusiasm that I appoint Lise Stevens to the Community Relations Advisory Commission. In December 2018 Council had a chance to meet Ms. Stevens when she applied for an open position in the Council Office. Ms. Stevens has over 20 years of experience as a leader in communications. A Native of northeast Ohio, Ms. Stevens’s impressive career has taken her to New York and Chicago where she has worked in academia, government, and the private sector. Her love of Lakewood motivated her return to the region.

Particularly relevant to LCRAC’s work, Ms. Stevens has significant professional experience developing and editing content for a multicultural audience. She is fluent in both Spanish and French and has put these skills to use as a translator and as an expert on cross-cultural strategic communications.

Considering Ms. Steven’s enthusiasm for service on LCRAC coupled with her impressive qualifications, I hereby appoint Ms. Stevens to LCRAC effective immediately.

Sincerely,

Tom Bullock
Councilmember At-Large
September 3, 2019

Lakewood City Council
Lakewood, Ohio

Re: Appoint Jon Gromek to Lakewood Community Relations Advisory Commission

Dear Members of Council,

It is my pleasure to inform you that I am appointing Jon Gromek to fill a vacancy on the Lakewood Community Relations Advisory Commission. I am confident that Mr. Gromek’s strong educational background, penchant for advocacy for vulnerable populations, and commitment to the Lakewood community will make him a valuable addition to this important commission.

Mr. Gromek’s extensive professional experience in the non-profit field makes him eminently qualified for a position with the board and I am delighted that he is willing to take time out of his schedule to make this significant contribution to our City. As a member of City Council and fellow proud resident of Wyandotte Avenue, I wish him all the best for a meaningful and productive term of service on the Community Relations Advisory Commission.

Move to receive and file this communication.

Sincerely,

Meghan F. George
Councilmember At-Large
September 3, 2019

Lakewood City Council
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Citizens Advisory Committee Appointment

Dear Fellow Members of Council,

It is my pleasure to appoint Mary Kinney Piunno to a one year term on the Citizens Advisory Committee expiring December 31, 2019.

I would like to take the opportunity to thank Ms. Kinney Piunno for her willingness to serve the community as a member of the CAC. I wish her all the best for a meaningful and productive term of service on the committee.

Move to receive and file this communication.

Sincerely,

Daniel O’Malley
Member of Council – Ward 4
September 3, 2019

Lakewood City Council
Lakewood, Ohio 44017

Re: Replacement of lead drinking water supply Lines

Dear Members of City Council,

I write to advise you of changes in policy regarding our handling of lead supply lines of drinking water Lakewood houses. These policy changes are a result of new Ohio EPA regulations because of experiences in Flint, Michigan and elsewhere.

Lakewood has 14,878 water lines supplying clean drinking water to our structures. On the private portion (private property -- see attached diagram of typical household) 191 of these are known to be made of lead. Approximately 3,000 are of unknown material. Our experience tells us that 2% to 3% of these unknown lines are likely to be made of lead. Thus, approximately 300 private-side lead supply lines exist in Lakewood. A far greater number of the public portion are known to be lead. Cleveland Division of Water takes great care in monitoring water chemistry and adds orthophosphate to create a pipe lining film that protects us from lead exposure. Additionally, Lakewood performs various inspections at locations throughout the city to ensure water quality standards are being met and maintained.

Previous policies left private lead lines in place after new watermain construction unless the homeowners replaced the line at their own expense, which they were encouraged to do.

As of the 2019 Lake Avenue Watermain replacement project, and on all future projects, encountered lead supply lines, both public and private, will be replaced as part of the project. Additionally, if lead supply lines are encountered in the process of fixing a water main break, any line physically disrupted by the repair will also be replaced. We expect to be able to use our own crews to replace private property lead lines with an average cost of $3,500 per line. We do not expect to encounter too many replacements per year.
These revised approaches have the following intended effect:

1. They protect the homeowner from any disturbance of the line during construction or repair.
2. They eliminate any further contamination exposure.
3. They avoid rigorous public awareness, testing and filtering that would be required to every connection to the new watermain at the time it is installed. Details of these new regulations can be found at: https://epa.ohio.gov/Portals/28/documents/pws/PWS-06-001.pdf.

It is our belief that this approach embraces a “do it right the first time” policy, which yields the lowest long-term cost to the city and its taxpayers. It is consistent with our second-century view of all things Lakewood.

Respectfully,

Michael P. Summers
Where is lead and who’s responsible?

Cleveland Water is lead free when it leaves our treatment plants. Our water mains are not made from lead.

Places that may contain lead include the city-owned and customer-owned portions of the service line, and customer’s plumbing including copper plumbing joined with high-lead solder, and faucets. Faucets made after 2014 must have less than 0.25% lead. Those made between 1986 and 2014 may have up to 8% lead. Before 1986, there were no federal regulations on lead levels in plumbing components.

The city-owned service line connects the water main to our curb stop which turns on/off water coming into your home. The curb stop is usually located in the sidewalk or tree lawn.

The customer-owned service line extends from the curb stop into your basement or crawl space. You should perform the magnet and penny test where your service line enters your home before the water meter.

Our orthophosphate addition forms a protective coating inside water mains, service lines, your home’s plumbing, and faucets regardless of the material type and age. This prevents water from coming in contact with the metal, reducing the likelihood of lead dissolving into the water.
August 27, 2019

Lakewood City Council
Lakewood, OH 44107

RE: Acceptance of Ohio Arts Council Grant Award & Commitment of Matching Funds

Dear Members of Council:

I am submitting a resolution authorizing the acceptance of financial assistance from the Ohio Arts Council ArtStart grant program in support of the Summer Band Concert Series. The Ohio Arts Council has awarded the City of Lakewood $2,381 to fund and support the concert series and requires match funding of the same amount.

The City of Lakewood requested support from the Ohio Arts Council to produce an 8-week Summer Band Concert series featuring an assortment of music genres. In recent years, the City has seen a reduction in attendance largely due to fewer younger attendees. The City will utilize Ohio Arts Council funding to revitalize the Summer Band Concert Series by actively seeking and securing performances by new and varied musicians to draw younger audiences. Improved marketing efforts will be explored to draw attendees which include economically and ethnically diverse audiences to be more reflective of Lakewood as a whole.

The Summer Band Concert Series is managed by Community Relations Specialist, Melissa Garrett. Melissa has over 20 years of experience serving the residents of Lakewood and organizing culturally rich community gatherings. She oversees the planning and execution of popular community events such as Meet the Trucks, Summer Solstice Celebration, 4th of July Parade and Celebration, Lakewood Arts Festival, Lakewood Community Festival and the Veterans’ Day Observance. She also works closely with the Lakewood Community Relations Advisory Commission to recognize and embrace diversity within the community.

I respectfully request your approval of this resolution accepting grant funds and committing the $2,381 in matching funds. I am happy to answer any questions about the grant program or the intent of the Summer Band Concert Series.

Sincerely,

Michael P. Summers
RESOLUTION NO. 9085-19

A RESOLUTION to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the City of Lakewood enter into an agreement with the Ohio Arts Council to accept a grant in the amount of $2,381 and authorizing a match in the same amount.

WHEREAS, Lakewood has traditionally had a summer concert series; and

WHEREAS, the Ohio Arts Council has awarded a grant in the amount of $2,381 to fund and continue to support the concert series; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, 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 entering into this grant agreement immediately will allow Lakewood to access the funds and begin qualifying projects; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Council of the City of Lakewood hereby authorizes the Mayor or his designee to enter into a grant agreement, in substantially the same form as Exhibit “A” (attached), with the Ohio Arts Council to accept funds in the amount of $2381 and provide matching funds in the same amount.

Section 2. 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 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 3. This resolution 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 resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council this resolution 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

__________________________

Clerk

Approved: __________________

Mayor

__________________________
Grant Number: 208162 Program: ArtSTART

This agreement, with the objective of promoting and preserving the arts in Ohio, entered into on August 08 2019 by and between the Ohio Arts Council, an agency of the State of Ohio, and hereafter referred to as the "Council," with offices at 30 East Broad Street, 33rd Floor, Columbus, Ohio 43215-3414, and the "Participant" who is listed immediately below:

City of Lakewood
12650 Detroit Rd.
Lakewood, OH 44107-2832

Whereas, the Participant has requested financial assistance for Community Connections through Music: Summer Band Concert Series and has submitted an application and verified its most recently completed fiscal year with financial statements (as required) to the Council, and

Whereas, the Participant pledges $2,381.00 as matching funds to qualify for Council assistance, and

Whereas, between 07/01/2019 and 06/30/2020, City of Lakewood will Produce an eight-week Summer Band Concert series featuring eight different bands and an assortment of music genres.

Now Therefore, the Council shall pay to the Participant an amount not to exceed the sum of $2,381.00 subject to the following conditions and covenants:

1. This Agreement is conditioned upon the availability of funds appropriated to the Council or available to it from other sources. This Agreement is subject to the determination by the Ohio Arts Council that sufficient funds have been appropriated by the Ohio General Assembly to the Ohio Arts Council for the purposes of this contract, and to the certification of funds by the Office of Budget and Management, as required by Ohio Revised Code 126.07. If the Ohio Arts Council determines that sufficient funds have not been appropriated for the purposes of this contract, or if the Office of Budget and Management fails to certify the availability of funds, this Agreement or any renewal thereof will terminate on the date that the funding expires without any further obligation by either party.

2. If the Participant's programming is comprised, in whole or in part, of any events such as exhibit or performance, the Participant shall submit to the Council the date, time, and location as soon as known, but no later than two weeks before the event. In order to provide members of the Council Board, appropriate Council committees, and the Council staff with the opportunity to view the arts program supported by the Council, the Participant agrees to admit said individuals upon request.

3. Promptly notify the Council of any changes or problems in the program and of the need for changes to this Agreement. There shall be no variance from this Agreement without prior written approval of the Council. If any such change, substitution, or variance shall occur, the Council shall have the right to reduce its obligation under this Agreement to the extent it judges itself damaged, which judgment shall be conclusive and binding upon the Participant, or the Council may terminate this Agreement and thereafter have no further obligation to the Participant.

4. In order to provide accountability of Council funds, the Council shall reserve the right to conduct program evaluations and financial audits at such times, places, and by such means, and in such manner, as the Council, in its sole discretion, shall determine, and the Participant agrees to, and shall, fully cooperate with the Council and its agents and representatives.

5. The participant may request a partial payment which is 50 percent of the total grant. Participants in need of partial payment must complete a Partial Payment Request confirming that Council funds will be used only for expenses that have been incurred during the grant period. Denial of the request is not a breach of the Agreement or any part of it by Council. The Participant agrees to comply with all terms of the Partial Payment Request.

6. The Participant shall submit a full and certified accounting, summarizing all expenditures, as required on the Council Final Report.
Form. This accounting shall be subject to financial audit and program evaluation by appropriate agencies of the State of Ohio and the United States Government. The Participant will be responsible for the safekeeping and identification of records that corroborate the program financial statements. Said records (sales receipts, invoices, travel claims, pay vouchers, etc.) must be kept in the Participant's files for a period of three (3) years after the completion of the grant period, and be produced and made available to the Council for inspection and reproduction, at the request of the Council.

7. The Council shall process a payment to the Participant for an amount not to exceed that stated above, after completion of the grant period and submission of the appropriate Council Final Report Form, which includes the Participant's financial report detailing expenditures of the Council's grant. The Final Report shall be due thirty (30) days after the completion of the grant period. Council reserves the right to cancel any grant for failure to complete the Final Report within the thirty day period stated above, unless arrangements for an extension have been made with the Council.

8. The Participant shall provide Council with documentation of the activities funded by the Council in this Agreement, including but not limited to, copies of publicity, printed materials, statements of credit, and where appropriate, photographs. These support materials shall be submitted with the Final Report. Where the Participant is awarded funds for an artistic product such as printing of a book or completion of a film or videotape, at least one copy will be made available to Council for viewing purposes to determine whether the terms of this Agreement have been met. Failure to comply with Council's request under this paragraph shall be grounds for the Council in its sole discretion to cancel or rescind this Agreement and any grants or monies due under it.

9. Credit and Publicity Requirements: By signing this Grant Agreement, Participant acknowledges that they have read and agree to the requirements outlined in the Logos and Branding page on the Ohio Arts Council's website (http://oac.ohio.gov/brand). The Participant agrees to all terms and conditions therein and agrees to comply with credit and publicity terms and conditions. Failure to comply with these requirements may jeopardize future funding as the Ohio Arts Council will review and confirm the grantee's past compliance with the credit and publicity requirements prior to approving any additional funding.

10. Grant funds awarded in this Agreement may not be used for brick-and-mortar activities, capital improvements, equipment purchases over $1,000, hospitality costs, scholarship assistance, or out-of-state travel.

11. The Participant assures Council that direct efforts will be made to involve the community and that said program(s) for which grant funds have been awarded will not be offered for student credit.

12. The Council shall not be responsible or liable for any deficit arising from the Participant's program.

13. In the event the Participant ceases to program arts activities, other than for reasons described below in Article 14, and has previously received financial assistance from the Council, the Participant will reimburse the Council to the full extent of payments made by the Council pursuant to this Agreement.

14. If the Participant is unable to program arts activities during the grant period by virtue of any act or regulation of any public authority, or on account of events such as, but not limited to, war, labor difficulties, strikes, riots, epidemics, interruption of transportation services, acts of God, or any other cause beyond the Participant's control, the Council shall still be obligated to make the payment required herein, to the extent that the Participant has incurred expenses or obligations in connection therewith, which obligations could not otherwise be discharged, due to the occurrence of one of the above circumstances.

15. The Participant shall notify all persons with whom the Participant contracts that the Participant shall be solely responsible for payment and shall not represent that the operation constitutes a joint financial venture with the Council. The Participant hereby agrees to and does assume all risk of claims heretofore or hereafter arising, known, or unknown, from any matters relating to this Agreement, and in addition, agrees to save the State harmless from possible copyright infringements or other claims relating to or growing out of this Agreement or conduct which takes place arising under it. The Council can, at its own option, require the Participant to execute written contracts with those persons, or entities with whom the Participant deals. Council can require all contracts be submitted to it for its review and approval at any time it may deem advisable, and this approval shall apply to all contracts under this clause.

16. The Participant agrees to hold the Council and the State of Ohio harmless from any claims of any kind for injuries or damages which result from the making of any arrangement for said arts programs or in the performance of said program.

17. No person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program, activity, or service on the basis of race, color, religion, sex, national origin, disability, ancestry, or age. The Participant further agrees not to discriminate against any employee or applicant for employment to be hired in the performance of this Agreement with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of race, color, religion, sex, national origin, disability, ancestry, or age.

18. The Participant herewith assures the Council that (1) all professional performers and related or supporting professional
personnel employed on projects or productions which are financed under this Agreement will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; (2) no part of any project or production which is financed under this Agreement will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the persons engaged in such project or production. Compliance with the safety and sanitary laws of the State of Ohio shall be prima facie evidence of compliance. The Participant also agrees to comply with, and not to violate, other laws, state or federal, including those covering health, safety and welfare, but without limitation thereto.

19. The Participant shall not assign this Agreement or any part thereof without the written consent of the Council.

20. The Participant agrees that each of the covenants of the Council contained herein is dependent upon the fulfillment of all the conditions and covenants of the Participant contained herein.

21. If any provision of this Agreement should be held invalid by a Court of the State of Ohio, all other provisions shall nevertheless be in effect and binding upon the parties.

22. This Agreement, including agreements incorporated by reference, is to be governed by the laws of the State of Ohio, and venue shall be proper in Franklin County, Ohio, in the Courts of the State of Ohio.

23. The acceptance of the terms of this Agreement has been authorized by the governing body of the Participant and the undersigned representative has been authorized to act for the Participant in the administration of this Agreement.

In witness hereof, the parties affix their signatures to this Agreement executed in triplicate on the day and year first above mentioned.

State of Ohio - Ohio Arts Council

By: Donna S. Collins
Executive Director

Participant

By:
Title:
Print Name:
EIN:

*To be signed by the Chief Administrative Officer. This must be a person authorized to execute binding contracts with other entities. This Grant Agreement should not be signed by the Project Director if he/she does not have the authority to sign legal documents for the organization.
July 24, 2019

Lakewood City Council
Lakewood, Ohio 44107

Dear Members of Council:

Re: Mayoral appointment to the Lakewood Citizens Advisory Committee

It is with great pleasure that I announce my reappointment of Nora Katzenberger to the City of Lakewood Citizens Advisory Committee. Her term will expire on December 31, 2020.

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

Sincerely,

Michael P. Summers
August 14, 2019

Lakewood City Council Members
Lakewood, Ohio 44107

Re: Mayoral Appointment to the Lakewood Citizens Advisory Committee

It is with great pleasure that I announce my appointment of Sara Tillie to the City of Lakewood Citizens Advisory Committee. Her term will begin immediately and will expire on December 31, 2021.

I am grateful that this talented and engaged Lakewood Citizen is willing to volunteer her time, energy and knowledge to improve the quality of our community. I am confident that she will bring commitment, prudence and enthusiasm to this important responsibility.

Sincerely,

Michael P. Summers, Mayor
August 28th, 2019

Lakewood City Council
Lakewood, OH 44107

RE: Application to the NOACA 5310: Enhanced Mobility for Seniors & Individuals with Disabilities

Dear Members of Council:

I am submitting a resolution authorizing the application for and acceptance of financial assistance for the NOACA 5310: Enhanced Mobility for Seniors & Individuals with Disabilities grant program for assistance purchasing a replacement senior van.

The Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) program provides capital grants to assist governments, transit agencies, and other transportation providers who offer coordinated transportation services that are planned, designed, and carried out to meet the needs of seniors and individuals with disabilities in the Cleveland Urbanized area. The City is requested NOACA 5310 funds to purchase a replacement light transit vehicle for senior transportation within the 44107 zip code. The Project is needed to update the DOA’s fleet and enable the DOA to continue providing reliable transportation services to aid older adults in increasing their independence, reducing isolation, and allowing them to increase their access to wellness and social opportunities.

The average age of a Lakewood DOA fleet vehicle is 11 years old. Over the life of this fleet, the City of Lakewood has performed over $435,000 in maintenance work. As our fleet has aged, the maintenance costs continue to rise significantly. In 2016, the maintenance costs were $18,918. In 2017, those costs rose sharply to $36,281. This trend continued in 2018 with the cost of maintenance rising to $45,197. The requested vehicle will replace a 17-2 2007 vehicle with 94,113 miles. Over its lifetime, the 2007 vehicle has received $97,229 in maintenance work. This replacement vehicle will directly reduce our maintenance costs and vehicle downtime, enabling us to provide more seniors with the needed transportation services.

The deadline to submit a resolution of support is September 6th, 2019. Therefore, I respectfully request approval of this resolution on first reading. I’m happy to answer any questions about senior transportation in Lakewood or the grant application.

Sincerely,

[Signature]

The City of Lakewood, Department of Human Services, provides a continuum of responsive programs and services that enhance and promote the health and well-being of individuals, families and the community.
RESOLUTION NO. 9086-19

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor or his designee to apply for a grant through the Northeast Areawide Coordinating Agency (“NOACA”) for Cleveland Urbanized Area Federal Transit Administration (FTA) funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program.

WHEREAS, NOACA is a designated recipient of the Enhanced Mobility for Seniors and Individuals with Disabilities Program for the Cleveland Urbanized Area authorized to make grants to public bodies, private non-profit organizations and other eligible entities; and

WHEREAS, the Enhanced Mobility for Seniors and Individuals with Disabilities program proves eighty percent (80%) federal funds for capital projects to support alternatives to public transportation projects that assist seniors and individuals with disabilities new or expanded transportation services and alternatives that go beyond the requirement of the American with Disabilities Act (ADA) of 1990 for individual with disabilities; and

WHEREAS, the Enhanced Mobility for Seniors and Individuals with Disabilities program is paid on a reimbursement basis, requiring the applicant to first expend funds then request reimbursement from NOACA, which will in turn, request the funds from FTA; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, 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 it is in the best interest of the City to make this application as soon as practical; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKewood, OHIO:

Section 1. The Mayor or designee is hereby authorized to submit an application to NOACA, acting as designated recipient of FTA funds, for the Enhanced Mobility for Seniors and Individuals with Disabilities Program.
Section 2. The Mayor or designee is hereby authorized to execute an agreement with NOACA if selected for the Enhanced Mobility for Seniors and Individuals with Disabilities program.

Section 3. Lakewood certifies it will provide at least twenty percent (20%) local matching funds for capital or planning projects and fifty percent (50%) local matching funds or operating projects from sources other than federal Department of Transportation funds.

Section 4. The project will be included in the Coordinated Public Transit-Human Services Transportation Plan for Northeast Ohio.

Section 5. Lakewood agrees to abide by federal requirements as sub-recipient of FTA funds, including federal fiscal year 2015 Certifications and Assurances inclusive of provisions of Title VI of the Civil Rights Act of 1964, and all subsequent annual Certifications and Assurances during the length of the agreement, including federal procurement, maintenance, useful life, disposition standards and ongoing reporting.

Section 6. 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 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 7. This resolution 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 resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution 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
August 26, 2019

Lakewood City Council and Mayor

RE: Ohio Public Works Commission – Program Year 2020

Dear Members of City Council and Mayor Summers,

The Public Works Department, Division of Engineering and Construction is recommending submitting grant and loan applications for two (2) capital improvement projects.

The 2021 Watermain Replacement Project would entail replacement of existing 6” diameter lines, sewer improvements, and pavement resurfacing at the following three street segments:
- Elbur Avenue (Lakewood Heights to Athens);
- Lauderdale Avenue (Madison to Detroit); and,
- Leedale Avenue.

The Summit Outfall Replacement Project would entail the construction of new outfall at the terminus of Summit Ave. The project includes construction of a new junction chamber with an outfall pipe, placement of a stone revetment system to dissipate Lake Erie’s erosive forces and rehabilitation of existing sewer lines by lining methods.

Please see the attached legislation required to be submitted with the grant application for the two referenced projects. The applications are due September 12, 2019. We would need to submit the resolutions by November 15, 2019 or sooner. Please contact me if you have any further questions.

Respectfully,

Mark K. Papke, PE, CPESC
City Engineer

Copy to: Joe Beno – Lakewood Public Works Director

www.onelakewood.com
RESOLUTION NO. 9087-19

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of council, or otherwise to take effect at the earliest period allowed by law, authorizing the Mayor of the City of Lakewood, or his designee, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program, Local Transportation Improvement Program or any other appropriate Ohio Public Works Commission program that the Summit Outfall Replacement Project qualifies for and to execute contracts as required.

WHEREAS, both the State Capital Improvement Program and the Local Transportation Improvement Program provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Lakewood is planning a sewer improvement project for 2021 which includes portions of Elbur Avenue, Lauderdale Avenue, and Leedale Avenue; and

WHEREAS, the City of Lakewood is planning to make capital improvements by constructing a new storm sewer outfall at the terminus of Summit Avenue and performing related sewer and revetment work; and

WHEREAS, the infrastructure improvements described above are considered to be a priority need for the community and are qualified projects under the OPWC programs; 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; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, because the OPWC application deadline is September 20, 2018; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor of the City of Lakewood, or his designee, is hereby authorized to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program, Local Transportation Improvement Program, or any other appropriate Ohio Public Works Commission funding program for which the projects identified in the preamble qualify.
Section 2. The Mayor, the Director of Public Works, Director of Law and the Director of Finance for the City of Lakewood are authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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.

Section 4. This resolution is hereby declared to be an emergency measure necessary for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution 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

Clerk

Approved: ____________________ ________________________________

Mayor
August 28, 2019

Re: Trinity Church Adaptive Reuse Project

Dear Councilmembers –

I’m writing to provide an update about the Trinity Church Adaptive Reuse process our department is leading, and to provide information about the schedule and goals before the end of the year.

The city received five submissions to the Request for Qualifications published in late May of this year. The citizen-led review panel has invited two development teams to move on to the second round of the process. Those two teams are Scalish Construction with Dimit Architecture and Richardson Design with HSB Architects. Both proposals call for the church building to be preserved and renovated into headquarters office space and both also call for the renovation of the single-story retail on site. One proposal introduces new housing to the site. Both teams have proposed concepts that respond well to the Community Vision, bring diverse and very experienced design and construction teams to the project and both teams have specifically addressed the desire for preservation of the church on site.

The second round of the process involves a more in-depth submission on the financing for the project. The second round aims to evaluate how projects will be funded, and the experience each team has in developing a budget and pro forma to deliver a complicated renovation project. The panel will evaluate the Round 2 submissions in September and recommend the best and most qualified team to take on this project.

We aim to seek Councils approval on a development agreement before the end of the year. This will prepare the selected team to begin the design phase of the project in early 2020 and set the project up for renovation and redevelopment in late 2020.

Thank you for your support in putting this site in a position to explore creative and innovative market opportunities. Please let me know if you have any questions or would like any additional information.

Sincerely,

Bryce Sylvester, Director of Planning
City of Lakewood
August 26, 2019

Lakewood City Council
Lakewood, OH 44107

RE: Cuyahoga County Bicycle and Scooter Share Program

Dear Council Members,

Over this past summer, Cuyahoga County established a county-wide licensing system for bicycle, electronic bicycle, and electronic scooter sharing operators. The system creates a licensing framework and process for companies to provide bike, e-bike and scooter devices for rent. The County has led this effort and has been guided by the goals of providing further opportunities for alternate forms of transportation for short trips, seeking to reduce local demand for car use and parking and to expand the reach of public transit by bridging the first/last mile of a daily commute.

Over the past few weeks, the County issued four licenses in coordination with the City of Cleveland for Bird, Lime, Spin, and Veoride to deploy 400 devices each within Cleveland boundaries. The devices for this initial launch will predominately be electronic scooters, as only Bird has committed to deploying a portion of their 400 as electronic bicycles. With several rebalancing locations slated for the western neighborhoods of Cudell, Edgewater, and Detroit Shoreway – Lakewood residents can anticipate seeing these devices on our streets as riders use them to transit from adjacent Cleveland locations to popular local destinations.

In developing our approach to this County licensing system – we are looking at two distinct phases, taken in sequence with some level of appropriate overlap possible.

• First, we are recommending a minor update to the city’s traffic code (Chapters 301, 373) to leverage our existing bicycle regulations to account for and ensure the safe operation of these new devices. This is critical in the near-term to ensure the Lakewood Police Department is properly equipped to provide appropriate enforcement for these devices, whether privately owned or originating from the Cleveland Bicycle and Scooter Share Program.

• Second, we are considering – and using resident input to inform – what a local share system could look like in Lakewood and any additional local limitations (number and/or type of devices, rebalancing/parking locations, etc.) we would impart to achieve the desired balance between system effectiveness/viability and proper control/management. If determined to be favorable for implementation, a local system would operate under the existing County licensing system.
We recommend that the first phase be undertaken as soon as practical, and regardless of whether we decide to pursue the second phase or not. If a decision is reached to implement a local bicycle/scooter share system, we will continue our work with the County toward coordinating and signing the required memorandum of understanding (MOU) to participate under the County license system.

The City-County MOU would serve to expand the program, formally including the City and providing for alignment of items such as the usage data and revenue-sharing terms of the license (to receive $0.15 per ride that originates within the municipality). More importantly, the MOU provides the City the means to impart those additional local limitations (number/type of devices, rebalancing locations, etc.) to guide system operators as part of their license. With a City-County MOU in place, the City would then begin coordination with bicycle/scooter share operator(s) towards an eventual deployment of devices.

This letter is intended as an introduction and the start of dialogue on the two phases of our approach to considering the Cuyahoga County Bicycle and Scooter Share Program.

Sincerely,

Bryce Sylvester
Director of Planning and Development
August 28, 2019

Re: Donation of Items from Cove Church

Dear Councilmembers –

Please find attached a resolution to donate various items from the Cove Church building. Following acquisition of this property, various items were left behind that have no value to the City or have any need for reuse.

In the interest of efficiency, it is more economical to donate these items to various local non-profit organizations who can put them to valuable use than to list them in an on-line auction.

The attached resolution provides the authority to donate items and provides the list of organizations that will receive the donations.

Please let me know if you have any questions.

Sincerely,

Bryce Sylvester, Director of Planning
City of Lakewood
RESOLUTION NO. 9088-19   BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the donation of various items that remain at Cove Church to Lakewood organizations including the Lakewood Historical Society, LakewoodAlive, Barton Center, The Beck Center, Dr. Christine Johnson-Anglican Church, Habitat for Humanity.

WHEREAS, Lakewood recently purchased and took possession of Cove Church; and

WHEREAS, various items were left behind which have no value to the City or need for reuse; and

WHEREAS, in the interest of efficiency, it is more economical to donate these items to various local non-profit organizations who can put them to valuable use than to list them in an on-line auction; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, 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 it is in the best interest of the City to remove these items from the property as soon as practical; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor or designee is authorized to donate various items that remain at Cove Church to Lakewood organizations including the Lakewood Historical Society, LakewoodAlive, Barton Center, Lakewood Community Service Center, The Beck Center, and Dr. Christine Johnson-Anglican Church. A detailed list of items and the recipients is attached as Exhibit “A.”

Section 2. 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 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 3. This resolution 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 resolution, and provided it receives the affirmative vote of at least two thirds of members of Council, this resolution 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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<tr>
<th>Organization</th>
<th>Quant.</th>
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<td>Lakewood Historical Society</td>
<td></td>
<td>1 lock box</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>handicapped parking signs</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>refrigerator</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>side table</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Film projector and misc. supplies</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>bathroom sink/cabinet</td>
</tr>
<tr>
<td>LakewoodAlive</td>
<td></td>
<td>1 side table</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>cork board</td>
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<tr>
<td></td>
<td>3</td>
<td>metal shelves</td>
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<tr>
<td></td>
<td>3</td>
<td>couches</td>
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<td></td>
<td>2</td>
<td>large metal fans</td>
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<td></td>
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<td>storage cabinet</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>vacuum cleaner</td>
</tr>
<tr>
<td>Barton Center</td>
<td></td>
<td>2 small pews</td>
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<tr>
<td></td>
<td>2</td>
<td>watering cans</td>
</tr>
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<td></td>
<td>2</td>
<td>folding card tables</td>
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<td>cash register</td>
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<td></td>
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<td>push shopping cart</td>
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<tr>
<td></td>
<td>1</td>
<td>paper cutter</td>
</tr>
<tr>
<td></td>
<td>misc.</td>
<td>boxes of silverware</td>
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<tr>
<td></td>
<td>misc.</td>
<td>cabinet of kitchen dishes</td>
</tr>
<tr>
<td>The Beck Center</td>
<td></td>
<td>2 trash cans</td>
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<tr>
<td></td>
<td>1</td>
<td>coat rack</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>office chairs</td>
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<td>2</td>
<td>side tables</td>
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<tr>
<td></td>
<td>4</td>
<td>tall rectangular filing cabinets</td>
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<td>office table</td>
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<tr>
<td></td>
<td>3</td>
<td>metal desks</td>
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<tr>
<td></td>
<td>misc.</td>
<td>metal folding chairs</td>
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<tr>
<td></td>
<td>1</td>
<td>lamp</td>
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<tr>
<td></td>
<td>4</td>
<td>armed chairs</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>mirror</td>
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<tr>
<td></td>
<td>1</td>
<td>secretary</td>
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<tr>
<td></td>
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<td>children's table</td>
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<tr>
<td></td>
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<td>Christmas decorations</td>
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<tr>
<td></td>
<td>1</td>
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<tr>
<td></td>
<td>1</td>
<td>food cart</td>
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<tr>
<td></td>
<td>1</td>
<td>storage cabinet</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>large tables</td>
</tr>
<tr>
<td></td>
<td>misc.</td>
<td>children's chairs</td>
</tr>
</tbody>
</table>
Dr. Christine Johnson- Anglican Church

1 podium
1 large hanging cross
1 communion alter
1 Pulpit

Habitat for Humanity

any remaining items
Lakewood City Council  
Lakewood, Ohio  

September 3, 2019

Dear Members of City Council,

Executive Director Ian Andrews of Lakewood Alive has recently reached out to several entities including the City of Lakewood requesting a donation of computer monitors to replace his organization’s which have recently failed. I would like to donate five computer monitors that are no longer in use by the City of Lakewood to Lakewood Alive. These five monitors were amongst the equipment decommissioned earlier this year when the Division of Information Technology replaced computers throughout the city government. Thank you for your consideration.

Respectfully,

Michael Coletta  
Manager  
Division of Information Technology  
City of Lakewood, Ohio  
Michael.Coletta@lakewoodoh.net
RESOLUTION NO. 9089-19

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the City of Lakewood Division of Information Technology to donate five computers monitors that are no longer in use to LakewoodAlive for the purpose of replacing theirs which have recently failed.

WHEREAS, Lakewood Alive have sought donation for replacement of computer monitors that have recently failed; and

WHEREAS, the City of Lakewood has five computer monitors that were decommissioned from service earlier this year; and

WHEREAS, these monitors are of little value to the City of Lakewood; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, 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 it is in the best interest of the City to make these monitors available to LakewoodAlive as soon as practical; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City of Lakewood Division of Information Technology is hereby authorized to donate five computer monitors to Lakewood Alive.

Section 2. 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 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 3. This resolution 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 resolution, and provided it receives the affirmative vote of at least five members of Council, this resolution 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.
August 5, 2019

Fitness Serve of Rocky River, OH has offered to donate 13 pieces of exercise equipment to the city. This equipment can be distributed throughout the city for use by our employees.

As a part of our Wellness program the city is focusing on employee health through exercise, healthy eating, connectedness and life purpose. Accepting this donation will enable us to reach more employees and hopefully entice more employees to choose fitness as a way of life.

Sincerely,

Jean M. Yousefi
Director of Human Resources
August 26, 2019

Lakewood City Council
12650 Detroit Ave.
Lakewood Ohio 44107

Dear Members of Council;

The Lakewood Police have been notified by the estate of Sue A. Lippai that she left $23,696.64 in her will for purchase of body armor for police officers and K9’s.

Upon fulfilling the requirements of L.C.O. 111.14 we are notifying the Lakewood City Council of this donation.

Sincerely,

Chief Timothy J. Malley
## NOTICE TO LEGISLATIVE AUTHORITY

**OHIO DIVISION OF LIQUOR CONTROL**

6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

### TO

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<td></td>
<td>JOHN A DEFRASIA LTD DBA PHANTASY NITE CLUB &amp; 1ST &amp; 2ND FL &amp; PATIO &amp; BSMT &amp; 11806 DETROIT AVE LOBBY ONLY 11802-14 DETROIT AVE LAKewood OHIO 44107</td>
<td></td>
</tr>
</tbody>
</table>

### IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES: C TRFO 1781318-0005

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

---

(Signature) (Title) (Date)

Clerk of County Commissioner
Clerk of City Council
Township Fiscal Officer

CLERK OF LAKewood CITY COUNCIL
12650 DETROIT AV
LAKewood OHIO 44107

MAILED 07/22/2019
RESPONSES MUST BE POSTMARKED NO LATER THAN 08/22/2019
TO

1781318  PERMIT NUMBER  TRFO
COVELLI COLLECTIVE LLC
DBA PHANTASY ENTERTAINMENT COMPLEX
11797-96 DETROIT AVE
LAKewood OH 44107

07/18/2019  ISSUE DATE
D5  D6  PERMIT CLASSES
18  286  C  F22721  TAX DISTRICT  RECEIPT NO.
FROM 07/22/2019

20169770005  PERMIT NUMBER  TYPE
JOHN A DEFRASIA LTD
DBA THE SYMPOSIUM
1ST FL & BSMT
11794-96 DETROIT AV
LAKEWOOD OHIO 44107

07/18/2019  ISSUE DATE
D5  D6  PERMIT CLASSES
18  286  C  F22721  TAX DISTRICT  RECEIPT NO.
FROM 07/22/2019

MAILED  07/22/2019  RESPONSES MUST BE POSTMARKED NO LATER THAN 08/22/2019

IMPORTANT NOTICE
PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES

C TRFO 1781318

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD  ☐ IN OUR COUNTY SEAT.  ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING.  ☐

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PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)  Clerk of County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

CLERK OF LAKEWOOD CITY COUNCIL
12650 DETROIT AV
LAKEWOOD OHIO 44107
NOTICE TO LEGISLATIVE AUTHORITY

TO

ASHIRVAD BEVERAGE LLC
DBA NORTHCOAST BEER & WINE
1630 W 117TH ST S/E UNIT ONLY
LAKewood OHIO 44107

FROM

KALI RAI INC
DBA NORTHCOAST WINE & BEER
1630 W 117TH ST S/E UNIT ONLY
LAKewood OHIO 44107

IMPORTANT NOTICE

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REFER TO THIS NUMBER IN ALL INQUIRIES

TRANSACTION & NUMBER

MAILED

RESPONSES MUST BE POSTMARKED NO LATER THAN

09/03/2019

08/02/2019

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD

IN OUR COUNTY SEAT.

IN COLUMBUS.

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PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title) (Date)

Clerk of County Commissioner

Clerk of City Council

Township Fiscal Officer

CLERK OF LAKewood CITY COUNCIL
12650 DETROIT AV
LAKewood OHIO 44107
NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

87851290005  TRFO
TALIA AND BROTHERS LLC
DBA OHIO CITY BURRITO
1ST FL & BMST
14412 DETROIT RD
LAKEWOOD OH  44107

10 01 2018  ISSUE DATE
07 31 2019  FILING DATE
D1 PERMIT CLASSES
18 286 C RECEIPT NO.

FROM 08/02/2019

62971500005  TRFO
NAMASTE INDIA GARDEN LLC
DBA NAMASTE INDIA GARDEN
1ST FL & BSMT
14412 DETROIT AV
LAKEWOOD OH  44107

10 01 2018  ISSUE DATE
07 31 2019  FILING DATE
D1 PERMIT CLASSES
18 286 C RECEIPT NO.

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING. REFER TO THIS NUMBER IN ALL INQUIRIES

C TRFO 8785129-0005

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD □ IN OUR COUNTY SEAT. □ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. □

DID YOU MARK A BOX? □ IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title) □ Clerk of County Commissioner (Date)
□ Clerk of City Council
□ Township Fiscal Officer

CLERK OF LAKEWOOD CITY COUNCIL
12650 DETROIT AV
LAKEWOOD OHIO  44107

MAILED 08/02/2019  RESPONSES MUST BE POSTMARKED NO LATER THAN 09/03/2019

REV. 03/09
NOTICE TO LEGISLATIVE AUTHORITY

TO

ALBESTAN LLC
DBA TONIS PIZZA SHOP
13619 DETROIT AVE
LAKEWOOD OH 44107

FROM

08/06/2019

PERMIT NUMBER
NEW
PERMIT CLASSES
FI
X DISTRICT
RECEIPT NO.

0098810
ALBESTAN LLC
DBA TONIS PIZZA SHOP
13619 DETROIT AVE
LAKEWOOD OH 44107

FROM 08/06/2019

IMPORTATE NOTICE
PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES (MUST MARK ONE OF THE FOLLOWING)

NEW 0098810

☐ WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

☐ WE DO NOT REQUEST A HEARING. ☐

☐ DID YOU MARK A BOX? ☐ IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

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CLERK OF LAKEWOOD CITY COUNCIL
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LAKEWOOD OHIO 44107

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REV. 03/09